

Forming and Managing a  
Community Association

# *Governance Handbook*



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This information is a brief summary of current practices relevant to governance in the voluntary sector in Canada. For complete and up-to-date information, readers should check with appropriate authorities such as the Government of Saskatchewan – Corporate Registry and City of Saskatoon – Community Services Department. Readers seeking legal advice should consult with a lawyer.

## Introduction

Community associations are independent, non-profit organizations run by volunteers who work to enhance the quality of life of people living in their neighbourhoods. The City of Saskatoon requires that community associations be legally structured under the Saskatchewan Non-profit Corporations Act, 1995 and are thus publicly accountable entities that have the authority to manage funds and receive grants from governments and funding agencies.

The appropriate and required governance structure for a Saskatoon based community association is the subject of this handbook. Besides incorporation, the governance model used by a community association includes approved written documentation that describes why it exists, what it does and how it functions.

**New Community Associations** – This handbook provides an overview of what documentation is required to form a non-profit organization. It will help residents of new neighbourhoods establish a community association that conforms to federal, provincial and municipal policy yet have a separate and unique identity. The handbook will serve as a step-by-step guide in establishing Articles of Incorporation and a set of Bylaws. Once these essential documents are in place, it will further assist in the development of Policies and Procedures required by the board of directors to conduct business.

**Established Community Associations** – Boards and executives of existing associations will find the handbook useful as they conduct the annual organizational review. It is advised that an annual review of all established documents be done prior to the annual general meeting. Most associations already have this as a written requirement. Through an annual review of the association's governance documents, all necessary revisions are brought to the attention of the membership in a timely manner, discussed publicly and voted upon, thus maintaining an organization suitably structured for the needs of a neighbourhood.

The handbook is a guide to good governance when orienting new board members. As well, it is useful when discussing the structure and operation of a community association with residents and potential board members.

The City of Saskatoon Community Development Branch works in cooperation with neighbourhood community associations to coordinate activities and programs throughout the city. We have prepared this handbook to give citizens a resource that explains and describes the required governance documentation for an incorporated non-profit community association. If you have any questions, feel welcome to contact your Community Consultant at 306-975-3378.

## Glossary of Terms

**‘Community Association’** – An incorporated, non-profit organization representative of a given neighbourhood within the city of Saskatoon that works to enhance the quality of life for its residents through the offering of affordable sport, culture and recreation programs and community events.

**‘Governance’** – The Institute on Governance website states that, “The need for governance exists anytime a group of people come together to accomplish an end.” Their working definition: “Governance determines who has power and makes decisions, how other players make their voices heard and how accountability is rendered.”

**‘Governance Documents’** – Written and approved information of the community association that constitutes its structure, power and authority.

**‘Non-Profit Corporation’** – Formed to carry on activities for purposes other than the financial gain of its members. It can earn a profit, but any profit must be used to further the goals of the group rather than paid out to its members.

**‘Membership Non-Profit Corporation’** – A corporation that carries on activities that are primarily for the benefit of its members.

**‘Charitable Non-Profit Corporation’** – One that is formed primarily for the benefit of the public and designates itself as a charitable corporation in its Articles of Incorporation or is deemed to be charitable and/or is a registered charity as designated by the Canada Revenue Agency.

**‘Charitable Status’** – A corporation established to operate exclusively for charitable purposes and wishing to issue official donation receipts for income tax purposes must apply to the Canada Revenue Agency to be approved for registration as a charity.

**‘Financial Accountability’** – Community associations are required to maintain financial records and account to their members and the City for how funds are spent. The City does not require an audit, only a review engagement report. However, the Corporate Registry requires membership non-profit corporations to file audited financial statements unless a resolution not to appoint an auditor has been passed by two-thirds of the membership voting on the resolution. Membership non-profit corporations must file audited financial statements if revenues exceed \$250,000 in the previous fiscal year.

**‘Review Engagement Report’** – A review engagement report is issued when the accountant considers the plausibility of the financial information provided by the client, primarily through the use of enquiry, analytical procedures and discussions with the client. Once plausibility is established, the accountant issues a review engagement report with the financial statements. It is considered a low level of assurance which means that nothing has come to the attention of the reviewer causing him or her to believe that the financial statements are not, in all material respects, in accordance with Canadian Generally Accepted Accounting Principles.

**‘Audit Report’** – In addition to the review engagement procedures, the accountant can perform substantive procedures to obtain an understanding of the association’s system of internal controls. This is a much more extensive process than a review, enabling the accountant to provide a much higher level of assurance through the issuance of an auditor's report, which states that the company’s financial statements are in accordance with Generally Accepted Accounting Principles. The accountant is also required to provide an audit findings or management letter that summarizes his or her evaluation of the client’s internal controls, significant accounting policies, unusual transactions, disagreements with management and other pertinent findings. (See the City of Saskatoon Community Association Treasurer’s Handbook for additional information on accounting record keeping and reporting.)

## CHAPTER

## 1

## Forming a Community Association

1. Meet to discuss the value of a community association.
  - Contact the Community Development Branch to assist in organizing.
  - Community Consultants help with providing information and the process leading to a recognized community association.
2. Establish a set of objectives. (Why are we here?)
3. Establish an official organizing committee to form an association.
4. Set the name of the organization.
5. Set boundaries encompassing the organization.
6. Set membership requirements including fees (if required).
7. Send a request to the City of Saskatoon Community Development Branch via the Community Consultant for recognition as a community association.
8. Notify neighbourhood residents within boundaries and publicize the start up meeting.
9. Open public meeting and sale of memberships.
  - Elect the first board of directors (executive).
  - Motion to incorporate into a formal organization.
  - Fundraise to pay for incorporation and insurance.
10. Establish Governance Documents.
11. Submit Articles of Incorporation and other necessary documentation to the Corporate Registry.
12. Incorporate as a non-profit organization.

13. Gain recognition by the City of Saskatoon to receive funding to assist with insurance and other start-up costs.
14. Begin operating the Association by scheduling and running monthly meetings.
15. Conduct an annual general meeting one year following incorporation.





## CHAPTER

## 2

## Community Development Branch

The City of Saskatoon's Community Development Branch mandate is:

***“To serve as a catalyst to bring the community together to provide neighbourhood-based programs, to support volunteers in the delivery of those programs, and to create a network of volunteers capable of addressing other issues that affect the quality of life in their community.”***

The Community Development Branch provides a variety of programs, services and assistance through:

- Financial assistance in the form of grants.
- Summer playground and youth centre programs.

Community Consultants provide administrative and developmental support to organizations and individuals within Saskatoon neighbourhoods to enable them to plan and offer sport, cultural and recreational opportunities to all citizens. Consultants assist in the development of new community associations, work on an ongoing basis with established community associations and build capacity among community associations enabling them to address other issues that affect the quality of life in neighbourhoods.

### **Community Consultants:**

- Provide consultative services to community associations.
- Assist in assessing the neighbourhood's leisure needs.
- Facilitate public input for the Community Services Department on issues, park development and redevelopment.
- Provide training to meet leadership needs for community volunteers. (e.g. Executive position training, workshops and individual training.)
- Provide resource information to volunteers.

- Administer the Community Association Annual Grant Program.

Community Consultants are here to assist you, answer questions, and to provide expertise. The Community Consultant can put you in touch with other community association volunteers that are dealing with some of the issues or concerns that you may have. The Community Consultant also acts as a liaison between your association and the City of Saskatoon; they can put you in touch with the appropriate City staff to address your issues.

