

Policy Title:	Residential Care Licensing - Record Check and First Aid Requirements for Host Family Homes	Date Approved:	May 9, 2024
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1.0 Policy Statement

Operators and respite providers providing residential care in residential care facilities are required to obtain a satisfactory Criminal Record Check (CRC) including a Vulnerable Sector Search, a clear Adult Abuse Registry (AAR) Check, and possess a valid First Aid certificate.

Visitors staying for longer than six months (or more than 180 days in a one-year period) and adult household members residing in a host family home who are not providing or receiving care are required to obtain a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check.

2.0 Background

The [Residential Care Facilities Licensing Regulation](#), also known as Manitoba Regulation 484/88R, under the [Social Services Administration Act](#), mandates the licensing of residential care facilities for adults living with an intellectual disability or a mental disorder.

The regulation provides for the Minister to set other standards and conditions as may be required for the approving and licensing of residential care facilities.

Section 5(c) requires that all personnel connected with the operations of the facility are of good character and medically, physically and emotionally fit to provide the required care. Where necessary, a medical examination or character references may be required.

Section 5(d) requires that the facility meets such other standards and conditions as may be required by the Minister.

Section 18(1)(c) requires the operator of a facility to keep such personnel records as may be required with respect to the operation of the home and to make them available for inspection on request by Residential Care Licensing.

3.0 Purpose

This policy provides direction on CRCs, AAR checks, and First Aid requirements for operators and respite providers providing residential care in host family homes.

This policy also provides direction on CRCs and AAR check requirements for adult household members and visitors residing or staying at host family homes who do not provide or receive residential care in the home.

4.0 Definitions

“Adult Abuse Registry Check (AAR check)” is a record obtained from the Adult Abuse Registrar under [The Adult Abuse Registry Act](#) stating whether or not the person is listed in the Registry for abusing or neglecting a specified adult.

“Adult Household Member” is an adult person who permanently resides in a host family home, but who is not providing or receiving residential care in the home (e.g., an adult child of the operator residing in a host family home). For the purpose of this policy, persons permanently residing in a home, other than the primary operator(s), who provide residential care in the home, are considered respite providers.

“Agency of Support” is an agency that supports individuals in host family homes, provides oversight to host family home operators and supports host family home operators in maintaining a current Letter of Approval from Residential Care Licensing (RCL).

“Applicant” is a person seeking to provide residential care to individuals residing in a host family home who have an intellectual disability or a mental disorder. An applicant can be an operator or a respite provider.

“Criminal Record Check (CRC)” is a record, obtained from a law enforcement agency about a person stating whether or not the person has received any criminal convictions or has any pending charges awaiting court disposition under any federal enactment. A CRC includes a query of active criminal files in the RCMP National Repository of Criminal Records and may include a check of local police files and the Canadian Police Information Centre (CPIC) National Repository Files.

“First Aid Certificate” is a certificate obtained after the successful completion of a Basic First Aid training course or any higher level First Aid training course from a training provider who has been approved by Manitoba Workplace Safety and Health (Department of Labour and Immigration). Note: Basic First Aid was formerly recognized as First Aider 1 and is also known as Emergency Level First Aid.

“Host Family Home” is a residential care facility where a maximum of four individuals who are unrelated to the operator, live with the operator in the operator’s primary residence. Host family homes can be operated privately or supported by an agency (see definition for Agency of Support).

“Individual” is an individual who resides in a host family home and receives residential care.

“**Letter of Approval (LOA)**” is a letter issued by RCL to establish or operate a residential care facility for a maximum of four individuals.

“**Licence**” is a licence issued by RCL to establish or operate a residential care facility for five or more individuals.

“**Operator**” is a person who has been approved by RCL to operate a host family home and who lives on site with the individuals receiving care.

“**Record Check**” refers to an Adult Abuse Registry (AAR) check and/or a Criminal Record Checks (CRC) including a Vulnerable Sector Search.

