

Questions & Answers

CLBC Criminal Record Check Policy: Service Delivery ***Updated August 2023***

IMPORTANT INFORMATION when applying for an Employer Account:

NEW - The Criminal Records Review Program (CRRP) has simplified their application process and form. It is important for anyone applying for an Employer Account with the CRRP to complete the form with specific language to make processing of their request as easy as possible (e.g., CRRP will not **require** proof of contract with CLBC). You can find an example of how to complete the CRRP form [here](#).

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Introduction

Under the Ministry of Public Safety and Solicitor General's *Criminal Records Review Act*, any person who works with vulnerable adults in B.C. is required to have a criminal record check completed every five years to be cleared to work with this population. All CLBC eligible individuals are included in the definition of "vulnerable adults."

CLBC's *Criminal Record Check Policy: Service Delivery* outlines the expectation that all service providers who hold a contract or direct funding agreement with CLBC, and are hiring staff with that funding, will ensure criminal record checks are completed for any staff or volunteers working with the people CLBC serves as per the requirement under the *Criminal Records Review Act*. **See page 8 for a table outlining responsibility for criminal record checks.**

CLBC's *Criminal Record Check Policy: Service Delivery* is identified as a service requirement in the Service Terms and Conditions of all CLBC's contracting partners delivering supports and services. All CLBC service providers must meet the policy's requirements and fulfill the following responsibilities required of organizations under the *Criminal Records Review Act*.

All CLBC's contracting partners **must**:

1. Register an (employer) account with PSSG's Criminal Records Review Program to conduct criminal record checks on prospective staff
2. If service providers are using volunteers, they must register a Volunteer Criminal Record Check account with PSSG's Criminal Records Review Program to conduct criminal record checks on volunteers
3. Ensure they and all other persons who may work with or have unsupervised access to vulnerable adults, as defined in the *Criminal Records Review Act*, complete the *Consent to a CRIMINAL RECORD CHECK* form either:
 - Online - send the applicant your personalized link to your/your organization's CRC account
 - Manually - forward the completed *Consent to a CRIMINAL RECORD CHECK* form to PSSG using your/your organization's prepopulated forms with your Party ID that is provided when you set up an account with PSSG
4. Ensure all criminal record checks are completed at least once every five years and at any time after the person reports a new charge or conviction listed in the *Criminal Records Review Act*
5. Promptly report if anyone working with vulnerable adults is charged with or convicted of an offence listed in the *Criminal Records Review Act* after their criminal record check has been completed

For more information on the criminal records review process, see: [Criminal Record Check BC - Province of British Columbia \(gov.bc.ca\)](#)

To find out more about how to request a Criminal Record Check, see: [Criminal Records Review Program online services - Province of British Columbia \(gov.bc.ca\)](#)

Vela Microboard Association of BC has developed some plain language resources about the Criminal Record Check process. You can find these materials on their website [here](#).

General Questions about Criminal Record Checks

What is the Criminal Record Check Policy: Service Delivery?

Under the *Criminal Records Review Act*, any person who works with vulnerable adults in B.C. is required to have a criminal record check completed every five years to be cleared to work with this population. All CLBC eligible individuals are included in the definition of “vulnerable adults.”

CLBC’s *Criminal Record Check Policy: Service Delivery* outlines the expectation that all service providers who hold a CLBC contract, or service providers who are contracted with an agency who holds a contract with CLBC, or families who hold a direct funding agreement, will ensure criminal record checks are completed for any staff or volunteers. CLBC’s policy supports CLBC contracted service providers (see page 8 for a table of responsibility) to comply with the *Act*, and:

- Outlines the requirements for a Police Information Check with Vulnerable Sector screening through the local police department only for persons who are not eligible for a criminal record check under the *Criminal Records Review Act*
- Describes additional requirements including driver’s abstract reviews for when transportation is part of a person’s employment duties

Are all service providers who have agreements with CLBC required to meet CLBC’s policy?