Contact Community Consultants at:

**Community Development Branch, City of Saskatoon**

**3130 Laurier Drive, Saskatoon, SK S7L 5J7**

**Phone: 306-975-3378**

**Fax: 306-975-2324**

## CHAPTER

## 3

[community.consultant@saskatoon.ca](mailto:community.consultant@saskatoon.ca)

## Community Association Governance Documents

Community associations are required by the City of Saskatoon to be incorporated under the Non-profit Corporations Act, 1995 and require additional governance documents that detail their structure and operating procedures.

The three essential documents required for governing a community association are Articles of Incorporation, a set of Bylaws and a list of Policies and Procedures. These documents together provide the basis for why an association exists, what an association does and how an association operates.

### Who we are and why we exist

- Articles of Incorporation are designed to formalize the structure of the association. They follow a prescribed form set out by the Corporate Registry, Information Services Corporation of Saskatchewan. Articles of Incorporation include the association's name, objectives, class of membership, right to transfer membership interests, number of directors, type of corporation (e.g. membership), dissolution of the corporation and the registered office of the corporation (e.g. address).

### What we do

- Bylaws are established by the membership to provide greater detail on the association's structure and operation. Bylaws outline goals and objectives, and establish voting procedures, type and frequency of meetings, definition of membership, member fees, financial procedures, committee formation and any restrictions.

### How we do it

- Policies and Procedures are established by your board of directors to provide specific operating

guidelines for conducting the work of the association. Some policies may be long standing while others may be established for a short, concise period of time. Regardless of its duration, a policy should always be recorded and associated with the bylaw that it is derived from. Policies are under the control of the board of directors but should be reviewed by the membership on an annual basis.



It is important to note that the governance terminology used in this handbook may differ somewhat from that used by other established associations. Bylaws are not required by law but are desirable to provide rules under which a corporation may operate. They are used to supplement the Articles of Incorporation and must not contradict the Saskatchewan Non-Profit Corporations Act, 1995 or the Articles of Incorporation. Many community associations established prior to 1995 developed constitutions which include articles and/or bylaws that defined their structure and operating guidelines. Whether it is a set of bylaws or a constitution, either document provides the association with functional and adequate governance documentation. The term Bylaws is more current, acceptable and is used by City government when referring to community association Governance Documents.

## CHAPTER

## 4

## Articles of Incorporation

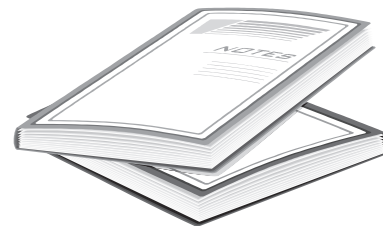
Articles of Incorporation formalize the structure of the association and provide an explanation for why the association exists and who it involves. The required content of this form includes the following articles:

1. Name of corporation.
2. The classes of membership.
3. Right, if any, to transfer membership interest.
4. Number (or minimum and maximum number) of directors.
5. Indication that the corporation is either a membership corporation or a charitable corporation.
6. Restrictions, if any, on activities the corporation may carry on or on powers the corporation may exercise.
7. Persons or organizations to whom remaining property is to be distributed in the course of liquidation and dissolution of the corporation.
8. Other provisions, if any.
9. Incorporators (names in full with street addresses and signatures).

The Corporate Registry provides a prescribed form (Form 1 Articles of Incorporation) to be completed by any group forming an incorporated non-profit organization. For a copy, go to: [www.publications.gov.sk.ca/details.cfm?p=31074](http://www.publications.gov.sk.ca/details.cfm?p=31074)

For your reference and use, a sample Articles of Incorporation appears in APPENDIX II – ARTICLES OF INCORPORATION.

For written information regarding Articles of Incorporation, refer to the Saskatchewan Non-profit Corporations Act, 1995 on the Corporate Registry, Information Services Corporation of Saskatchewan website at [www.isc.ca/CorporateRegistry](http://www.isc.ca/CorporateRegistry). (Click on “Non-profits” in menu). An informational brochure is also available on the Saskatchewan Legal Public Education website at [www.plea.org/freepubs](http://www.plea.org/freepubs).



## CHAPTER

## 5

## Bylaws

Bylaws are established by non-profit organizations for the regulation of their own affairs and activities. They are “What we do” as an organization. They are not required by law though organizations write them to clarify their management and operations. Bylaws cannot contravene or be in opposition to the Saskatchewan Non-Profit Corporations Act, 1995, as it always takes precedence. Directors may change bylaws at any time, although all revisions require either ratification or rejection by the membership of the organization at its next general meeting. Proposed changes require a majority of the membership vote to ratify.

Each bylaw may have a set of policies and procedures that are the administrative “How to” in the corporation, dealing with interpreting the Articles of Incorporation into day-to-day actions.

### Developing Bylaws

Organizations use bylaws for the following reasons:

- To facilitate the operation and management of the organization.
- To clarify duties of officers of the organization.
- To establish committees and define their responsibilities and powers.
- To set the financial year and make other arrangements.

### Bylaw One: Boundaries

- Identifies geographically the boundaries the corporation draws its membership from.

### Bylaw Two: Objectives

- Describes what the corporation will do within the neighbourhood.

### Bylaw Three: Membership

- Specifically identifies who may become members, how to become a member and what membership responsibilities there are including payment of any fees.

### **Bylaw Four: Board of Directors**

- Outlines who manages the corporation and may, but not necessarily, determine the differences between officers and directors within a corporation.

### **Bylaw Five: Powers of the Board of Directors**

- Outlines the responsibilities and powers of the board to set policy and operate the corporation.

### **Bylaw Six: Election of Board of Directors**

- Outlines how the board members are elected.

### **Bylaw Seven: Meetings**

- Outlines the requirements for meetings of the board and membership in general as prescribed by the corporations act and the membership.
- Who can vote, how voting at all meetings occurs and describes what a meeting quorum will be for annual, special and regular meetings.

### **Bylaw Eight: Financial Affairs**

- Outlines the rules regarding how revenues and expenditures are handled and other financial practices.
- Who has signing authority on bank accounts.
- When and if a financial review is required.
- Who may pledge credit for the corporation.

### **Bylaw Nine: Cooperation with other Associations or Agencies**

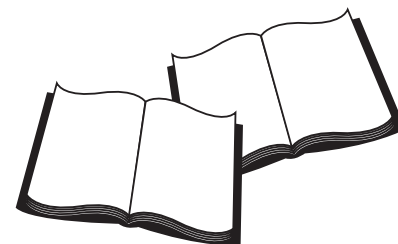
- Outlines what partnerships may or should be built to benefit the corporation and its goals.

### **Bylaw Ten: Amendments**

- Outlines how the Governance Documents are amended and how policies are developed.

### **Bylaw Eleven: Indemnity**

- Outlines how the corporation will deal with liability of directors.





### **Bylaw Twelve: Dissolution of the Corporation**

- This bylaw is only necessary when needed to outline additional circumstances in the process for dissolution of the corporation in addition to those that the Corporate Registry requires.

### **APPENDICIES:**

- The attachments that provide reference to the Governance Documents that may help clarify the Bylaws and Policies and Procedures of the corporation. Some examples are: volunteer job description, copies of new policies and procedures, contact list, and rules of order for parliamentary procedures (e.g. *Roberts Rules of Order*).