“**Residential Care**” is accommodation, care and supervision provided in a home to an individual who is unable to live independently due to an intellectual disability or a mental health disorder.

“**Residential Care Facility**” is a place of residence that has been approved by Residential Care Licensing (RCL) to provide residential care to one or more individuals who are unable to live independently due to an intellectual disability or a mental health disorder. The definition of residential care facility applies to both shift-staffed homes and host family homes.

“**Residential Care Licensing (RCL)**” is the unit within the Department of Families that is granted the authority under [The Social Services Administration Act](#) to license or approve facilities that provide residential services to adults with an intellectual disability as defined under [The Adults Living with an Intellectual Disability Act](#) or a mental disorder as defined by [The Mental Health Act](#).

“**Respite**” is a residential care service that the operator or agency purchases, manages and administers to obtain temporary relief from the responsibility of providing residential care to an individual.

“**Respite Provider**” is a person retained by an operator or agency of support to provide respite services in the host family home, who meets the record check and First Aid certificate requirements as outlined in this policy. This includes volunteers and other persons retained or contracted by the provider to provide residential care (e.g., an adult child of the operator residing in the same home).

“**Shift-Staffed Home**” is a residential care facility that has been approved by RCL and that has a scheduled rotation of staff providing services to the individuals receiving care in the home.

“**Supervising Program**” is the government department, agency or individual responsible for the overall supervision and treatment planning for an individual receiving residential care (e.g., the Community Service Worker through Community Living disABILITY Services or a Community Mental Health Worker through community mental health services delivered by regional health authorities).

“**Visitor**” is an adult that is staying in a host family home for a temporary period of time who does not require residential care and who does not provide residential care. For the purpose of this policy, any person that provides care in a host family home is not considered a visitor. **Note: This definition does not apply to visitors of the individual receiving care.**

“**Vulnerable Sector Search**” is a search conducted by a law enforcement agency on a person to determine the possible existence of a criminal record and/or a sexual offence conviction for which an individual has received a pardon, pursuant to [The Criminal Records Act](#). A Vulnerable Sector Search includes a query of active criminal files in the RCMP National Repository of Criminal Records and pardoned criminal files associated with sexually-based offences. It also includes a check of local police files and the Canadian Police Information Centre National Repository Files.

5.0 Policy

This policy applies to all operators and respite providers seeking to provide residential care at host family homes that are approved by Residential Care Licensing (RCL).

Applicants seeking to provide residential care in shift-staffed homes should refer to the Residential Care Licensing – Record Checks and First Aid Requirements for Shift-Staffed Homes policy.

This policy also applies to adult household members and visitors (excluding visitors of the individual) who are staying at host family homes that are approved by RCL.

This policy sets out the following requirements:

Operators and Respite Providers

- Applicants seeking to operate a host family home and/or provide residential care in a host family home are required to obtain a satisfactory CRC including a Vulnerable Sector Search and a clear AAR check.
- Applicants seeking to operate a host family home and/or provide residential care in a host family home are required to obtain and maintain a valid First Aid certificate.

Adults (not covered under the Licence/LOA)

- Adult household members residing in a host family home on a permanent basis **who are not providing residential care** are required to obtain a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check. Adult household members that intend to provide residential care are considered respite providers and need to meet the requirements for respite providers as outlined in this policy.
- RCL, in consultation with the supervising program, may use discretion as to whether or not a CRC and AAR check is required for adults who receive support services in a host family home, but who are not covered under the LOA or Licence (e.g., an adult supported by Provincial Alternative Support Services or a family member of the operator who is receiving supports from Community Living disABILITY Services).

Visitors

- Visitors who are staying in the home on a temporary basis **for longer than six months or more than 180 days in a one-year period** are required to obtain a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check.