Yes. CLBC’s *Criminal Record Check Policy: Service Delivery* Policy is a service requirement in the Service Terms and Conditions of all service provider agreements with CLBC. This includes direct funding agents, Person Centered Societies, Microboards and Home Sharing Providers.

Service providers must meet the requirements of this policy, which is based on and exceeds expectations set out for organizations under the provincial *Criminal Records Review Act* to ensure the health, safety, and well-being of the individuals CLBC serves.

Does everyone who has a direct funding agreement with CLBC required to get an Employer Account with the Criminal Records Review Program?

It depends on the amount of funding you are receiving, and how you plan to use that funding:

- If you plan on hiring staff with the direct funding you receive from CLBC, or you are receiving over \$10,000 per year in direct funding, you will need to get an Employer Account with the Criminal Records Review Program. This is so you can get criminal record checks completed for anyone you hire before they begin to work.
- If you are receiving under \$10,000 per year, under the *Individual and Family Wellness Policy*, families can choose to use this funding in ways that do not require hiring of staff. If families choose to not hire staff and use the funding in other ways outlined in the *Individual and Family Wellness Policy*, they do not need to get an Employer Account.

When completing the application for Employer and Volunteer account, what do I put down as the name of the organization?

When entering their name in the CRRP form to request an Employer Account, the agent (person who signed the contract with CLBC) must use their name followed by “-CLBC.” Using the “-CLBC” after their name will make it clear to the CRRP the application is for an agent receiving funding from CLBC, and they will not require an eligibility letter from CLBC. You can find an example of a [completed form here](#) for help.

Why does CLBC require criminal record checks?

It is in the law in B.C. that any person prior to volunteering or working with vulnerable adults under a contracted arrangement (e.g., Home Sharing) completes a criminal record check through the Ministry of Public Safety and Solicitor General’s (PSSG) Criminal Records Review Program.

All individuals CLBC supports are considered ‘vulnerable adults’ under the *Criminal Records Review Act*, PSSG’s legislation that requires criminal record checks. Criminal record checks help protect vulnerable adults from financial, physical, or sexual abuse, by ensuring the people working with them do not pose a risk.

Who administers the Criminal Records Review Act checks?

The Ministry of Public Safety and Solicitor General’s (PSSG) Criminal Records Review Program is responsible for conducting the criminal record checks.

Do you need to live in BC to be able to set up an Employer account for criminal record checks?

Yes, you need to be living in BC to be able to apply and be accepted for an Employer account through PSSG. This account is required so you can request criminal record checks for any staff you are hiring.

As all CLBC contracted service providers are required to ensure criminal record checks are completed for any staff they hire, this means that any signatory (i.e., person signing an agreement / contract) will need to be a BC resident.

What does the *Criminal Records Review Act* check look for?

A person’s criminal record history is reviewed against the list of relevant/specified offences set in Schedules 1 and 3 the Act. For the list of the relevant/specified offences see:

<http://www.pssg.gov.bc.ca/criminal-records-review/offences-reviewed/index.htm>

What are service providers’ responsibilities for the driver’s abstract requirement?

As outlined in *CLBC’s Criminal Record Check Policy: Service Delivery* CLBC-contracted service providers must request and review driver’s abstracts when transportation is part of the person’s duties. When a person’s driver’s abstract shows one or more driving offenses, the service provider must determine if the offense is serious enough that makes the person unsuitable to transport individuals CLBC supports.

Who is required to have a Criminal Record Check or Police Information Checks with Vulnerable Sector Screening? How do they get them?

For quick reference, below is a table from the *Criminal Record Checks & Working with People CLBC Serves* brochure that outlines responsibilities.