**Please see APPENDIX IV for a sample set of bylaws.**

## Policies & Procedures

**Policies** are the organization's guiding principles and provide the administrative "How To" guidelines for action and ensure fair decisions are made on the basis of established criteria.

**Procedures** are developed to provide a consistent process for recurring activities and functions, and are contained within the policy:

- To provide clear, step by step instructions.
- To state the specific actions required.
- To reflect the organization's values.

**Example:** A policy for cheque writing stipulates two different signing authorities are required. The procedure would be for the treasurer to take the invoice and write a cheque to the payee, then get the second signatory to sign the cheque. No cheque shall be co-signed without verification of the invoice by the second signatory.



With the introduction of federal and provincial legislation regarding corporation administration, such as dealing with personal information, your association must enact policies and procedures which reflect this legislation. For the purpose of this handbook, there are two sections of policies: Mandatory Policies and Best Practices.

### Mandatory Policies (MP)

Mandatory Policies are regulated through governmental statutes and must be administered within a corporation which may include step-by-step procedures to follow.

### MP1: Personal Information Protection and Electronic Documents Act (PIPEDA)

*Charities and similar organizations should be aware that some provinces (British Columbia, Alberta, Quebec) have passed legislation similar to PIPEDA. Some of these laws apply to charities and other non-profit organizations.*

*Please note that every Mandatory Policy and set of procedures established by the association's board should list an approval date, an effective date and a revised date (if need be).*

**Purpose:** The Association respects the need for personal information privacy and has created and implemented the following policy and procedures to ensure personal information privacy. This document is to ensure compliance under the privacy requirements of PIPEDA legislation.

**Policy:** The Association shall use all personal information only for the purposes needed within the programs and operations of the Association and shall not share or disclose personal information to other sources for benefits. By enrolling your child or yourself in the Association and/or its programs you are hereby giving consent to the collection, use and disclosure of personal information as needed.

**Procedures:**

**1. Sharing of Information**

- a) The Association will share only pertinent information with coaches, program leaders and/or the board in order to meet the requirements of program registration.
- b) Personal information is shared with the membership director of the Association, the board of the Association and the program leaders as dictated by their program needs.

**2. Association Principles**

- a) Consent – The Association requires your knowledge and expressed or implied consent for the collection, use or sharing of your personal information.
- b) Access – Upon request, we will give you access to your personal information collected by the Association.
- c) Safeguards – The Association will protect your personal information through appropriate storage, policies and safeguards.
- d) Disclosure – The Association will provide the purposes for which your personal information is to be used or disclosed.

- e) Limits – The Association will limit the collection of your personal information to the purposes outlined to you.
- f) Retention – The Association will retain your personal information only as long as necessary to fulfill identified purposes, or for legislated requirements. (e.g. Saskatchewan Non-profit Corporations Act, 1995).
- g) Directors – Election to the board of directors hereby gives consent to the Association for collection, use and disclosure of personal information as needed.

### 3. Documentation

- a) Registration and membership forms and lists – will include a PIPEDA statement on the use of personal information. (e.g. By enrolling your family or yourself in the Association and/or its programs you are hereby giving consent to the collection, use and disclosure of personal information as needed.)
- b) Membership Cards – The Association will share only pertinent information with coaches, program leaders and/or the executive in order to meet the requirements of program registration.
- c) Newsletters – By including your personal information in the Association newsletter, you are hereby giving consent to the collection, use and disclosure of personal information as public knowledge.

### 4. Policy Disclosure

- a) The Association will make known and available, in electronic or hard copy, the respect of privacy policy through commonly used methods by the Association including but not limited to, the newsletter, website, advertising in media or the executive.

#### **MP2: Cost-as-a-Barrier (CAAB)**

The City of Saskatoon requires that community associations address the needs of residents where cost is a barrier to participation. The Association should formulate a policy consistent with the granting process for Cost-as-a-Barrier funding to ensure members who are unable to participate in programs due to financial burden attain the right to do so.

**Purpose:** To ensure all members of the neighbourhood have the opportunity to access programs offered by the Association despite financial constraints.

**Policy:** The Association will review all requests for assistance brought forward by members wishing to participate in activities sponsored by the Association. This will be done in a confidential manner with involvement by the president and one other executive member.

**Procedures:** Information on the Cost-as-a-Barrier policy will be included (but not exclusively) in newsletters, electronic media or word of mouth, and distributed immediately prior to the fall and winter registrations.

Individuals who are requesting support through the Cost-as-a-Barrier program may be required to complete a request form. This form will be available through the indoor coordinator or president.

The request for financial support will be reviewed by the appointed individuals. A recommendation is then presented to the Association's board with a subsequent decision.

Financial support will be considered for individuals or families whose annual income is within the Low Income Cut off as directed by the City of Saskatoon Cost-as-a-Barrier guidelines.

The Association may provide support to include the waving of the fee for the program. Participants will still be required to purchase an Association membership.

Through this initiative, the Association will fund one program per family, per session.

This Association policy will be reviewed annually, in conjunction with the City of Saskatoon Cost-as-a-Barrier funding, to determine if it should be modified accordingly.

**Sample of CAAB Advertising for Newsletter and Website:**

Your community association is sensitive to the needs of families facing financial hardships, and may partially or fully fund participation fees in activities. Assistance is only to cover the cost of programs and will not include membership in the community association. Assistance is limited to one activity per person per session and is available only to residents within our community boundaries. Please contact your community association president for more information.

**Best Practices Policies (BP)**

Best Practices Policies are common policies used by many different organizations to administer the affairs of the corporation and include step-by-step procedures. The information below summarizes a number of non-mandatory best practices policies. More details (i.e. sample policies) for each can be found in Appendix V.

**BP1: Communication Policy**

A communication policy strives to keep Association members and the neighbourhood residents informed of activities, in order to generate community involvement, cohesion and increase participation in issues that affect the Association and neighbourhood in general. A specific policy, within the general communication policy, could deal with how the Association accommodates advertising within its various forms of communication.

**BP2: Financial Policies and Procedures**

Financial management of a non-profit corporation involves the management and accounting of funds to ensure they are spent according to board objectives. This is a key responsibility of all board members, though the treasurer is a critical leader in assuring that the Association's financial affairs are conducted correctly and efficiently. The Policies and Procedures put into place enable the board to manage the day-to-day finances and direct attention to long term planning.

**BP3: Respectful Conduct Policy**

Everyone has a responsibility to set a positive example and behave in a manner which will not offend, embarrass or humiliate others, whether deliberate or unintentional.

The principle of fair and respectful treatment is a fundamental one to uphold for all members, volunteers, leaders, coaches and participants.

#### **BP4: Volunteer Screening Policy**

Volunteers are the foundation of many non-profits and they help organizations achieve their mission and objectives. While respecting the importance of volunteers and their valuable contributions to non-profit organizations, we must also recognize our obligation to protect citizens, particularly those who are more vulnerable. Although costly and time-consuming, policies and procedures for the protection of participants and volunteers should be in place. Each organization is unique and will affect the kind of screening policy adopted. There are many practical strategies to meet the various challenges of screening.

##### **BP4.1: Criminal Records and / or Vulnerable Persons Record Check:**

The Association is responsible to maintain safety and due diligence when providing programs and employing persons or appointing volunteers who work with children and persons that may be vulnerable.