- Visitors who are staying in the home on a temporary basis **between one and six months or 31 to 180 days in a one-year period** are not required to obtain CRC and AAR checks, unless requested by RCL, the supervising program or operator, but are required to sign a [Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix B).
- Visitors who are staying in the home on a temporary basis for **less than one month or up to 30 days in a one-year period** are not required to obtain CRC and AAR checks or sign a [Declaration of Criminal Record and Adult Abuse Registry Record](#) unless requested by RCL, the supervising program or operator.
- Visitors of the individual are exempt from these requirements.

Note: Operators are expected to exercise good judgement when inviting visitors to their home, regardless of the length of stay. Visitors cannot provide residential care to, or be left alone with, individuals at any time during their stay. Operators, the supervising program and RCL can request a [Declaration of Criminal Record and Adult Abuse Registry Record](#) or record checks at any time.

The table below summarizes the record check and First Aid requirements for operators, respite providers, adult household members and visitors.

Position/Situation	Record Checks and Certification Requirements			
	Criminal Record Check	Vulnerable Sector Search ¹	Adult Abuse Registry Check	First Aid Certification
<i>Persons Providing Residential Care</i>				
Operators	Yes	Yes	Yes	Yes
Respite Providers	Yes	Yes	Yes	Yes
<i>Persons Not Providing Residential Care</i>				
Adult Household Member ²	Yes	Yes	Yes	No ³
Visitors (more than 6 months or 180 days)	Yes	Yes	Yes	No
Visitors (1-6 months or 31-180 days) ⁴	No	No	No	No
Visitors (0-1 months or 0-30 days)	No	No	No	No

¹ Operators, adult household members and visitors staying for longer than 6 months or 180 days in a one-year period should select “volunteer position” when applying for a Vulnerable Sector Search, as these persons are considered to be in a position of trust relative to the individual.

² In consultation with the supervising program, discretion may be used as to whether or not CRC and AAR checks are required for adults receiving services in the home but who are not covered under the Letter of Approval or License (e.g., Provincial Alternative Support Services participants).

³ Adult household members, other than the primary operator(s), that intend to provide residential care are considered respite providers and need to meet the requirements for respite providers as outlined in this policy.

⁴ Visitors staying for one to six months or for 31 to 180 days in a one-year period must sign a [Declaration of Criminal Record and Adult Abuse Record Check](#) (Appendix B).

For the purpose of this policy:

- A satisfactory CRC means that the person either has no prior record of criminal offences or convictions, or that the existing record of criminal convictions has been reviewed and considered acceptable according to the standards of this policy (see [Evaluation Results](#)).
- A clear AAR check means that the person does not have a record with the Adult Abuse Registry.
- A valid First Aid certificate means that the person has obtained a certificate for Basic First Aid or a higher level of First Aid training that is not expired, through a training provider who has been approved by Manitoba Workplace Safety and Health.

6.0 Core Supporting Standards, Procedures and Guidelines

6.1 Standards

6.1.1 Age of Record Checks

Record checks may not be more than six months old from the date the record check was completed by the law enforcement agency and/or the Adult Abuse Registrar:

- at the point of hire to provide residential care in a host family home, or
- to reside or stay at a host family home as an adult household member or visitor.

Applicants whose record checks are older than six months from the date the record check was completed at the point of hire should obtain new record checks. Also refer to [Section 6.2.3](#) for information on delays in obtaining criminal record and adult abuse registry checks.

6.1.2 Review of Record Checks and First Aid Certification

Role of Operator/Agency of Support

Operators and/or the agency of support are responsible for the following:

- Reviewing, examining, and maintaining record checks for all respite providers seeking to provide residential care in the home.
- Reporting any changes in an operator or respite provider's Criminal Record and Adult Abuse Registry status to RCL (refer to [Section 6.2.1](#)).
- Ensuring all operators and respite providers providing residential care in the home hold and maintain a valid First Aid certification.
- Monitoring visitors' length of stay at the home to ensure Declarations of Criminal and Adult Abuse Registry Record are signed and record checks are obtained when required.

