

Foster Home Criminal Record Check

The Child Protection Worker must ensure all foster parents and all adults residing in a foster applicant's home undergo a criminal record check prior to the foster home receiving final approval. The criminal record check will be updated every two years after its initial approval so long as the foster home remains open.

REFERENCE

Department of Health and Social Services Policy

PURPOSE

- To ensure that children and youth are not exposed to someone whose criminal history may present a risk of harm or maltreatment.

PROCEDURE

1. Ensure the *Consent for Disclosure of Criminal Record Information* form has been completed on all foster home applicants as well as all adults 19 years and older living in the foster applicant's home.
 - Direct the applicant and others in the home 19 years of age and older to provide the results of the Criminal Record Check.

When a criminal record exists:

1. A criminal record may or may not be grounds for rejection of the application.
 - Where applicants have been convicted of any of the charges as listed on the *Criminal Record Check Relevant Charges* tool, the applicant will be rejected.
 - If the applicant advises the Child Protection Worker of a criminal record or if the Criminal Record Information indicates a criminal history may or may not exist, the Child Protection Worker advises the applicant of the need for further information and to be fingerprinted at the RCMP detachment.
 - The applicant is asked to attend the local RCMP Detachment to have their fingerprints taken. The Child Protection Worker provides the applicant with a cover letter for fingerprinting. The cover letter provides the RCMP with the reason for the fingerprint request as well as confirming the understanding that there is no charge for fingerprinting of foster parent applicants.
2. Copies of the *Consent for Disclosure of Criminal Record Information* and letter are placed on the Foster Home File.
3. When the Child Protection Worker receives the fingerprints and the original Consent for Disclosure of Criminal Record Information from the applicant, the Child Protection Worker completes a cover letter for Criminal Record Check verification and sends the cover letter, the original Criminal Record Check, the fingerprints and a money order to cover the costs to Ottawa.

- Copies of the letter and the money order are placed on the Foster Home File.
- If fingerprinting confirms a criminal record, Ottawa RCMP will provide details of the offence(s) by letter to the applicant. The applicant is requested to provide the Child Protection Worker with the original reply from Ottawa.
- The documentation from Ottawa is placed on the Foster Home File.

When the Applicant or other individuals Residing in the Home are Charged with a Criminal Offence:

The Child Protection Worker will:

1. Discuss the details of the criminal record with the applicant and/or other individual residing in the home; and
2. Consult with the supervisor to carefully assess the relationships of any criminal activity to the safety of a child or youth placed in the home using the following criteria:
 - the type of crime committed and the relevance of criminal record activity to the provision of care for a child or youth (see CRC Relevant Charges tool);
 - time elapsed since past criminal activity;
 - number and type of charges/convictions;
 - age and circumstances of the individual at the time of the offence;
 - conduct and circumstances of the individual since the offence occurred.
3. In situations where an applicant has a charge or outstanding conviction that may pose a risk of abuse to children or youth or has a historical conviction of a relevant charge, the Child Protection Worker and Supervisor shall consult with the Director regarding the decision whether to continue to consider the applicant as a potential foster parent. The Child Protection Worker will:
 - Document the consultation and the decision of the Director on the FH File.
 - Advise the foster parent applicant of the outcome of the decision of the Director.
 - Notify the applicant in writing of the decision by the Director, the reasons for the decision, and the processes to appeal a decision within 14 days of receiving the criminal record check results.

FORMS

- Consent for Disclosure of Criminal Record Information (RCMP Form)

TOOLS

- Criminal Record Check Relevant Charges