The Association must determine the best means of providing the due diligence which may include a full volunteer screening process. One aspect of a volunteer screening process may be including a Criminal Records Check and a Vulnerable Persons Record Check. These services are provided by law enforcement agencies (Saskatoon Police Services) or private companies (Backcheck Inc.) usually at a fee for service basis.

Community associations can have the fee for service waived by writing a letter to the Saskatoon Police Service using the Association's logo or letterhead.

#### **BP5: Corporate Records**

Every non-profit organization is required to prepare and maintain records to standards set by the Saskatchewan Non-Profit Corporations Act, 1995. A policy regarding the maintenance of records should be included within the bylaws.

**Purpose:** To ensure the Association maintains appropriate documentation of the activities of the corporation for consistent governance as required by the Non-profit Corporations Act, 1995.

**Policy:** The community association shall maintain the following records in a written form on a permanent basis:

- Articles and Bylaws and any amendments to them.
- Minutes of executive and general meetings and member resolutions.
- Notices of all changes of directors (i.e. elections, resignations, terminations).
- Complete list of members.
- Accounting records on a monthly basis and an audited and/or reviewed yearly financial statement, in accordance with the Corporate Registry regulations.



## CHAPTER

## 7

## Revising Association Governance Documents

Governance Documents are always open to review and change. Each particular document has (or should have) a defined process to follow if people think changes should happen. All Association documents should include this process.

1. Review all Governance Documents on an annual basis well in advance of the annual general meeting to ensure required changes are brought before the membership of the organization.
2. Bylaws that are changed (by approved process) or are no longer in use should be deleted immediately from the actual text of the document. Deleted bylaws can be retained within an appendix in order to provide a history of changes. This helps new board members and interested residents in understanding the evolution of the Association.
3. Bylaws and Policies and Procedures should be written and inserted in Governance Documents immediately following their approval and implementation.
4. All changes to documents should be highlighted and made public via the Association's website and newsletter.
5. Notify the Corporate Registry, Government of Saskatchewan, immediately following the amending of the Articles of Incorporation.
6. Contact your Community Consultant for assistance in reviewing and revising Governance Documents.

# Community Association Amalgamation

## CHAPTER

## 8

Community associations have been in existence for several decades and continue to evolve as Saskatoon expands and grows. From time to time, community associations may need to find innovative ways to expand their boards and maintain a sustainable organization. Amalgamating with one or more associations is an option to consider.

Amalgamation may energize volunteers to operate a new association that serves a larger population. It can also expand program offerings and maintain a viable presence in the greater community of Saskatoon.

Here are steps to take for an association that wants to explore the possibility of amalgamation:

1. Meet to discuss the needs of each community association and perform a SWOT (strengths, weaknesses, opportunities, threats) analysis of an amalgamated organization.
  - Contact the Community Development Branch to assist in organizing.
  - Community Consultants help with providing information and guidance.
2. Establish an official amalgamation committee to discuss details further
3. The Committee reviews and discusses the community association's operations and structure including finances, programs, special events and volunteer capacity.
4. The Committee develops and/or examines different operating models.
5. Each community association outlines and presents their expectations for an amalgamated association.
6. The committee drafts a combined constitution for discussion and review.
7. Advertise intention to amalgamate and present draft governance documents at their AGMs or at a special meeting.
8. At an AGM or a special meeting, one association makes



a motion to dissolve as an association and donate all assets to an alternate community association.

9. At the alternate community association's subsequent AGM, a motion is made to accept the assets of the pre-existing association and to alter the community association's name, boundaries, governance documents, insurance and signing authority to reflect the amalgamated association. Once motions have passed, elections will be held for the first board of directors for the amalgamated association.
10. Submit updated Articles of Incorporation and other necessary documentation to the Corporate Registry to formally acknowledge the amalgamation.
11. Obtain recognition from City of Saskatoon to receive funding to assist with insurance and other start-up costs.
12. Begin operating as an amalgamated association by scheduling and running monthly meetings.
13. Conduct an annual general meeting one year following incorporation.

Amalgamation can create a new community association that is efficient and sustainable. An amalgamated association will have a full and rejuvenated board brimming with ideas and possibilities. Indoor programming can expand with new classes being offered. New community events can involve more residents and build a greater sense of community. The board can ably address and act on needs such as park enhancements.

Contact your Community Consultant at 306-975-3378 or [community.consultant@saskatoon.ca](mailto:community.consultant@saskatoon.ca) for more information on amalgamation.

## Closing

This handbook guides you through the development of proper and accepted governance documents for a community association. Whether you wish to form a new community association, or volunteer on an established association, it provides you with some tools and examples for developing and revising governance documents. This written information, along with the consultative support available from the City of Saskatoon and the Corporate Registry, will ensure your organization functions effectively for the benefit of your neighbourhood.

Please contact the Community Development Branch for consultative assistance when forming a new association or reviewing the governance documents of an established community association. We are pleased to assist you.

APPENDIX



## Corporate Registry

The Corporate Registry, Information Services Corporation, Government of Saskatchewan, is responsible for administering the Saskatchewan Non-Profit Corporations Act, 1995. Although the Corporate Registry provides information that should serve the needs of most corporations, it is advised that anyone considering incorporating consult with an accountant or lawyer to determine what is best for you.

The Corporate Registry is located at:

1301 1st Avenue

Regina, Saskatchewan S4R 8H2

Office hours are:

8 a.m. - 5 p.m., Monday through Friday

Corporate Registry may also be contacted by:

Phone: 306-787-2962

Fax: 306-787-8999

Email: [corporateregistry@isc.ca](mailto:corporateregistry@isc.ca)

Visit the Information Services Corporation web site for forms and information at [www.isc.ca/CorporateRegistry](http://www.isc.ca/CorporateRegistry).

# Articles of Incorporation

## Sample Only

### ABC Community Association Inc.

#### Article One – Name of Corporation

1.1 The name of this organization shall be ABC Community Association Inc. (hereinafter referred to as the “Association”).

#### Article Two – Class of Membership

- 2.1 Membership shall be open to:
  - a) Any individual or family that resides within the boundaries of the Association;
  - b) Families whose children attend elementary school within the boundaries of the Association;
  - c) Any individual or family who shall be deemed eligible for membership by the discretion of the board of directors.
- 2.2 Membership fees shall be set by the board of directors. A member in good standing is entitled to the rights and privileges of the Association.

#### Article Three – Right to Transfer Membership Interests

3.1 None.

#### Article Four – Number of Directors

4.1 A minimum of five and a maximum of 30.

#### Article Five – Type of Corporation

5.1 The corporation is a non-profit membership corporation.

#### Article Six – Restrictions on Activities of The Corporation

6.1 To promote and assist in the development of the sport, cultural, recreational, educational and social well being of all ABC residents.



- 6.2 To encourage a sense of community and work to improve and protect the quality of life of the people in the ABC neighbourhood.
- 6.3 To promote, develop and organize recreational, educational and social programs, facilities and sites.