- Reviewing visitor declarations and record checks and notifying RCL of any changes in Criminal Record or Adult Abuse Registry status during the stay.
- Notifying RCL, the supervising program and, if applicable, the agency of support of new household members that will be residing at the home permanently (e.g., visitors becoming permanent household members).
- Maintaining the record checks and First Aid certificates on personnel files on site at the home for all respite providers providing residential care at the home.
- Maintaining declarations of Criminal and Adult Abuse Registry Records and record checks on file for visitors, as applicable.
- Making these documents available to RCL for review upon request.

Record checks and First Aid certificates submitted to the operator/agency of support must be originals.

If the applicant wishes to keep an original hardcopy document, the operator/agency of support may retain a scanned copy of the original, hardcopy record checks and First Aid certificate in the applicant's personal file after reviewing and verifying the original documents. Verified copies of record checks and First Aid certification must have the reviewing operator's or agency of support staff's printed name, signature and date of verification.

In the case of electronically-issued documentation, applicants may share the electronic original document with employers as required. The operator/agency of support may then print hardcopies for verification and inclusion in personnel files.

Role of RCL

RCL is responsible for reviewing, examining and maintaining the following on the facility file:

- Record checks and valid First Aid certificates for all operators, including agency supported host family home operators.
- Record checks for all adult household members who are permanently residing at the home.

RCL may request to review personnel files of respite providers providing residential care and visitor files of visitors staying at the home at any time.

Record checks and First Aid certificates submitted to RCL must be originals.

If the applicant wishes to keep an original hardcopy document, RCL may retain a scanned copy of the original, hardcopy record checks and First Aid certificate on the applicant's facility file after reviewing and verifying the original documents. Verified copies of record checks and

First Aid certification must have the reviewing department staff's printed name, signature and date of verification.

In the case of electronically-issued documentation, applicants may share the electronic original document with RCL as required. Department staff may print hardcopies for verification and inclusion in facility files.

6.1.3 Evaluating Record Check Results

Employment to provide residential care or the issuance of a LOA or Licence to operate a host family home is conditional upon meeting the requirements of this policy and the results of the applicant's CRC and AAR check.

Adult Abuse Registry Checks

Registration on the Adult Abuse Registry, regardless of criminal record history or lack thereof, will result in disqualification from operating a host family home, providing residential care or residing or staying at a host family home.

Criminal Record Checks

Respite Providers, Household Members and Visitors

Where the results indicate an applicant seeking to provide residential care in a host family home, or a person planning to reside or stay at a host family home has a criminal record, pardoned sexual offences or pending charges, the operator must notify RCL. RCL will consult with the supervising program and agency of support, if applicable.

The operator, RCL and, if applicable, the supervising program and the agency of support must exercise good judgment in determining the suitability of the applicant and must ensure that applicants providing residential care in the home and adult household members and visitors staying at the home do not pose a risk to the individuals.

This would include:

- Assessing the potential risk to the health, safety and well-being of the individuals receiving care.
- Establishing whether or not a pending or resolved criminal charge or conviction has a direct relationship to the responsibilities of the persons involved in providing residential care.
- Determining whether or not the results of the CRC would justify a reasonable disqualification to provide residential care or to stay at the home.

Operators

Where the results indicate that an applicant requesting a Licence or LOA to provide residential care has a criminal record, pardoned sexual offences or pending charges, RCL in consultation with the supervising program and the agency of support, if applicable, will determine the suitability of the applicant to become an operator and provide residential care.

Assessing Risk

Examples of criminal charges or convictions to be concerned with may include, but are not limited to:

- Sexual, physical and financial abuse.
- Assault.
- Family violence and stalking.
- Drug trafficking.
- Fraud.
- A chronic pattern of criminal activity.

Determining whether a charge or conviction has a direct relationship to the responsibilities involved in providing residential care will depend on the circumstances of the individual case.

