

CRIMINAL RECORD CHECK and DRIVER'S ABSTRACT Checklist

This checklist provides information to Direct Funding Agents to complete the criminal record check process and comply with CLBC's *Criminal Record Check Policy: Service Delivery*. For additional information about the *Criminal Records Review Act* and its requirements, see the Ministry of Public Safety and Solicitor General's (PSSG) [website](#). For additional information about CLBC's *Criminal Record Check Policy: Service Delivery*, visit CLBC's website www.communitylivingbc.ca or ask your analyst.

Note: "Vulnerable Adult" as defined in the *Criminal Records Review Act*, is an individual 19 years or older who receives health services, other than acute care, from a hospital, facility, unit, society, service holder or registrant referred to in the Act's definition of "employer". This includes all individuals CLBC supports and all CLBC's contracting partners (Direct Funding agents included) are required to comply with the *Criminal Records Review Act* and CLBC's *Criminal Record Check Policy: Service Delivery*.

1. As an Agent:

- Inform each prospective employee or contractor, as required by the policy, about the requirements of CLBC's *Criminal Record Check Policy: Service Delivery* (the policy).
- Ensure that each prospective employee or contractor who will be working with individuals CLBC supports, is prepared to complete the criminal record check process with PSSG's Criminal Records Review Program before working with or having unsupervised access to individuals, as required by the policy.
- Inform applicants who you wish to employ or contract with that a formal offer of employment (or a contract) is dependent on the results of their Criminal Record Check.
- Ensure that each person, as required by CLBC's policy, who is 18 and over living in the home of a home sharing provider, live-in support provider or a respite provider, where services are provided to individuals CLBC serves, is prepared to complete a *Police Information Check with Vulnerable Sector* screening at their local police department.
- Explain in general terms to each prospective employee or contractor about the different adjudication approaches for criminal record checks through PSSG's Criminal Records Review Program compared to local police departments.
- Explain the key requirements of the *Criminal Records Review Act* including how the

criminal record check completed through PSSG's Criminal Records Review Program covers the Act's relevant and specified offences for working with vulnerable adults.

- Ensure that each prospective employee or contractor, as required by the policy, is prepared to complete the [ICBC Drivers Abstract Request](#) process prior to transporting individuals.
- Advise the prospective employee or contractor on the fees for criminal record checks which are different depending on whether it is completed through PSSG's Criminal Records Review Program or the local police department (and also between different police departments).
- Advise the person about who is responsible for paying the criminal record check fees.

2. Criminal Record Check Forms

- To conduct criminal record checks on prospective employees, contractors, or volunteers, set up an account(s) with PSSG.
- Since PSSG asks Direct Funding Agents to confirm their eligibility when setting up a Criminal Record Check Employer account (i.e. that more than 50 per cent of your service funding comes from the provincial government), analysts can provide you with a letter confirming your eligibility for such an account. **NOTE:** If you already have a CLBC direct funding agreement/contract in place you can share the agreement with PSSG as evidence of eligibility.
- To access a PSSG *Employee - Consent to a Criminal Record Check form* for applicants, create an Employer Criminal Record Check account through PSSG. To access a *Volunteer – Consent to a Criminal Record Check form*, create a Volunteer Criminal Record Check account through PSSG.
- To become a PSSG account holder, Direct Funding Agents must complete a criminal record check and be cleared to work with vulnerable adults as part of the account set up process.
- Once a PSSG account is established, PSSG provides account holders with a prepopulated consent form for prospective employees or contractors which includes:
 - your PSSG account details
 - An online link for criminal record check applications, and
 - An access code for your PSSG account for online applications.
- For online applications, Direct Funding Agents provide each prospective

employee or contractor with their online link and access code for your PSSG account to access online applications.

- When completing a manual application, ensure that applicants (prospective employees and contractors) complete and sign the *Employee - Consent to a Criminal Record Check form* and indicate **Schedule Type A** and select “**vulnerable adults**” on the form.
- When completing a manual application, verify/confirm the applicant’s identity in person by asking for two pieces of identification before the applicant proceeds with the criminal record check. Note: One piece of ID must be government issued (driver license preferred) and display the applicant’s name, date of birth, signature, and photo.
- The applicant and the Direct Funding Agent can access more information about the application process for an [Employer Criminal Record Check account](#) or [Volunteer Criminal Record Check account from PSSG’s Criminal Record Review Program](#).

3. Driver’s Abstract

- As per CLBC’s *Criminal Record Check Policy: Service Delivery*, Direct Funding Agents are required to request and review a driver’s abstract when transportation of CLBC-eligible individuals may be part of the person’s duties.
- A person (i.e. that the Agent employs or contracts with) can request their driver’s abstract from ICBC. See the ICBC website information at: <https://www.icbc.com/driver-licensing/getting-licensed/Pages/Your-driving-record.aspx>

4. Required Actions (as per legislation and policy)

- Do not allow any person with PSSG’s finding of ‘risk’ or whose criminal record check was discontinued¹ to work with or have unsupervised access to an individual CLBC supports.
- Review and act on the results of the Criminal Records Review Program’s criminal record checks as communicated by PSSG.
- Ensure mandatory re-checks are completed every five years and/or when a new charge or conviction related to a specified or relevant offense set out in the *Criminal Records Review Act* is reported.

¹ PSSG’s Criminal Records Review Program may discontinue a criminal record check when non-conviction information (e.g., pending charges, substantiated adverse contact with police) is identified and the applicant is assessed to likely be a public safety risk for vulnerable adults.

- Following a mandatory re-check, immediately suspend employment (or a contract) if there is a finding of 'risk' for any person who is working or volunteering with vulnerable adults or when PSSG's Criminal Records Review Program discontinues an applicant's criminal record check².
- Determine whether an applicant can share a previously conducted Criminal Record Check by reviewing the CLBC *Criminal Record Check Policy: Service Delivery*.
- Determine whether an applicant has had a break in service and requires a new criminal record check to be completed.
- Review and act on the results of a *Police Information Check with Vulnerable Sector* screening; (Direct Funding Agents) determine whether any part of the screening makes the person (e.g., *other adults who in the live in the same home* of a shared living provider) unsuitable to have access to a vulnerable adult.
- Ensure re-checks of *Police Information Check with Vulnerable Sector screening* are completed for *other adults who live in the home* of a CLBC-funded shared living provider (or respite provider where respite is provided in the home) every 5 years and/or prior to moving back to the home after being away for three months or longer.
- Determine whether any part of the driver's abstract renders the person unsuitable to transport an individual.
- Do not allow any person whose driver's abstract makes them unsuitable to transport an individual.

5. Retain and Maintain Records

- Ensure the applicant has provided the original, completed, and signed consent form and applicable attachments when completing a manual application.
- Retain the original signed consent forms (for manual applications), all criminal record checks completed and the clearance letters, and records of drivers' abstract results for five years to meet CLBC's *Criminal Record Check Policy: Service Delivery* requirements.

² PSSG's Criminal Records Review Program may discontinue a criminal record check when non-conviction information (e.g., pending charges, substantiated adverse contact with police) is identified and the applicant is assessed to likely be a public safety risk for vulnerable adults.