### **Article Seven – Dissolution of The Corporation**

- 7.1 Upon dissolution of the liquidation of the corporation, all the remaining assets of the corporation after payment of all debts and liabilities shall be donated to;
  - a) A charitable corporation.
  - b) A registered charity within the meaning of the Income Tax Act.
  - c) A municipality.
  - d) The Government of Canada or a government of any province or an agency of any of those governments.
  - e) Any combination of the bodies described in clauses 7.1a to 7.1d.
- 7.2 Any motion towards dissolution must meet the requirements in accordance to the Non-profits Corporations Act of Saskatchewan.
- 7.3 Any motion which would authorize dissolution of the Association must be approved by three quarters majority of eligible voters present before it can be implemented.
- 7.4 In the event that dissolution is approved, a panel of at least three trustees must be appointed to oversee the wind up of all outstanding financial affairs of the Association in accordance with the following guidelines:
  - a) The trustees shall take all steps legally necessary to ensure repayment of any outstanding debts for which the Association may be accountable.
  - b) Assets such as sports equipment acquired with major financial assistance from another organization shall revert back to that organization if it is still in existence.
- 7.5 Any motion for dissolution requires at least 90 days' notice and publication in at least three newsletters.

## Article Eight – Other Provisions

8.1 None.

## Article Nine – Incorporators

Name in full	Residential or street address	Signature
-----	-----	-----
-----	-----	-----
-----	-----	-----

The Corporate Registry provides a form (Form 1) to assist people in establishing an Articles of Incorporation. For a copy of Form 1, go to:

**[www.publications.gov.sk.ca/details.cfm?p=31074](http://www.publications.gov.sk.ca/details.cfm?p=31074)**

For more information and assistance in developing or revising Governance Documents (e.g. Articles of Incorporation, Bylaws and Policies) for your association, talk to your Community Consultant.



## APPENDIX



## Reporting to Corporate Registry

Community associations incorporated as non-profit organizations are responsible for reporting to the Corporate Registry on an annual basis. The required reports include:

1. **Annual Return:** Form 26 is generally sent to the community association (by the Corporate Registry) at the mailing address of the community association registered office at least one month before the due date. The form is also available to registered non-profits via the Corporate Registry website with a user name and password.
2. **Annual Financial Statement:** Must be submitted by a date designated by the Corporate Registry. An acceptable format for an annual financial statement is available at:  
[www.isc.ca/CorporateRegistry/form/Pages/Non-profitCorporationsActForms.aspx](http://www.isc.ca/CorporateRegistry/form/Pages/Non-profitCorporationsActForms.aspx)
3. Additional reports whenever there are changes:
  - a) A change in the location or address of the registered office of the corporation (Notice of Registered Office, Form 3).
  - b) Amendments to Articles of Incorporation (Articles of Amendment, Form 4).
  - c) A change among directors (Notice of Directors, Form 6).



## Set of Bylaws

### Sample Only

This is a sample set of bylaws only. Be sure to refer to information provided by the Corporate Registry listing provisions for the general guidance of directors of non-profit corporations or contact your Community Consultant for guidance.

### ABC Community Association Inc.

**Preamble:** In the event of any question as to the meaning or interpretation of any bylaw of the Corporation, the interpretation of the board of directors shall be final and conclusive.

### Interpretation

In this bylaw and all other bylaws of the Corporation, unless the context otherwise requires:

- a) “Act” means the Saskatchewan Non-Profit Corporations Act, 1995, or its successor, as from time to time amended;
- b) “Articles” means the Articles of Incorporation filed pursuant to the Act, as from time to time amended or restated;
- c) “Board” means the board of directors of the Corporation;
- d) “Corporation” means the ABC Community Association Inc.;
- e) “Members” means the members of the Corporation;
- f) “Ordinary resolutions” means a resolution passed by a majority of votes cast;
- g) “Special resolution” means a resolution passed by two-thirds of votes cast.

### Bylaw 1 – Boundaries

- 1.1 The Corporation has been incorporated to serve the neighbourhood within the City of Saskatoon defined by the following boundaries: on the north by (name of street, drive, etc.) on the east by (name of avenue, drive, etc.) on the south by (name of street, drive, etc.) and on the

APPENDIX

IV



west by (name of avenue, drive, etc.), hereinafter referred to as the “Neighbourhood.”

## **Bylaw 2 – Objectives**

**2.1** The objectives of the Corporation are:

- a) To promote and assist in the development of the educational, recreational and social well being of the residents within the neighbourhood;
- b) To encourage a sense of community and work to improve the quality of life of the people in the neighbourhood;
- c) To promote, develop and organize sport, culture, recreational, educational and social programs, facilities and sites by:
  - i. Working in cooperation with the City of Saskatoon Community Services Department;
  - ii. Working in conjunction with the Catholic and Public School Boards, and other organizations and agencies.

## **Bylaw 3 – Membership**

**3.1** Membership shall be open to any individual or family that resides within the neighbourhood.

**3.2** Membership fees shall be paid annually at a date not later than stipulated by the board of directors. These fees shall be set annually by the board of directors, subject to approval by the membership at a general meeting.

**3.3** Membership fees shall be paid annually for the term commencing (month and day) and ending (month and day) [e.g. commencing August 1 and ending July 31] and must be paid before participating as a member in any organized or registered activity.

**3.4** Only an individual or family that has paid the required fee shall be considered a “Member in good standing.” A member in good standing is entitled to the rights and privileges of membership. Each member of the immediate family, 18 years and over, who resides within the neighbourhood shall be entitled to one vote.

**3.5** Members in good standing shall be given priority to participate in association activities over non-members.

**3.6** Fees for activities shall be set by the board of directors,

upon recommendation from the directors in charge of activities, and shall be paid prior to commencement of each organized activity.

3.7 Membership cards shall be issued yearly.

3.8 A member is not liable in his individual capacity for any debt or liability of the corporation.

#### **Bylaw 4 – Board of Directors**

4.1 The business of the corporation shall be managed by a board of directors duly elected from the membership of the Corporation.

4.2 Directors shall be elected at the annual general meeting of the Corporation in such number as the directors shall determine, but in sufficient number to include the following:

- a) President
- b) Past President
- c) Vice-President (or President Elect)
- d) Secretary
- e) Treasurer
- f) Indoor Program Coordinator
- g) Team Sports Coordinator
- h) Social Coordinator
- i) Communications Coordinator
- j) Civics Coordinator
- k) Parks Coordinator
- l) Volunteer Coordinator
- m) Membership Coordinator
- n) Rink Coordinator
- o) Directors-at-Large (2)

4.3 In addition to the directors selected pursuant to Bylaw 4.2, the following person(s) shall be ex officio on the board of directors of the Corporation and shall be deemed to be members of the Corporation:

Community Consultant (1) – Community Services Department, City of Saskatoon

Principal(s) or designate(s) (2) – Public Elementary School and Catholic Elementary School

#### **Bylaw 5 – Powers of the Board Of Directors**

5.1 The board shall have power to do all things necessary for the successful operation of the Corporation, and be empowered to:

- a) Administer the funds of the Corporation in such manner and for such purposes as it may decide are beneficial to the well being and advancement of the objectives of the Corporation;
  - b) Decide to commence or discontinue any form of activity or sport being conducted under the auspices of the Corporation;
  - c) Expel any member for unbecoming conduct or infraction of any rules and regulations of the Corporation;
  - d) Accept any resignation in writing and appoint any member of the Corporation to fill any vacancy occurring for the balance of the term of office or until the next annual general meeting at which time an election or appointment can be made to fill the position for the remaining term of office;
  - e) Ensure the objectives of the Corporation are carried out and that the Corporation operates on a non-political, non-sectarian basis. The objectives of the Corporation shall be carried out without pecuniary gain to its member; and any profits or accretions of the Corporation shall be used in the promoting of its objectives;
  - f) Appoint committees, either standing or temporary (ad hoc) and prescribe their duties, powers, and duration thereof;
  - g) Make such rules and regulations regarding the use of the Corporation's facilities, equipment and supplies as they deem necessary;
  - h) Provide Bylaws as a supplement to the Articles of Incorporation if deemed necessary.
- 5.2** Any director of the board who shall, for any reason, cease to hold office, shall turn over to the board all documents, books, funds or Corporation property within 14 calendar days.
- 5.3** Any director may be removed from office by ordinary resolution of the Members present at a special meeting or annual meeting.