Points to consider may include:

- Whether the behaviour that is the subject of the charge or conviction, if repeated, poses a threat to individuals' health, safety or well-being.
- The circumstances of the charge and the particulars of the offence involved (e.g., the age of the person when the charge or conviction occurred, extenuating circumstances).
- The amount of time that has passed between the charge or conviction and the employment decisions.
- What the person has done since the charge or conviction and whether they show any tendency to repeat the behaviour.
- Whether a pardon has been granted.
- Whether all conditions have been met in relation to an offence that has been conditionally discharged.

Determining Suitability

In the event of a criminal record, RCL in consultation with the operator, the supervising program, and the agency of support, if applicable, will determine whether:

- A person can provide residential care at the home.
- A person can reside at the home as an adult household member while not receiving or providing services.
- A person can stay at the home as a visitor for a temporary period of time.

For new operators, RCL, in consultation with the supervising program and the agency of support, if applicable, will determine whether a LOA or a Licence will be issued to the applicant.

For new residential care facilities, RCL and the supervising program should also assess any existing criminal records of adult household members residing at the home at the time of the application when determining whether a LOA or a Licence will be issued to the applicant.

6.1.4 Evaluating First Aid Certificates

Applicants seeking to provide residential care in a host family home are required to have a valid First Aid certificate as defined in this policy.

Basic First Aid training or a higher level First Aid training must be completed through a training provider who has been approved by Manitoba Workplace Safety and Health. A list of approved training providers can be found on the [Manitoba Workplace Safety and Health website](#).

First Aid training must include both a theoretical component and practical training session. According to the [Manitoba Workplace Safety and Health Act and Regulation](#), online training must be accompanied by in-person practical instruction in order for certifications to be valid.

As per the [Manitoba Workplace Safety and Health Act and Regulation](#), a First Aid certificate ceases to be valid on the day that is three years after the day it was issued.

6.1.5 Notice of Disqualification

The operator and/or the agency of support is responsible for notifying respite providers wanting to provide residential care and adult household members and visitors who plan to reside or stay at the home, of the disqualification in the following situations:

- A person has a registration on the Adult Abuse Registry.

- It is determined that the person's existing criminal record, pardoned sexual offences or pending charges justifies reasonable disqualification.

RCL is responsible for notifying applicants wanting to become operators of the disqualification in the following situations:

- A person has a registration on the Adult Abuse Registry.
- It is determined that the person's existing criminal record, pardoned sexual offences or pending charges justifies reasonable disqualification.

6.2 Procedures

6.2.1 Update of Record Checks

RCL must be notified of any new charges or convictions for persons providing residential care and adult household members or visitors residing or staying at the home. RCL will consult with the supervising program and the agency of support, if applicable.

New record checks may be requested if the operator, agency of support, supervising program or RCL receives information that causes them to believe that either:

- A person's status on the Adult Abuse Registry has changed.
- The person has been charged or convicted of an offence and may pose a risk to the individuals receiving care or be unable to carry out their responsibilities.

Respite providers retained by an agency of support to provide respite services may work at different locations without requiring a new CRC or AAR check.

Applicants retained by an agency of support as respite providers or in other roles (e.g., day services), may provide respite services in host family homes managed by the same agency without requiring new record checks, providing they have already met the record check and First Aid requirements as outlined in this policy. Operators are required to confirm with the agency of support to ensure that these requirements have been met.

Operators

Upon the annual renewal of a LOA or Licence, operators of host family homes, including agency supported host family homes, and any other operators of facilities who live on-site with the individuals receiving residential care must submit a [Operator Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix A).

Operators must state whether, to the best of their knowledge, they as the operator, any respite providers providing residential care in the home or any adult household members or visitors have been charged or investigated for any criminal activities.

6.2.2 Update of First Aid Certification

Operators and respite workers providing care to an individual in a host family home are required to maintain a valid First Aid certificate. A First Aid certificate obtained through training approved by [Manitoba Workplace Safety and Health](#) is valid for three years from the date it is signed.

First Aid re-certification needs to be completed prior to the expiry of the current certificate.

