

RE: Changes to Criminal Record Checks for Care Providers effective October 1, 2010

On October 1, 2010, the NEW Criminal Record Check Policy and Procedures for Caregivers will take effect and will apply to all criminal record checks for caregivers including:

- prospective and approved foster caregivers
- prospective adoptive parents
- prospective s. 54.1 caregivers
- prospective and approved out of care care-providers and
- prospective and approved relief care providers

and persons 18 years or over living in the home of a caregiver or who spend significant and unsupervised time with a child placed in the home.

This new policy:

Ø will be effective **October 1, 2010**.

Ø applies to 2 types of criminal record checks: Consolidated Criminal Record Checks and Criminal Record Review Act checks.

1. Consolidated Criminal Record Checks

Highlights of changes include:

Ø Foster parents/caregivers who are required to undergo a Consolidated Criminal Record Check must sign the revised (Oct 2010) **Consent for Disclosure of Criminal Record Information Form**, which will be provided to you by your social worker when necessary.

Ø Workers will **fax** the completed Consent for Disclosure of Criminal Record Information form to the Ministry of Public Safety and Solicitor General.

Ø The foster parent/caregiver who is the subject of the criminal record check no longer goes to the local police station for this purpose.

Ø Once approved, the frequency of subsequent checks for caregivers (including relief and out of care care-providers if agreements last three year or longer) and persons 18 age or over living in the home of the caregiver is every **three years**.

2. Criminal Records Review Act checks

Ø No changes were made to the policy or procedures for criminal record checks required under the Criminal Records Review Act (CRRA). (The CRRA check is required in addition to the Consolidated Criminal Record Check for foster caregivers.)

Ø The CRRA applies to:

- new foster caregivers who have been approved but before being offered a contract; and
- all foster caregivers every **five** years

Ø The CRRA is provincial legislation administered by the Ministry of Public Safety and Solicitor General (PSSG). One purpose of the CRRA is to help prevent the physical and sexual abuse of children. The CRRA requires that anyone in British Columbia obtain a criminal record check who is employed, licensed,

or funded by the government and who works with children or may have unsupervised access to children through their position. **Anyone who is offered a family care home agreement or contract is required to undergo a criminal record check under the CRRA. Under the CRRA a check needs to be completed every 5 years if there is still an agreement in place.**

Ø The criminal record review process for those deemed to be working with children was established by the CRRA and consists of a review of any outstanding charges, current stays of proceedings, use of alternative measures, protection orders/peace bonds under sections 810, 810.1 and 810.2 of the Criminal Code of Canada, convictions, conditional discharges or pardons of 62 relevant offences identified in the CRRA. See the link below for a list of relevant offences:

<http://www.pssg.gov.bc.ca/criminal-records-review>

***Updates reflecting this new policy and procedure and other recent policy changes to the Caregiver Support Standards, Standards for Foster Parents, Foster Family Handbook, Custody to a Person Other Than a Parent Under the Director's Supervision Reference Guide and TRANSFER OF CUSTODY: Child, Family and Community Service Act Section 54.1 Policy Guide will be made in November, 2010.

In the event of a discrepancy between these and the Criminal Record Check Policy and Procedures for Caregivers, the process outlined in the Criminal Record Check Policy and Procedures for Caregivers takes precedence.