## **Bylaw 6 – Election of Officers**

- 6.1** Directors shall be elected at the annual general meeting specifically to fill the offices listed in Bylaw 4.2.

- 6.2 The President and Vice-President shall be elected for a one-year term, it being the intention that a person elected as Vice-President shall serve for one year as Vice-President, then progress to President for one year, and then serve as Past President for one year.
- 6.3 All other directors shall be elected to office for a two-year term (it being the intention that not more than half the directors shall be retired in any year).

**Terms expiring in even numbered years**

Secretary  
 Communications Director  
 Indoor Programs Coordinator  
 Parks Director  
 Rink Director  
 Social Director  
 Member at Large 1<sup>st</sup>

**Terms expiring in odd numbered years**

Treasurer  
 Civics Director  
 Membership Director  
 Team Sports Director  
 Volunteer Director  
 Special Events Director  
 Member at Large 2<sup>nd</sup>

- 6.4 The directors shall appoint a nominating committee of three members at least 30 days prior to the annual general meeting, which shall endeavour to identify at least one nominee for each vacant office. Nominations will also be accepted from the floor at the annual general meeting.
- 6.5 Each member in good standing, 18 years of age or over, who resides within the boundaries of the neighbourhood as defined in Bylaw 1.1, who is actually present at the annual general meeting, shall be entitled to one vote. If any member so requests, election for any office shall be by secret ballot.



**Bylaw 7 – Meetings of the Board of Directors:**

- 7.1 Fifty per cent plus one of elected or appointed directors shall constitute a quorum to conduct meetings of the board.
- 7.2 Business meetings of the board of directors shall be conducted at least 10 times per year on a monthly basis.

- 7.3 Only elected directors of the Corporation (i.e. excluding ex officio members of the board) are entitled to vote at meetings of the board of directors.
- 7.4 All questions before the board shall be determined by majority vote.
- 7.5 A director is entitled to receive notice of and to attend and be heard at every meeting of the board.
- 7.6 All meetings of the board of directors shall be open to general attendance, but presentation of motions and voting rights shall be restricted to members of the board.

**Annual General Meetings:**

- 7.7 There shall be an annual general meeting of the Corporation in each calendar year on a date to be fixed by the board of directors in accordance with the Non-profit Corporations Act (1995).
- 7.8 The annual general meeting is open to all residents within the neighbourhood who are members or who apply at the meeting to become members.
- 7.9 Notice of time and place of the annual general meeting shall be sent to all members not more than 50 days and not less than 15 days prior to the meeting.
- 7.10 Not less than 15 members shall constitute a quorum of an annual general meeting of the Corporation.
- 7.11 The order of business for the annual general meeting shall be:
  - a) Notice of the meeting
  - b) Minutes of the previous annual general meeting
  - c) Business arising from minutes of previous annual general meeting
  - d) Correspondence
  - e) Reports of the board of directors and committees
  - f) New business
  - g) Election of officers
  - h) Adjournment
- 7.12 Any director may be removed from office by ordinary resolution of the members present at the annual general meeting or a special meeting.



### **Special Meetings of the Corporation**

**7.13** In addition to the annual general meeting, special meetings of the members of the Corporation shall be held in the following circumstances:

- a) When deemed advisable by the board of directors;
- b) When requested in writing by not less than 20 members. The request must clearly state the nature of the business proposed to be transacted at such meeting. The meeting shall be held not less than 20 and not more than 30 days after receiving the request;
- c) All notices of special meetings shall state specifically the business proposed to be discussed at such special meeting and no other business shall be transacted.

**7.14** Notice of time and place of special meetings shall be sent to all members not less than 15 days or more than 50 days before the meeting.

**7.15** Not less than 15 members shall constitute a quorum of any special meeting of the Corporation.

### **Bylaw 8 – Financial Affairs**

**8.1** All fees, revenue and grants payable to the Corporation shall be held in an account kept in the name of the Corporation at such financial institution as the board may determine, and all financial obligations incurred by the Board in the name of the Corporation shall be paid there from.

**8.2** All cheques drafts, and other negotiable or non-negotiable instruments shall be sufficiently signed when signed by any two of the President, Treasurer, and two other directors designated by a resolution of the board.

**8.3** All property of the Corporation shall be the responsibility of the board and the board shall see that a correct inventory of property is kept.

**8.4** The fiscal year of the Corporation shall be January 1 to December 31.

**8.5** The board shall, before the end of the fiscal year, appoint a qualified reviewer who is not a member of the board. It shall be the duty of the qualified reviewer to examine all books and records of the Corporation



and prepare a financial statement of the Corporation to be submitted to the board for presentation at the annual general meeting.

- 8.6 A monthly, written financial statement shall be presented at each meeting of the board.
- 8.7 Directors shall submit all expenditures over \$100 to the board for prior approval.
- 8.8 Directors making purchases over \$1,000 will be required to obtain three quotes. The quotes will be provided to the board of directors for approval.
- 8.9 All expenditures over \$5,000 shall be submitted for approval at a general or special meeting of the members.
- 8.10 No director or officer of the Corporation shall have the power to pledge the credit of the Corporation, or to enter into a contract or an agreement on behalf of the Corporation, unless the transaction has been approved by the board or, in the case of an obligation or contractual liability in excess of \$5,000, by the members.
- 8.11 The Corporation may, where deemed necessary, waive, reduce or rebate any activity fees of any member.

### **Bylaw 9 – Cooperation with other Organizations**

- 9.1 The Corporation shall cooperate with other organizations in the City of Saskatoon having similar duties and powers and, subject to the Articles of Incorporation and the Bylaws of the Corporation may do such things as it considers necessary in cooperating with those organizations.
- 9.2 The Corporation shall, for the purposes of admission to its programs and activities, honour memberships in similar organizations applicable to other neighbourhoods in the City of Saskatoon.

### **Bylaw 10 – Amendments**

- 10.1 Directors may, by resolution, make, amend or repeal any Bylaws that regulate the activities of the Corporation.
- 10.2 Bylaws, amendments or repeals are effective from the day of the resolution of the directors.
- 10.3 All changes in Bylaws must be presented to the next meeting of members, who may confirm, reject or amend the Bylaws, amendments or repeals.

**10.4** Proposed changes to the Bylaws must be detailed in the notice of the next meeting of the members.

**10.5** Amendment to the articles of the Corporation may be made only by special resolution of the members at a meeting of the members, notice of which meeting detailed the proposed amendments.

**Bylaw 11 – Indemnity**

**11.1** The Corporation shall indemnify any director or officer of the Corporation for liability incurred by such director or officer directly as a result of honestly and in good faith carrying out his or her duties.