The operator and/or agency of support is responsible for ensuring respite providers have valid First Aid certificates and that renewal training occurs prior to the expiry of the current certificate.

Respite providers with an expired First Aid certificate can only work under direct supervision by the operator or by a respite provider that meets the record check and First Aid requirements outlined in this policy.

Operators who live on-site with the individuals receiving residential care, need to ensure re-certification occurs prior to expiry of their current First Aid certificate. Failure to complete First Aid training for re-certification may result in RCL issuing a compliance order or a provisional Licence/LOA at renewal time.

Note: In situations where an operator or respite worker has a valid First Aid certificate, but they are no longer able to administer first aid (e.g., CPR) due to an injury or physical limitations, the operator/agency of support is required to consult with the supervising program and RCL for assessment of the situation and to determine an appropriate course of action.

6.2.3 Delays in Obtaining Criminal Record and Adult Abuse Registry Checks

Respite providers seeking to provide residential care in a host family home must take reasonable steps to obtain the required record checks prior to providing residential care.

If there is a delay in obtaining **either** a CRC **or** an AAR check in a timely manner, an operator/agency of support may choose to employ an applicant for up to six months while their check is being processed.

The following provisions need to be met.

- The applicant must have at least one valid check, either CRC or AAR check, that is no more than six months old from the date it was completed by the law enforcement agency/Adult Abuse Registrar.
- The required check (CRC or AAR check) must be obtained as soon as possible but no later than six months from the date of hire.
- For delays in obtaining a CRC, the applicant must provide a satisfactory [Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix B), a clear AAR check and provide an original receipt for the CRC application prior to commencing work.

- For delays in obtaining an AAR check, the applicant must provide a satisfactory [Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix B), a satisfactory CRC check and provide an original receipt for the AAR check application prior to commencing work.
- The applicant can only work under direct supervision by the operator or a respite provider who meets the record check and First Aid requirements outlined in this policy.
- The operator/agency of support has advised the applicant that the offer of employment is conditional upon the provision of a satisfactory CRC and a clear AAR Check.
- The operator/agency of support will review the signed Declaration of Criminal Record or Adult Abuse Registry Record and will notify RCL if the applicant has indicated “yes” to any of the questions on the declaration.
- The operator/agency of support will place the completed copy of the declaration and the completed check (CRC or AAR check) on the applicant’s personnel file and should ensure that the delayed check (CRC or AAR check) is received within six months from the date of hire.
- Records must be made available to RCL for review upon request.

Note: The declaration of Criminal Record does not take the place of a satisfactory CRC. The declaration of Adult Abuse Registry Record does not take the place of a clear AAR check.

Host Family Homes

Operators requesting a Licence or LOA to provide residential care need to obtain all the required checks before RCL will issue a Licence or LOA.

Exceptions can only be made under the following circumstances:

- Operators and host family homes transitioning from Child and Family Services (CFS) may be granted a temporary exemption to the requirements in the event of a delay in obtaining the required record checks.
- Operators and host family homes that have been previously licensed or approved by RCL as residential care facilities, remain in good standing, and have a pre-existing relationship with the individual may be granted a temporary client-specific exemption to the requirements in the event of a delay in obtaining the required record checks.

In the event of a delay in obtaining the required record checks in these circumstances, RCL can issue a provisional LOA for up to six months with the following provisions:

- The required checks (CRC and AAR check) are obtained as soon as possible but no later than six months from the date the provisional LOA was issued.

- The applicant must provide a satisfactory [Operator Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix A) and provide an original receipt for the CRC/AAR check application prior to obtaining a provisional LOA.

The purpose of granting a temporary exception in these circumstances is to ensure the continuity of care and to support a smooth and seamless transition.

Note: The declaration of Criminal Record does not take the place of a satisfactory CRC. The declaration of Adult Abuse Registry Record does not take the place of a clear AAR check.

