

## **Ask a Contract Signer**

### **Question 1:**

What is a contract?

### **Answer:**

To enter into a business or a legal engagement

To arrange for one's subjection to, exemption or exclusion from provisions of law, etc (Concise Oxford Dictionary, 7<sup>th</sup> Edition, 1987)

Agreement made, enforceable by law

(Pocket Oxford Dictionary, 4<sup>th</sup> Edition, 1960)

### **Question 2:**

I was told that a Guider could not sign a contract. Why is that?

### **Answer:**

Girl Guides of Canada is one entity and our National level holds the liability insurance policy for the whole organization.

Risk Management dictates that there are some parameters on how we manage the risk. Our tools for Risk Management are Safe Guide, National Insurance Program booklet and Guidelines for short term contracts.

To ensure any clauses that are written into the contract do not negatively impact the coverage of our Girl Guides of Canada insurance policy all contracts have to be read or understood before signing and signed by someone whom Girl Guides has been authorized to sign on behalf of the organization.

### **Question 3:**

Who can sign a contract?

### **Answer:**

In NL the contract signers are the Provincial Commissioner and the Deputy Provincial Commissioner.

Authorized Contract Signers are Guiders who have taken further training and been authorized by Girl Guides of Canada to sign on behalf of the organization and are registered in iMIS as such.

**Question 4**

How do I get a contract signed?

**Answer:**

Contracts can be sent by e-mail, faxed or post to the Provincial Office, attention Catherine Neary.

Email: [nearyc@girlguides.ca](mailto:nearyc@girlguides.ca)

Fax: 709-726-4045

Post: Girl Guides of Canada, 63 Roosevelt Avenue, St. John's, NL A1A 0E8

The contract will be copied, reviewed, and signed then returned to the Guider.

\*\*If you do not know if you have a contract for your facility ask your District Commissioner.\*\*

**Question 5:**

Why does the Guider have to obtain a Certificate of Insurance? Can't the signer do this for us?

**Answer:**

The request for a Certificate of Insurance (INS.02) must be obtained through Provincial Office by requesting it through Catherine Neary who will complete the request and forward it to you. Please forward your request to Catherine Neary [nearyc@girlguides.ca](mailto:nearyc@girlguides.ca). This proof of insurance is used for ALL levels of activity as outlined in Safe Guide, not just for contract request.

**Question 6:**

How long does it take to have a contract signed?

**Answer:**

Allow two weeks for review and signing before it is returned to you.

**Question 7:**

What are my responsibilities once I have received the signed contract from the Provincial Office?

**Answer:**

- Read the contract.
- Understand the terms and conditions of your contract.
- Share information with fellow Unit Guiders.
- Return the signed contract to the facility.
- Ensure your contact information is given to the facility.
- Establish a good working relationship with your facility.

**Question 8:**

Do I really have to read the fine print?

**Answer:**

**Yes!**

You should know all the terms and conditions of your contract.

Examples:

- There could be a cost for cancellations or a no show.
- Some schools do not provide heat.
- Specific shoes are required when renting some gyms.
- Sweeping and cleaning rules may apply.
- Locking doors and general security issues can be outlined in the contract.
- Cost and security around keys.

**Question 9:**

If the Guider cannot sign why are we asked to sign the contract after the signer?

**Answer:**

All Guiders should be aware of all the terms and conditions within the contract. The Guiders are responsible for informing participants of the rules and behavior expected.

So it is important that the Guiders read the contract in its entirety before adding their signature.

**Question 10:**

If I have a concern or problem with a facility who do I contact?

**Answer:**

Read the clauses with respect to the facility in case you or the facility have contravened the contract.

- Document the facts in clear precise language.
- Contact the facility and get the name of the person to whom you are speaking.
- Explain your concerns using the documented facts.
- Be polite and professional as you are representing Girl Guides of Canada.
- Ask the facility if they would like the concerns documented and sent by email. Request email address if not known.
- Work with facility to resolve concerns.

- Advise your District Commissioner of the concerns and what has taken place between yourself and the facility.
- Give written documentation to the District Commissioner.

**Question 11:**

What types of facilities require a contract?

**Answer:**

Schools, Equipment Rentals, Churches, Community Centers, Pools, Fundraisers, Camps, Malls and many other commercial facilities.

**Question 12:**

What types of activities usually require a contract?

**Answer:**

Examples: Camp facilities not owned by Girl Guides of Canada, facilities for large events, workshops taking place in private venues and guiding events taking place in commercial facilities like malls when selling cookies.

Higher risk activities as outlined in Safe Guide and the National Insurance Booklet like horseback riding, rafting and rock-climbing.

**Question 13:**

If there is a cost to the contract who pays?

**Answer:**

If it is a Unit activity the Unit should pay.

If it is a meeting facility, please talk to your District Commissioner.

**Question 14:**

What should I do if the facility or service provider suddenly produces a contract or waiver to sign when I reach the facility?

**Answer:**

Nobody but the previously mentioned Guiders are authorized to sign on behalf of the organization, so the activity would need to be postponed or cancelled.

Guiders must never sign a waiver for a child not their own.

But planning, more planning and communication are the keys to this dilemma. When planning an activity request the service provider or facility to send detailed information to you well in advance of the planned activity.

Read the information several times and ask the question “will I have to sign any papers now or when I get to the facility or activity”.

Look on the facility or providers website.

Look for words like contract, documents, or waivers. If you notice these get back in touch with them and ask for the documents.

Ask the service provider or facility to send you their contract way in advance of your activity date.

Anticipate that a service provider may require a waiver in addition to a contract to be signed for conditional and adventure activities; ask for the document to be sent to you so that you can get parents to sign and then take these with you when going to the activity. The service provider’s waiver is signed in addition to the GGC Waiver (SG.5).

Keep Safe Guide forms and requirements for activities where you have a service provider component in mind. Completing the service provider checklist (SG7) may uncover the need for waivers or contracts to be signed just by getting to know the provider better or get into the habit of asking the question.

**Question 15:**

Can a Guider sign a ‘blanket’ waiver for her unit?

**Answer:**

No member of Girl Guides of Canada is permitted to waive anyone else’s rights so, no, you cannot sign a waiver for the girls to participate in an activity. This is solely the right of the parents.

By providing them with a waiver we are showing due diligence.

Occasionally a group waiver is written within the other contractual writing in a contract. The contract signer will work with the contract provider to have a separate waiver which will be sent to you for the parent’s signature and a contract that does not include the waiver. The service provider’s waiver is signed in addition to the GGC Waiver (SG.5).

This can take longer to get back to you so allow extra time for the contract signer to review.

**Question 16:**

What could be the consequence to me as a Guider if I sign a contract?

**Answer:**

Individual Guiders do not have the authority to sign anything on behalf of the organization. By signing you would place yourself in a very untenable situation. You would be held personally responsible for the contract you signed, financially and legally. The Girl Guide insurance policy would not cover you, especially any claims alleging a “wrongful act” brought upon you by either a facility or a parent.