

Instructions for Indigenous Governing Bodies and Indigenous authorities requesting files under the *Child, Family and Community Service Act (CFCSA)*

This document provides instructions on how to make requests, receive files and get support.

As an authorized representative of an Indigenous Governing Body (IGB) or Indigenous authority (IA), you may request copies of files on children, youth and families served by the ministry and Indigenous Child and Family Service Agencies (ICFSA) necessary for the planning or provision of services under Indigenous laws. You may request these files before or after your laws and/or coordination agreement are in effect.

The ministry is committed to disclosing as much personal information as is legally permissible to IGBs/IAs. The ministry is unable to legally disclose information that:

- Is subject to client-solicitor privilege
- Was obtained in a family conference, mediation or other alternative dispute resolution mechanism, except as provided in s.24 of the CFCSA
- Was collected under the *Youth Criminal Justice Act*

The above information is redacted from files before they are disclosed. Additional records, such as third-party information and information about criminal investigations, may also be redacted if legally required. Personal health information requests must follow additional safeguards under s. 79.2 (2.1) of the CFCSA before they are disclosed.

Step 1: Requesting a list of children, youth and families served by the director

The first step in obtaining files is to request a list of children, youth and families served by the ministry or ICFSA who are members of First Nations represented by your IGB/IA. You may make this request at any time, but requests are normally made before coordination agreements or laws go into effect.

- To request a list, contact your ministry coordination agreement table lead or ministry contact and request a list. If a list was already requested, you may also contact the ministry for an updated list as the information contained on the list may change when new information is entered into the system.

- The request must include:
 - The date by which the list is needed
 - Your name and contact information
 - The name and contact information for the IGB/IA representative who will receive the list

On average, the ministry will produce the list in 1-2 weeks. Once complete, the ministry will email the list directly to you according to the contact information you provided.

The list includes the following information:

- The children's names and birthdates and the names of their parents and siblings if applicable
- The community in which the children reside and the contact information for the ministry or ICFSA office that has conduct of the child's file
- The children's connections to other Indigenous communities if applicable
- A flag if the children receive CYSN services and the placement type to assist in determining the level of support needed
- The children's status under the CFCSA including whether there are CFCSA proceedings, court orders or agreements
- The contact information for the Ministry office or ICFSA office that has conduct of a child's file

Step 2: Requesting files

After you have received the list of children, youth, and families, you may then request the files of any of the individuals on that list by emailing a completed [request form](#).

- The first part of [the form](#) requires you to confirm by checking the box certifying that the information is required for the purposes of providing child and family services under Indigenous law. Once checked, you can press SUBMIT proceed to the rest of the form.
- The [request form](#) allows you to request individual files or "batches" of files (e.g. all files or all files of a specific type). Instructions for completing the form are included within the form itself.

- You can save your form at any time by clicking the VIEW MY DRAFTS/SUBMISSIONS box on the top left of the screen. A box will pop up asking if you'd like to save your draft. If you click YES a draft will be saved in your Previous Submissions screen. To continue your draft, click the centre circular button containing a pencil icon next to the draft form. To view the draft, click the button with the eye icon. To delete the draft, click the red circular button.
- Once all the parts of the form are completed and ready, you need to confirm authorization once again with a check box at the bottom of the form.
- Once the authorization box has been checked, click the SUBMIT button at the bottom of the form and your form will be sent to IAInfoRequests@gov.bc.ca.
- You will see a confirmation screen if your form has been successfully submitted (see below). This screen offers the option to email a copy of the confirmation. Click the envelope icon to email a copy of the confirmation and note the confirmation ID number for your records.



The screenshot shows a web interface for a 'File Request'. At the top left, there is a button labeled 'VIEW MY DRAFTS/SUBMISSIONS'. In the top right corner, there are two circular icons: one with a pencil and one with a person. The main heading is 'File Request'. Below this, a green checkmark icon is followed by the text 'Your form has been submitted successfully'. Underneath, a message states: 'If you wish to keep a record of this submission, you can keep the following Confirmation ID: 9E456BA3'. Below this message is a checkbox labeled 'EMAIL A RECEIPT OF THIS SUBMISSION'. At the bottom of the form, there is a text input field with the placeholder text: 'Please indicate if this request is to receive files before or after Indigenous laws or a coordination agreement is in effect: *'.

When requesting personal health information for a file, you must:

- Describe the type of personal health information requested
- Describe the individual the information is requested for
- Certify that the request is reasonably required for the provision or planning of child and family services.

Note: It may take several weeks for the ministry to retrieve, scan and prepare each file for disclosure. If specific information is urgently needed to make decisions regarding a child, youth or family served by IGBs, please contact the ministry or ICFSA office involved or Provincial Centralized Services Centre.

If you want to know the status your request, including an estimate of the timeframe to receive the files please contact the ministry at: IAInfoRequests@gov.bc.ca.

Step 3: Receiving files

Once the full physical files have been processed, the ministry will disclose the package of files using the Secure File Transfer Service.

- You will receive an e-mail with a link and instructions to access and download the package. The link will remain accessible for 35 days for download.
- If not downloaded before the 35 days, you can submit a request for a new link via e-mail to IAInfoRequests@gov.bc.ca.

Step 4: Requesting additional files

The ministry may have additional files related to the children, youth and families represented by your IGB/IA. To request these other file types please ensure you are indicating in the form that you'd like to request the other types of files. If you have any questions, please contact IAInfoRequests@gov.bc.ca

Support

If you experience technical difficulties or have questions about the processes described in this document, please contact IAInfoRequests@gov.bc.ca and a ministry representative will be available for assistance.