6.2.4 Delays in Obtaining a First Aid Certificate and First Aid Re-Certification

Respite providers seeking to provide residential care in a home must take reasonable steps to obtain and maintain a valid First Aid certificate prior to providing residential care.

Where an applicant experiences delays in obtaining a First Aid certificate, the operator/agency of support may choose to employ the applicant for up to six months while training is being completed and a certificate is obtained.

The following provisions apply:

- First Aid training should be completed, and a First Aid certificate should be obtained as soon as possible but no later than 6 months from the date of hire.
- Applicants without a valid First Aid certificate, can only work under direct supervision of the operator or a respite provider who meets the record check and First Aid requirements outlined in this policy.
- The operator/agency of support needs to ensure confirmation of completed First Aid training and a valid First Aid certificate is obtained within six months from the date of hire and kept on the applicant's personnel file.
- First Aid certificates must be made available to RCL for review upon request.

Host Family Homes

Operators requesting a Licence or LOA need to obtain the required First Aid certificate before RCL will issue a Licence or LOA.

Exceptions can only be made in the following circumstances.

- Operators and host family homes transitioning from Child and Family Services (CFS) may be granted a temporary exemption for First Aid requirements in the event of a delay in obtaining a valid First Aid certificate.
- Operators and host family homes that were previously licensed or approved by RCL as residential care facilities, remain in good standing, and have a pre-existing relationship with the individual may be granted a temporary client-specific exemption to the requirements in the event of a delay in obtaining a valid First Aid certificate.

In the event of a delay in obtaining a First Aid certificate, RCL can issue a provisional LOA for up to six months.

First Aid training should be completed, and a First Aid certificate should be obtained as soon as possible but no later than six months from the date the provisional LOA was issued. If available, the applicant should provide RCL with confirmation of prior certification/training.

The purpose of granting a temporary exception in these circumstances is to ensure the continuity of care and to support a smooth and seamless transition.

6.2.5 Requirements for Visitors and Adult Household Members

Visitors

Visitors staying in a host family home for a temporary period of time may not be required to obtain a CRC and AAR check depending on the duration of their stay.

Visitors cannot provide residential care to individuals residing at the home at any time during their stay. Visitors must not be left alone with the individual at any time.

Note: the requirements of this policy do not apply to visitors of the individual receiving care.

Persons intending to provide residential care are not considered visitors and will need to meet the record checks and First Aid requirements for applicants providing residential care.

The following provisions apply:

Visitors staying less than one month or 30 days.

- Visitors staying **for less than one month or up to 30 days in a one-year period** do not need to provide a CRC or an AAR check.
- The operator does not need to notify the supervising program or RCL of the stay.
- If the operator receives information leading them to believe that a person may pose a risk to the individuals, RCL, the supervising program and if applicable, the agency of support should be notified. A subsequent CRC and AAR check may be requested.
- Visitors that decide to extend their stay beyond one month or more than 30 days in a one-year period are required to sign a [Declaration of Criminal Record and Adults Abuse Record Check](#) (Appendix B).

Visitors staying for one to six months or 31 to 180 days.

- Visitors staying or extending their stay **between one and six months or 31 to 180 days in a one-year period** are required to sign a [Declaration of Criminal Record and Adult Abuse Record Check](#) (Appendix B).

- The operator must notify RCL, the supervising program and, if applicable, the agency of support, of the stay.
- The operator will ensure the Declaration of Criminal Record and Adult Abuse Registry Check have been completed and are kept on file at the home. Records must be made available to RCL for review upon request.
- The operator will review the signed Declaration of Criminal Record or Adult Abuse Registry Check and will notify RCL, the supervising program and, if applicable, the agency of support if the visitor has indicated “yes” to any of the questions on the declaration.
- If the operator receives information that causes them to believe that a person may pose a risk to the individuals, RCL, the supervising program and, if applicable, the agency of support should be notified. A subsequent CRC and AAR check may be requested.
- Visitors that decide to extend their visit for longer than six months or more than 180 days in a one-year period need to provide a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check. Applications for these record checks should be completed as soon as the decision to extend their stay is made to avoid delays.

