

Practice Guidelines
For Centralized Services Hub Screening of
Caregivers in Contracted Agencies

December 2017

Documents to be received before Commencing the Screening Process

- Prior to Centralized Services Hub (Hub) conducting a screening of a prospective caregiver in a contracted agency, the prospective caregiver must complete the following forms at the contracted agency, which in turn forwards the completed forms to the Hub:
 - Consent for Initial Record Review and Detailed Record Review (Form CF0623)
 - Consent for Disclosure of Criminal Record Information (Form CF0622)
- When a prospective caregiver will be providing care in a sub-contracted family care home, anyone 19 years or older who will be living in the residence, and anyone 19 years or over who will have significant and unsupervised access to the children in the residence must complete the same consent forms, which the contracted agency will forward to the Hub.
- If the prospective caregiver or anyone 19 years and older, who lives in the home or who has significant and unsupervised access within the home, has resided in a jurisdiction outside of Canada for six months or more within the past five years, a verifiable criminal record check from that jurisdiction must be reviewed by the Hub.

Conducting an Initial Record Review and Detailed Record Review

- The Initial Record Review (IRR) and Detailed Record Review (DRR) are conducted. The IRR and DRR include previous child protection records gathered under the *Child, Family and Community Service Act* (CFCSA) when the individual was 19 years of age or older.
 - The IRR is a review of the electronic databases (ICM, MIS, Best Practices) in order to:
 - Identify any past concerns about the caregiver in the caregiver's role as a parent to their own children and, if applicable, identify any Quality of Care Review or Caregiver Investigation that may have involved the individual in a caregiver; and
 - Identify the previous issues or concerns from the involvements.
 - The IRR includes child protection records from another jurisdiction when the individual has resided in another jurisdiction for at least six months within the past 5 years.
 - The DRR is a review of any electronic and physical files to determine:
 - How previous issues previous role as or concerns have been addressed;

- The responsiveness of the family care home in addressing the issues and concerns; and
 - The effectiveness of the last intervention.
- When a prospective caregiver will be providing care in a sub-contracted family care home, the IRR and DRR are conducted on anyone 19 years of age and over who resides or will be residing in the home, and anyone 19 years of age and over who has significant and unsupervised time with a child placed in the home.
 - Relevant information from the IRR and DRR includes information relating to the individual's ability to provide a nurturing, safe environment and /or not pose harm to a child, including:
 - Current or past child protection concerns relating to the individual;
 - Substance misuse;
 - Emotional and or psychiatric problems requiring treatment;;
 - Anger management issues;
 - Violent behaviours towards other adults, children, or animals;
 - Inadequate parenting skills; and
 - Repeated, unfounded child protection complaints.
 - A delegated worker in the Hub considers the following factors when assessing an individual regarding relevant information from past child protection involvement:
 - Nature of the problem identified in the record;
 - Whether the problems identified were resolved, and if so, how were they resolved;
 - How long has it been since the problem was identified;
 - The current circumstances of the individual; and
 - The likelihood of the identified problems recurring.
 - Whether the information identified indicates that there could be concerns for the health, safety or well-being of a child placed in with the individual.

Conducting a Consolidated Criminal Record Check

- The completed Consent for Disclosure of Criminal Record Information form is forwarded by the Hub to the Ministry of Public Safety and Solicitor General (PSSG), for processing as a part of the Consolidated Criminal Record Check (CCRC).
- The CCRC reviews four categories of information: criminal convictions, outstanding criminal charges, conditions or absolute discharges and police information.

- The PSSG sends back to the Hub a Client History Report (if there is one) from BC Corrections Data Base (CORNET), police file numbers for relevant incidents identified in the Police Records Information Management Environment (PRIME), and notification that either a record was not identified, or that a record may have been identified in Canadian Police Information Centre (CPIC).
- To obtain detailed information resulting from the CCRC, Hub workers send requests to the local police detachments regarding the file numbers and relevant incidents identified in Prime.
- 61 *Criminal Code* and *Controlled Drugs and Substances Act* offences are considered relevant as they may present risk to a child.
- A delegated worker in the Hub considers the following factors when assessing an individual regarding past relevant offences:
 - The number of charges, convictions and diversions;
 - Frequency of occurrence(s) and whether these demonstrate a pattern of behaviour;
 - Level of involvement in offences;
 - Degree of violence involved;
 - Possible indications of violent behaviour in various contexts (i.e. history of domestic dispute, combined with incidences of road rage, assault of peace officers, non-domestic assaults);
 - Possible indications of escalation/severity;
 - Whether incident occurred while engaged in a position of trust and authority
 - Involvement of children and / or vulnerable adults in the incident;
 - Whether the incident leading to the offence was situational, isolated or singular, pre-mediated, spontaneous, intending of harm, provoked or in self defense;
 - Age of applicant at time of offence; and age of any complainants;
 - The time between past criminal activity and the present;
 - Substance abuse history and treatment; length
 - Whether the individual's actions had a direct or indirect effect on one or more children / vulnerable adults;
 - Mitigating factors including level of remorse and acknowledgement;
 - Rehabilitation efforts;
 - Forthrightness of applicant (recollection consistent with police report(s));
 - The conduct and circumstances of the individual since the offence or alleged offence;
 - The relevance of the particular criminal activity to the care or contact with the child (ren) in care.