**Bylaw 12 – Dissolution**

**12.1** If the members resolve that the Corporation can no longer function as a viable organization, then dissolution may be considered. This action should be implemented only after it has been concluded that no future purpose for the Corporation’s existence can be identified. (The Corporation may instead resolve to suspend activities until enough interest is shown to make it viable again.)

**12.2** Upon dissolution, all remaining assets shall be donated to a charitable or non-profit organization identified and approved by the members at the same meeting as dissolution was approved and no resolution to approve dissolution of the Corporation shall be effective unless it specifies such a charitable or non-profit organization.

ENACTED by the board of directors on

the \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
CHAIRPERSON: (signature)

\_\_\_\_\_  
SECRETARY: (signature)

## APPENDIX



## Best Practices / Non-Mandatory Policies

(Samples Only)

### BP1: Communication Policy – Advertising:

**Purpose:** To provide the Association with guidelines, when allowing for advertising, within its various forms of communication.

**Policy:** The Association allows for both paid and unpaid advertising within its forms of communication which include, but are not limited to, circulated newsletters, temporary signage and electronic media including websites, blogs, etc.

#### 1. Advertising Costs

a) Advertising costs for the Association are outlined as follows:

<u>Size of ad</u>	<u>Cost of ad</u>
Business card	\$25
1/4 page	\$35
1/3 page	\$45
1/2 page	\$60
Full page	\$100

b) Reduced rates for three, five and 10 month commitments may be available.

c) When it is determined that an increase in advertising costs is required, a letter will be sent out to all present advertisers outlining the change including the distribution numbers and reason for the increase.

d) Neighbourhood schools and not-for-profit organizations may, be exempt from cost for their advertising as they provide the Association with numerous resources through the use of their facilities.

e) Advertising opportunities will be open to all businesses with the exception of those outlined below.

#### 2. Political and Ethical Advertising

a) The Association will not support the inclusion of political advertising for the purpose of civic, provincial or federal electoral campaigns.

- b) Following an election, the Association may include information identifying the newly elected city councillor and contact information as requested.
- c) A link to the appropriate website may be included on the Association website.
- d) The Association will not support the inclusion of advertising which may be considered prejudicial or controversial.
- e) The Association reserves the right to refuse any material submitted.

**Procedures:** All advertisements submitted must be approved by the communications coordinator.

If the communications coordinator is unsure of any submissions, he or she may take the item to the board for review to decide whether or not to include it.

In the case of disputes between the communications coordinator and potential advertisers, the board will provide the final decision on any submission.

## **BP2: Financial Policies and Procedures:**

**Purpose:** To ensure the Association maintains prudent financial management through generally accepted accounting practices.

**Policy:** All financial actions of the Association must utilize proper internal controls that are consistent with current bylaws and the statutes of the Non-profit Corporations Act, 1995.

### **Procedures:**

#### 1. GENERAL

- a) Require timely completion of accounting records within Generally Acceptable Accounting Principles.
- b) Review and approve monthly financial statements at every meeting.
- c) Review bank statements and cancelled cheques at every meeting.
- d) Maintain and monitor a list of property and or inventory subject to theft.

- e) Store blank cheques in a secure place.
- f) Verify funds transferred between bank accounts at the next meeting following the transaction.
- g) Deposit cash and cheques in a timely manner. (e.g. daily, bi-weekly, weekly.)
- h) Signing authorities will review all invoices and initial before signing cheques.
- i) All cheques must have two signatures.
- j) The Association shall not allow cheques to be pre-signed and held by any member of the Association.
- k) When setting up any account, the Association will require that the bank account must have two signatures on all cheques.
- l) Never sign cheques for new vendors without knowing or verifying their name and association.
- m) A financial review engagement (or audit if required) will be done annually and a written statement from the reviewer (auditor) is ready for presentation at the AGM.
- n) The Association must maintain financial records for at least seven years.

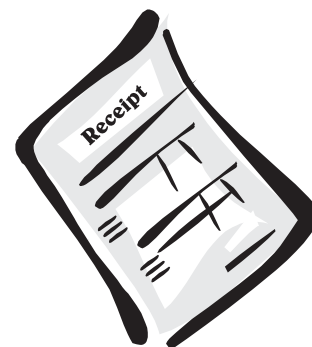
## 2. EXPENDITURES

- a.) Regular Expenses:
  - i. Authorize expenditures prior to entering into a commitment by a resolution in the minutes.
  - ii. Ensure goods and services on invoices have actually been received (the person receiving goods should have signed a packing slip or invoice).
  - iii. Check the clerical accuracy of invoice.
  - iv. No cheque will be issued without submitting an invoice, receipt or payment voucher.
  - v. Pay the invoices by cheque at the regular monthly meetings. Two signing authorities must inspect invoices before signing the cheque. The Board approves payment in the minutes. One signing authority initials the invoice or payment voucher to signify approval. (Note: If the treasurer is given an invoice that has not been approved by the Association, payment will not be issued until it has been approved.)
  - vi. Paid invoices should be cancelled by coding the cheque number on the invoice and stapling it to the payment voucher.

- b.) Instructor & Casual Labour Fees:
  - i. Contract instructors are hired only on approval of the board.
  - ii. Rates of pay are approved and recorded in board meeting minutes.
  - iii. People paid for casual labour must acknowledge receipt of payment by signing a receipt noting time worked and amount of pay.
  - iv. Compare cheques and payment records.
- c.) Petty Cash:
  - i. The amount of the fund shall not exceed \$100 and must be established by resolution of board.
  - ii. Each withdrawal of cash must be replaced by an invoice or sales slip (purchase item identified) or receipt for the exact amount of cash withdrawn.
  - iii. When cash becomes low, write a cheque for the exact amount of the invoices, sales slips and receipts to replenish the petty cash fund to its initial established amount. Place all invoices, sales slips and receipts in an envelope and staple it to the payment voucher.
  - iv. The payment voucher requires approval in the same manner as other expenditures.

### 3. REVENUES AND RECEIPTS

- a.) Registrations:
  - i. Must fill out an internal control-revenue form.
  - ii. All revenue received will be receipted immediately and a copy given to the person handing in the funds.
  - iii. Must separate all post dated cheques from current cheques which will be deposited immediately.
  - iv. During registration, all programs must be kept separate. After the registration process is completed the revenue and receipts must be balanced by at least two people. (Note: People using one cheque to pay for multiple programs makes this difficult. Cross referencing is essential.)
  - v. Never hold onto cheques or money. Get them to the treasurer as soon as possible.



- vi. All cash and cheques must be handed to the treasurer in person. A second count will be done with both involved. Both parties will then sign the internal control revenue form.

### **BP3: Respectful Conduct Policy:**

**Purpose:** To maintain a diverse, respectful organization, where community residents, Association members, volunteers and participants enjoy an environment in which the dignity and self-respect of every person is valued and which is free of offensive remarks, material or behaviour.

**Policy:** Every person can expect to be treated respectfully when involved in Association activities, programs, events and meetings. Every member, volunteer, leader and participant has the responsibility to refrain from participating in behaviour that is or could be perceived to be disrespectful in nature.



We recognize that disrespectful behaviour can jeopardize an individual's dignity, self-esteem and well being and possibly undermine working relationships, friendships and organizational productivity.