Who is Required to have a CRC Prior to Working	Who Submits CRC Requests through CRRP	Who Reviews CRC Results
Direct Funding (DF) Agent employees, contractors & volunteers	Employees / Contractors through DF Agent account	DF Agent
Person Centred Societies (PCS) employees, contractors & volunteers	Employees/contractors & volunteers through PCS account	PCS / CLBC monitors
Service provider (SP) employees, contractors & volunteers	Employees/contractors & volunteers through SP account	Service Providers / CLBC monitors
Agency Coordinated Home Sharing Providers (ACHSP)	ACHSP through Agency's account**	Agency / CLBC monitors
ACHSP's Wellness Support Workers	Whoever is hiring or contracting with the wellness support provider to provide service	HSP or ACHSP ACHSP / CLBC monitors
Host Agency for Individualized Funding (IF) employees, contractors, and volunteers	Host Agency	Host Agency
<p>**Any person aged 18 and older (who is not a CLBC eligible individual), who is living in the same premises as an individual in a CLBC- funded Shared Living (i.e., Home Sharing & Live-in Support) Agreement, must complete a Police Information Check with Vulnerable Sector Screening every five years. Home Sharing Providers are responsible for ensuring the screening is completed and the HS Agency is responsible for reviewing.</p>		

Can staff work with vulnerable individuals prior to their criminal record check being processed?

Yes, **but only staff** in programs or services that are not governed by requirements set out by other authorities (e.g., Community Care Licensing, Health Authorities, accreditation bodies).

CLBC contracted service providers have the option to allow new hires in **unlicensed facilities** who have already submitted their criminal record check application to the Criminal Records Review Program to work **only under supervision** while their application is processed.

If a relevant or specified offence or conviction is found in the initial criminal record check process or the staff person reports a new relevant or specified offence or conviction while working with CLBC individuals, it is the service provider's decision whether to allow them to continue working while the Criminal Records Review Program adjudicates the offence, or a re-check is completed.

Does a person who works with vulnerable adults require a new *Criminal Records Review Act* check if they had a local Police Information Check with Vulnerable Sector screening completed within the past 5 years?

Yes. A new criminal record check is required to comply with the *Criminal Records Review Act's*. The Act is a BC provincial legislation that requires anyone who works with vulnerable adults directly, or who has, or may have, unsupervised access to vulnerable adults through their work, be cleared to work based on a criminal record check through PSSG's Criminal Records Review Program prior to starting their employment.

A Police Information Check with or without Vulnerable Sector Screening does not meet the Act's requirement nor those of CLBC's *Criminal Record Check Policy: Service Delivery*.

As the employer, how do I ensure that the staff I hire complete a criminal record check through the Ministry of Public Safety and Solicitor General's Criminal Records Review Program?

Please contact the Ministry of Public Safety and Solicitor General's Criminal Records Review Program directly for questions about their processes.

As the employer, it is your responsibility to ensure your staff (i.e., all persons who may work with or have unsupervised access to vulnerable adults), as defined in the *Criminal Records Review Act*, complete the Consent to a CRIMINAL RECORD CHECK form either:

- Online - send the applicant your personalized link to your/your organization's criminal record check account, or
- Manually - forward the completed Consent to a CRIMINAL RECORD CHECK form to the Ministry of Public Safety and Solicitor General using your/your organization's prepopulated forms with your Party ID that is provided when you set up an account with the Ministry.

IMPORTANT: People who do not have access to the internet can contact the Criminal Record Reviews Program at 1-855-587-0185 (press option 2) and ask that an application package be mailed.

Does a person who works with vulnerable adults require a new *Criminal Records Review Act* check if they have been cleared to work with children in the past 5 years?

Yes, they do*. The clearance to work with children does not meet the *Criminal Records Review Act*'s requirements for working with vulnerable adults. This is because the list of offenses the Criminal Records Review Program reviews for working with vulnerable adults is different and more detailed (e.g., includes fraud, theft, and extortion). More information on the offences reviewed for each type of criminal record check can be found on PSSG's Criminal Record Review Program's website under "[Offences Reviewed During a Criminal Record Check](#)".