Making the Adjudication Decision

- When the Hub has identified prior child protection concerns or past relevant offences involving the individual, the Hub delegated worker contacts the individual directly by phone, or if phone contact is proving difficult, via a letter inviting the individual to contact the Hub within a two week time period. This practice provides the individual an opportunity to:
 - Verbally provide their perspective about the past concerns or offences; and
 - Answer any questions that the delegated worker may have pertaining to the past concerns or offences.
- If there is an open file that indicates child protection concerns, the Hub delegated worker advises the individual that the screening process cannot continue while there is an outstanding child protection concern.
- If the Hub delegated worker determines that it is necessary to verify information provided by the individual from a third party (e.g. physician, probation officer), the Hub delegated worker requests that the individual complete the Consent to Collection of Information Form (CF0611).
- When prior child protection concerns or past relevant offences involve an individual 19 years or older who will be living in a sub-contracted family care home, or involves anyone 19 years or over who will have significant and unsupervised access to the children in the home, complete the Consent to Disclosure of Information Form (CF0609) if it becomes necessary to inform the prospective caregiver about this information.
- The Hub delegated worker documents in ICM the information upon which the delegated worker is making the adjudication decision, as well as the adjudication decision (Yes or No determination).
- If the Hub delegated worker screens in (Yes determination) an individual who has a past child protection concern or a past relevant offence, that decision must be approved by the Hub team leader.
- If the Hub delegated worker screens out (No determination) a prospective caregiver, that decision must be approved by the Hub Director of Operations.

Communicating the Adjudication Decision

If “Yes” determination is reached:

- The Hub provides notification through the portal to the contracted agency, stating “yes” regarding the prospective caregiver passing the screening and approval for the contracted agency to complete their assessment.
- The Hub provides the prospective caregiver a letter via Canada Post, advising they have passed the screening phase of their application.
- The letter sent to the prospective caregiver is scanned and attached in ICM and is viewable by the agency through the “Portal Visible” option.

If “No” determination is reached:

- The Hub provides notification through the portal to the contracted agency, stating “no” regarding the prospective caregiver not passing the screening and no approval for the contracted agency to approve the caregiver.
- The Hub Director of Operations sends a letter via Canada Post to the prospective caregiver, advising they have not passed the screening phase of their application including the reasons why.
- The letter sent to the prospective caregiver is scanned and attached in ICM and is viewable by the agency through the “Portal Visible” option.

References:

[Criminal Record Procedures for Contracted Agencies](#)

[Prior Contact Checks Policy](#)

Appendix A

- 1 Section 151: Sexual Interference
- 2 Section 152: Invitation to Sexual Touching
- 3 Section 153: Sexual Exploitation
- 4 Section 153 (1): Sexual Exploitation of a person with a disability
- 5 Section 155: Incest
- 6 Section 159: Anal Intercourse
- 7 Section 160: Bestiality
- 8 Section 161: Order of Prohibition
- 9 Section 163 (1): Child Pornography
- 10 Section 170: Parent or Guardian procuring sexual activity
- 11 Section 171: Householder, permitting sexual activity
- 12 Section 172 (1): Internet Luring
- 13 Section 172: Corrupting Children
- 14 Section 173 (1): Indecent Acts
- 15 Section 173 (2): Exposure
- 16 Section 177: Trespassing at Night
- 17 Section 179: vagrancy
- 18 Section 212 (1) Procuring a Person for the Purposes of Prostitution
- 19 Section 212 (2): Living off the avails of child prostitution
- 20 Section 212 (2.1): Living off the avails of Prostitution
- 21 Section 212 (4): Attempting to Obtain the Sexual Services of a child
- 22 Section 215: Duties of Persons to Provide Necessities
- 23 Section 218: Abandoning Child
- 24 Section 220: Causing death by criminal negligence
- 25 Section 221: Causing bodily harm by criminal negligence
- 26 Section 229: Murder
- 27 Section 235: Punishment for Murder
- 28 Section 236: Punishment for Manslaughter
- 29 Section 237: Punishment for Infanticide
- 30 Section 238: Killing Unborn Child in Act of Birth
- 31 Section 239: Attempt to Commit Murder
- 32 Section 240: Accessory after Fact to Murder
- 33 Section 242: Neglect to Obtain Assistance in Child Birth
- 34 Section 243: Concealing Body of child
- 35 Section 244: Causing Bodily Harm with intent
- 36 Section 245: Administering Noxious thing

- 37 Section 246: Overcoming Resistance to Commission of Offence
- 38 Section 264: Criminal Harassment
- 39 Section 264 (1): Uttering threats
- 40 Section 266: Assault
- 41 Section 267: Assault with a weapon or Causing bodily harm
- 42 Section 268: Aggravated Assault
- 43 Section 269: Unlawfully causing Bodily Harm
- 44 Section 271: Sexual Assault
- 45 Section 272: Sexual Assault with a Weapon, Threats to a third party or causing bodily harm.
- 46 Section 273: Aggravated Sexual Assault
- 47 Section 273 (3): Removal of child from Canada
- 48 Section 279: Kidnapping/Forcible confinement
- 49 Section 279 (1): Hostage taking
- 50 Section 280: Abduction of Person under sixteen
- 51 Section 281: Abduction of Person under fourteen
- 52 Section 282: Abduction in Contravention of Custody Order
- 53 Section 283: Abduction
- 54 Section 372: False Messages/Indecent Telephone Calls/Harassing Telephone calls
- 55 Section 446: Cruelty to animals
- 56 Section 810: Where injury or Damage feared
- 57 Section 810 (1): Where Fear of Sexual Offence
- 58 Section 810 (2): Where Fear of Serious Personal Injury Offence

The following Sections of the Controlled Drugs and Substances Act are designated as a relevant offence:

- a. Section 5: Trafficking a substance
- b. Section 6: Importing and exporting a substance
- c. Section 7: Production of a substance