1. This policy applies to all members, volunteers, leaders, participants and coaches, including casual and contract employees. It applies to the Association as well as to activities connected with the Association. It applies to relationships and interactions between members, volunteers, leaders, coaches and the general public.
2. What to do if you are accused of disrespectful behaviour:
  - a) Attempt to resolve the situation by listening and trying to understand the concern.
  - b) Be open to the other person's perspective. (For example, something which you consider to be humorous might be offensive to someone else.)
  - c) Consider the impact of your actions on the other person.
  - d) Be willing to make reasonable changes that could make a difference. Often a sincere apology and a commitment to refrain from disrespectful behaviour is sufficient to resolve the situation in an informal manner.



- e) Keep your involvement and nature of the complaint confidential.
- 3. What to do if you are treated in a disrespectful manner:
  - a) Every situation is unique, but whenever possible, informal resolution of an issue as soon as possible is preferable.
  - b) Be proactive. Try to resolve the problem on your own. Do not wait until a recurrence or assume the problem will go away. Approach the person who made you feel uncomfortable, explain how it affected you and ask them to stop. Do this calmly, respectfully and in confidence. Often, an individual may not be aware that her or his behaviour is offensive, and most will change the behaviour once they are aware of the problem.
  - c) If another person approaches you regarding an issue of respect, careful listening, respectful discussion and honesty will often lead to a resolution.

#### **BP4: Volunteer Screening Policy:**

**Purpose:** To select volunteers who are competent and contribute to the delivery of service in a safe environment.

**Policy:** The Association will develop and carry out volunteer screening on a regular basis to ensure that volunteers who serve the Association, who are put into positions of trust and who may deal with vulnerable persons have been properly screened.

#### **Screening Terminology**

##### **Duty of Care**

The concept of duty of care identifies the relationship that exists between two persons (e.g. two individuals or an individual and an organization). It establishes the obligations that one owes the other, in particular the obligation to exercise reasonable care with respect to the interests of the other, including protection from harm.



## Liability

Liability refers to the duties, obligations or responsibilities imposed on a person by common law or by statute. We speak of a person or organization being held legally liable for something. For example, through a legal action, the individual or organization has been found legally responsible for an action or inaction in a particular set of circumstances and is required to pay damages to someone harmed as a result.

- a) **Occupier's Liability:** Requires that the person (either an individual or an organization) in possession of premises, owes a duty of care to those who come on the premises and must take reasonable care to protect them from harm. This might come through their programs, on their premises or at the hands of a third party on the premises.
- b) **Direct Liability:** Deals specifically with the issue of fault.
- c) **Vicarious Liability:** The liability an organization takes on for the actions of those who function on its behalf.

## Criminal Record Check / Working with Vulnerable Persons Check

The Criminal Record Check is the process of securing information from the police about individuals and describes the form or report in which information is provided. It includes a check of local, regional and national police records. A report is issued at the end of the process. The report may simply identify whether or not someone has a criminal record or it may provide details of actual offences.

## Position of Trust

A position of trust identifies a setting in which someone is placed in a position of authority over another person in an ongoing relationship. A position of trust implies that a person has some degree of power over another, that the relationship is unequal. The question of whether a position of trust exists depends on the relationship and on the degree of authority, reliance and dependence in it, and not on the question of payment or salary. People may also assume positions of trust with respect to finances, rather than individuals. Examples of relationships involving positions of trust are coach-participant, teacher-student, manager-subordinate, etc. Positions of trust can also be present due to age differences such as adult-child, teen-child, etc.

### **Standard of Care**

The standard of care refers to the degree or level of service, attention, care and protection that one person owes another according to the law, usually the law of negligence. The required standard varies according to the circumstances of each situation and determining the appropriate standard is often not a simple matter.

### **Volunteer**

A volunteer is an individual who chooses to undertake a service or activity and who is not coerced or compelled to do the activity. A volunteer does this activity in service to an individual or an organization or to assist the community-at-large. They do not receive a salary or wage for this service or activity.

### **Vulnerable Person**

This term is used to denote individuals who have difficulty protecting themselves and are therefore at greater risk of harm. People may be vulnerable because of age, varying physical and mental ability, or circumstance. Vulnerability may be a temporary or a permanent condition. This is purposely a broad definition and one that includes children, youth, senior citizens, people with physical, developmental, social, emotional, or other varying abilities, as well as people who are victims of crime or harm. Vulnerable person also includes people who have been victims of crime or accident, or are otherwise left with little defense against those who can harm them.

### **Volunteer Screening Process**

1. Risk management.
2. Using your organization's chart and position descriptions to identify and manage risk.
3. Recruitment process.
4. Application form.
5. Interview.
6. Reference check.
7. Criminal Records Check with vulnerable persons check.
8. Orientation and training.
9. Supervision and evaluation.
10. Participant follow-up.

### **BP4.1: Criminal Records and / or Vulnerable Persons Record Check:**

**Purpose:** To ensure everyone that participates in the Association or its activities is safe from harm by predatory person. It is understood that a police Criminal Records Check and/or Vulnerable Person Check is but one aspect in a volunteer screening process.



#### **Policy**

- a) Volunteers and instructors that work with vulnerable persons shall be asked to submit a police Criminal Records Check and Vulnerable Persons Check before commencement of duties.
- b) Volunteers that are in a position of responsibility over handling Association funds shall be asked to submit a police Criminal Records Check to the board of directors.

#### **Procedures**

1. Upon receiving a volunteer or instructor application, the board of directors shall request that the volunteer and or instructor within the policy guidelines present a Criminal Records Check to the board of directors within 30 days.
2. The Association shall request from the local law enforcement agency in writing, an exemption from any fees for service and/or seek discounts as may be provided for the incoming volunteer applications.
3. The Association shall provide each volunteer with a letter of introduction to the law enforcement agency stating that this person is wishing to volunteer for the Association pursuant to the policy guidelines.
4. All volunteer applicants will provide two written references.
5. Volunteers shall not begin duties until the Criminal Records Check is received and their application accepted.
6. The Association will take steps wherever possible to monitor and provide constructive communications to volunteers on their performance of duties.

## List of Community Associations

Adelaide Park / Churchill	Meadowgreen
Avalon	Montgomery Place
Brevoort Park	Mount Royal
Briarwood	North Park/Richmond Heights
Buena Vista	Nutana
Caswell Hill	Pacific Heights
City Park	Parkridge
College Park	Pleasant Hill
Confederation Park	QEX (Queen Elizabeth-Exhibition-Haultain West)
Dundonald	River Heights
East College Park	Riversdale
Eastview	Rosewood
Erindale/Arbor Creek	Silverspring
Fairhaven	Silverwood Heights
Greystone Heights	South Nutana Park
Hampton Village	Stonebridge
Holiday Park	Sutherland/Forest Grove
Holliston (Haultain East)	Varsity View/Grosvenor
Hudson Bay Park/Mayfair Park (Kelsey-Woodlawn)	Westmount
King George	Westview Heights
Lakeridge	Wildwood
Lakeview	Willowgrove
Lawson Heights	
Massey Place	

For information on your local Community Association, visit the City of Saskatoon website at [saskatoon.ca](http://saskatoon.ca), click on Community Associations under 'C' in the A-Z Listings. Contact names and numbers are listed under Community Associations.

# Notes

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Publication date: January 2014