***Note:** *If a person can show they have been cleared to work within the past 5 years for both children and vulnerable adults through the Criminal Record Review Program then a new check is not required.*

Can a CLBC contracted service provider forward a physical copy of a person's clearance letter to another CLBC-funded agency instead of going through the Criminal Records Review Program?

No. Organizations/ contracted service providers cannot provide a physical copy of a clearance letter and forward it to another agency. The sharing process must be completed through the Ministry of Public Safety and Solicitor General's Criminal Records Review Program as outlined in the previous question.

If someone has completed a criminal record check as a practicum student for either a paid or unpaid position, are they still allowed to share their criminal record check with prospective employers?

A practicum student who has completed a criminal record check through the Criminal Record Review Program for either paid or unpaid positions can share their employee or volunteer criminal record check with prospective employers **if** they meet policy requirements (e.g., continuous work with vulnerable individuals) and the criminal record check has been conducted in the last five years.

How do I share a previously completed and valid criminal record check conducted through the Criminal Records Review Program?

You can share the results of your criminal record check at no cost with other organizations/ contracted service providers registered with the Criminal Records Review Program who have said they will accept sharing of previous criminal record check clearances.

To share a criminal record check:

- Ensure your check is completed within the last 5 years
- Contact the organization/contracted service provider you want to share your results with to confirm they are:
 - registered with the Criminal Records Review Program, and
 - willing to accept your previous criminal record check clearances.
- Ensure your current completed check screened you to work with vulnerable adults

IMPORTANT WHEN SHARING:

Criminal record checks must include screening under criteria for vulnerable adults to be cleared to work with people served by CLBC. Only checks completed under the same "works with" category type (e.g., vulnerable adults) can be shared. Police Information Checks are not shareable by the Criminal Records Review Program.

If a service provider recently rehired a former employee, or hired someone who completed a *Criminal Records Review Act* check with a previous employer, are they required to complete another *Criminal Records Review Act* check?

Generally, CLBC requires any new employees complete a *Criminal Records Review Act* check prior to employment, with the exception that where a potential employee can demonstrate continuous employment with vulnerable adults (e.g., moving from one agency to another agency serving vulnerable adults). In these circumstances, CLBC will accept criminal record checks completed, within the last five years, by a previous employer.

Where a potential employee does not have continuous employment with vulnerable adults (e.g., their previous or current employment is in another sector that does not serve vulnerable adults), CLBC requires a new check completed through the Criminal Records Review Program even if they have a valid *Criminal Records Review Act* check.

Do contracted service providers have a choice whether to accept a (valid) shared criminal record check result through the Criminal Records Review Program?

While CLBC's *Criminal Record Check Policy: Service Delivery* allows contracted service providers to share previously completed criminal record checks under circumstances, an organization/contracted service provider can decide whether to accept a shared criminal record check result and may ask you to consent to a new criminal record check manually or online.

What happens when a contracted service provider is willing to accept your previous criminal record check clearance?

If the organization/contracted service provider is willing to accept your previous results, they must:

- **For the online process**, provide you with a web link and access code where you will complete a request to share a criminal record check online, or
- **For the manual process**, provide you with a Sharing Consent Package that you will need to manually fill out and have the organization/contracted service provider confirm your identity prior to the organization/contracted service provider forwarding your request to the Criminal Records Review Program.

If your employer or volunteer organization/contracted service provider has agreed to accept a Sharing Consent Package, they must follow the Criminal Records Review Program's submission instructions which can be found on PSSG's website [here](#).

What happens if a contracted service provider is unwilling to accept your previous criminal record check clearance?

If a contracted service provider is unwilling to accept your previous criminal record check clearance you will need to submit a new criminal record check application to the PSSG's Criminal Records Review Program.

What happens if a record is found through a criminal record check by PSSG's Criminal Records Review Program?

