

Contract Signing FAQs

Question: What exactly is a contract?

A written or spoken agreement between two or more parties, intended to be enforceable by law.

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

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 be 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 does 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: Who can sign a contract?

GGC – MB has the following as designated contract signers:

- Provincial Operations Lead

Question: How do I get a contract signed?

Unit Guiders, District Commissioners or anyone needing a contract signed should send their contracts to elaine.cullingham@girlguides.ca. All contracts must be submitted to the provincial office no less than 30 days in advance of when they are required.

Question: What are my responsibilities once I have received the signed contract back?

- Read contract and be sure you understand the terms and conditions of the contract
- Ensure you obtain the appropriate insurance as outlined in the 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: I got my contract back, there are portions crossed out – what does this mean?

When contracts are reviewed, we are looking for certain clauses that may affect the coverage of our GGC insurance policy. These clauses could limit our ability to sue a negligent owner/operator or require GGC to waive the rights of our own insurance company.

In the event that your contract has, clauses crossed out it will be up to you to let the facility know that there were some parts which we do not agree to and see what their response is.

Question: Do I really have to read the fine print?

Yes. Even though your contract will have been reviewed and signed by a contract signer, it is important that you, the person/group using the facility, is aware of what has been agreed to. In some instances your contract will be returned with portions crossed out – you need to be aware of these items as well.

You should know all the terms and conditions of your contract such as:

- 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
- Locking doors and general security issues
- Cost and security around keys.

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

Since no one besides the designated contract signer is authorized to sign on behalf of the organization the activity would need to be postponed or cancelled. Guiders must never sign a waiver for a child not their own.

However, planning, more planning and communication are the keys to this dilemma. Some tips to help:

- 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 caregivers to sign and then take these with you when going to the activity. The service providers waiver is signed in addition to the GGC Waiver(SG.5)
- Keep in mind Safe Guide forms and requirements for activities where you have a service provider component. 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: Can a guider sign a 'blanket' waiver for her unit?

No member of Girl Guides of Canada is permitted to waive anyone else's rights. A Guider cannot sign a waiver for the girls to participate in an activity. This is solely the right of the caregivers. 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)

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

Individual guiders do not have the authority to sign anything on behalf of the organization. By signing, you would place yourself in an 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.

Special thanks to GGC – BC for their permission to adapt their "Ask A Contract Signer" document for our use.