Please refer to PSSG's process for adjudication here on their website: [Criminal record check results and reconsiderations - Province of British Columbia \(gov.bc.ca\)](#).

What information about the person's record is shared with CLBC's contracting partners?

CLBC's contracting partners will not see the particulars of a person's criminal record. However, they may request written reasons for a decision, and these may contain references to the criminal record.

What if a person's position requires registration with a professional college/governing body?

Under the *Criminal Records Review Act*, some professional colleges and governing bodies are required to have all members complete a criminal record check through the Criminal Records Review Program at least once every five years.

Specific colleges/bodies will arrange for these re-checks on their members. For example, psychologists CLBC contracts with may have already had their check completed if they are registered with the College of Psychologists of British Columbia. When the check has been completed by the professional college/governing body, an additional check is not required by CLBC.

What are the fees for the criminal record check and the driver's abstract from Insurance Corporation of BC?

PSSG's fee for an employee or contractor is \$28 per criminal record check and volunteer criminal record checks are free. There is no fee for a personal driver's abstract.

There is no cost for the driver's abstract. To request a personal driver's abstract (National Safety Code) from the Insurance Corporation of BC (form MV2520) see: [Driving records \(icbc.com\)](#)

Who pays for the criminal record check fee for the *Criminal Records Review Act* and the Police Information Check with Vulnerable Sector Screening?

The potential staff or the adult over age 18 living with an adult in a contracted shared living situation (e.g., Home Sharing and Live-in Support) is responsible for paying for their own screening through these programs. It is the service provider's decision whether to reimburse their employees.

Who is required to get a Police Information Check with Vulnerable Sector Screening?

For any adults 18 years old and over living with a vulnerable adult (e.g., in a home of a Home Sharing Provider or wellness support provider), CLBC requires a Police Information Check with Vulnerable Sector Screening completed through their local police department. PSSG’s criminal record check process does not apply because they are not employees/contractors.

What is the fee for a Police Information Check with Vulnerable Sector Screening?

Costs vary between local police departments but generally are between \$70-\$80.

Questions Related to Direct & Individualized Funding Agreements

I have a direct funded wellness support contract. Do I have to register for an Employer Criminal Record Check Account, and if so, by when does CLBC expect me to register?

You only need to register for an Employer Criminal Record Check Account if you are planning to hire staff with the funding you receive from CLBC.

The Criminal Records Review Program only requires you apply once for an Employer Criminal Record Check Account. The account number you receive can be used on-going when requesting criminal record checks.

Please note: Criminal record checks through local police departments do not meet the requirements of the *Criminal Records Review Act*.

What are the criminal record check process responsibilities of agents who hold either Direct or Individualized Funding Simplified Agreements or Direct or Individualized Funding Standard Agreements?

Please see the Introduction section of this document for an outline of the responsibilities for all CLBC contracted service providers.

Do Agents need to ensure criminal record checks are completed for wellness support providers?

Yes. The *Criminal Records Review Act* and CLBC’s *Criminal Record Check Policy: Service Delivery* do not exempt anyone who works with vulnerable adults from the criminal record check process. Criminal record checks are required regardless of the amount of funding that CLBC provides through the Direct Funding Agreement and regardless of the type of service that the funding is used for.

If wellness support services are taking place in a provider’s home, agents are also responsible for ensuring the provider requests that other adults who live in their home (such as adult children or a spouse) complete a Police Information Check with Vulnerable Sector Screening at their local police department as outlined in 3.4 of CLBC’s *Criminal Record Check Policy: Service Delivery*.

What specifically are agents responsible for when ensuring their staff have Criminal Record Checks?

Agents are responsible for:

- Assisting persons as needed with completion of the *Consent for Disclosure of Criminal Record Information*, including advising which schedule type to use as described on PSSG's website
- Ensuring that re-checks are completed every five years, and when a new charge or conviction related to a specified or relevant offense under the *Criminal Records Review Act* is reported
- Reviewing and acting on the results of PSSG's criminal record check
- Not allowing any person with a finding of 'risk' to work with or have unsupervised access to the individual
- Requesting and reviewing driver's abstracts when transportation may be part of the person's duties
- Determining whether any part of the driver's abstract makes the person unsuitable to transport the individual
- Maintaining records of all criminal record checks completed and the results, as well as all drivers' abstract results, for five years

How can I register for an Employer Criminal Record Check Account through the Ministry of Public Safety and Solicitor General's Criminal Records Review Program?

You will need to complete their application form. You can complete the form by clicking this link: [Criminal Records Review Program \(CRRP\) – Organization Registration and Enrollment – Law, Crime & Justice Forms \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/justice/crrp/organization-registration-and-enrollment-law-crime-justice-forms)

Please note that the Criminal Records Review Program has asked people receiving funding from CLBC to use specific language when completing a form to request an Employer Account. You can find a [completed example of the form here on CLBC's website that shows you the requested language](#).

If you do not have access to the internet, please contact the Ministry of Public Safety and Solicitor General's Criminal Records Review Program by telephone 1-855-587-0185 (press option 2) and ask them to send you an account application package by mail.

Does the Ministry's Employer Criminal Record Check Account registration process require a copy of my CLBC contract or the *Criminal Record Check Account Eligibility Letter*?

No. As of June 1, 2023, the Criminal Records Review Program no longer requires proof you are receiving funding from CLBC unless they ask for this information.

If you are asked by the Criminal Records Review Program to provide proof you are receiving individualized funding from CLBC, please contact your CLBC analyst. The analyst can provide you with a letter confirming you are or will be receiving funding from CLBC.

How does CLBC know that agents are doing criminal record checks on their employees and contractors?

As part of the 2021 changes to the *Criminal Record Check Policy: Service Delivery*, agents (the person who signs the direct funding agreement) are now required to share their Employer Criminal Record Check Account number with CLBC when applying for direct funding or renewing their contract for direct funding.

CLBC staff explain the requirement as part of their work when confirming receipt of information through the Direct Funding Checklist. The Checklist is now used for new agents and when renewing a contract with a current agent.

Why does CLBC require Direct Funding Agents to provide their PSSG account number on the Direct Funding Renewal Checklists (for both Simplified and Standard Agreements) each time their contract is renewed?

While Employer Criminal Record Check accounts do not expire, CLBC requires agents to include their PSSG account number on the Direct Funding Renewal Checklist at each renewal to prompt:

- Analysts and agents to discuss any issues or concerns that the agent may be experiencing, and
- Analysts to confirm that agents are completing checks on new staff and re-checks on current staff.

Re-checks may be required when a person’s criminal record check is expiring (i.e., PSSG checks are valid for five years) or where a new, relevant charge has emerged.

Questions Related to Agency Coordinated Home Sharing

What are the responsibilities for CLBC-contracted service providers who provide Agency coordinated Home Sharing services in the criminal record check process?

Please see the Introduction section of this document for an outline of the responsibilities for all CLBC contracted service providers.

In February 2022, CLBC sent out a template letter to all agencies who coordinate Home Sharing to provide to any of their contracted Home Sharing Providers who hire wellness support workers directly. The Home Sharing Provider must use the letter when applying for an Employer account with the Criminal Records Review Program at PSSG. The letter confirms the Home Sharing Provider is contracting with an agency contracted with CLBC.

What happens if a relevant record is found through a Police Information Check with Vulnerable Sector Screening for home sharing providers?

The Home Sharing agency reviews the Police Information Check with Vulnerable Sector Screening for the other adults in the Home Sharing Provider’s home. The Home Sharing Provider is responsible for assessing the Police Information Check with Vulnerable Sector Screening for other adults in the home of a wellness support provider they hire.