Visitors staying longer than six months or more than 180 days.

- Visitors planning to stay **for longer than six months or more than 180 days in a one-year period** need to provide a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check. Applications for CRC and AAR checks should be made as soon as the duration of the stay is known to be longer than six months or 180 days in a one-year period to avoid delays.
- The operator must notify RCL, the supervising program and, if applicable, the agency of support, of the stay.
- Visitors experiencing delays in obtaining the required checks should complete the [Declaration of Criminal Record and Adult Abuse Registry Record](#) in the interim if the delay exceeds one month or a 30 days from start date of the stay.
- The operator will ensure the required checks have been submitted and will review, examine and maintain the CRC and AAR checks on file for all visitors staying for longer than six months or 180 days in a one-year period. Records must be made available to RCL for review upon request.

Note that despite these provisions, operators, RCL or the supervising program can request visitors to complete a [Declaration of Criminal Record and Adult Abuse Registry Record](#) or submit record checks at any time regardless of the duration of the stay.

If a visitor plans on becoming a permanent household member residing at the home, RCL and the supervising program must be notified and a satisfactory CRC, including a Vulnerable Sector Search, and a clear AAR check must be submitted to RCL.

Adult Household Members

Adult household members residing in a home on a permanent basis are required to obtain a CRC, including a Vulnerable Sector Search, and an AAR check.

Persons permanently residing at the home who wish to provide residential care are considered respite providers and will need to meet the record checks and First Aid requirements as outlined in this policy.

RCL will ensure the required checks have been submitted and reviewed and will maintain the CRC and AAR checks on file for all household members permanently residing in the home.

Delays in Obtaining Criminal Record and Adult Abuse Registry Checks

Persons intending to reside in a host family home as household members must take reasonable steps to obtain the required record checks prior to taking up residence in the home.

Adult household members experiencing delays in obtaining the required checks should complete a [Declaration of Criminal Record and Adult Abuse Registry Record](#) (Appendix B) in the interim if the delay exceeds **one month** from the day the person took up residence in the home.

6.2.6 Where to Request Record Checks

See [Where to Request Record Checks](#) Appendix C) for information on where to request CRC and AAR checks.

6.2.7 Where to Obtain A First Aid Certificate

A First Aid certificate can be obtained from a training provider who has been approved by Manitoba Workplace Safety and Health. A list of approved training providers can be found on the [Manitoba Workplace Safety and Health website](#).

6.3 Guideline(s)

N/A

7.0 Policy Documents

Operator Declaration of Criminal Record and Adult Abuse Registry Record

Declaration of Criminal Record and Adult Abuse Registry Record

Where to Request Record Checks

8.0 Resource Documents

Residential Care Licensing – Record Check and First Aid Requirements for Shift-Staffed Homes

APPENDIX A

OPERATOR DECLARATION OF CRIMINAL RECORD AND ADULT ABUSE REGISTRY RECORD

This form is to be completed by operators when requested by Residential Care Licensing (RCL).

Home/Facility: _____ Address: _____

CIRCUMSTANCE

Record Check Delay for Operators (Complete Section A and B)

Annual Review/Renewal (Complete Section A and C)

Note: For an annual review/renewal, please respond to the following questions as they apply to new convictions, charges or investigations that occurred in the past year.

SECTION A

DECLARATION

CRIMINAL RECORD

1. Have you ever been convicted of a criminal offence for which you have not received a pardon, including but not limited to an offence under the [Criminal Code](#), the [Controlled Drugs and Substances Act](#), and/or the [Immigration and Refugee Protection Act](#) (and its predecessor)?

Yes or No

2. Have you ever been convicted of a sexually based offence as listed in the schedule to the [Criminal Records Act](#), for which you have since been pardoned?

Yes or No

3. Are you presently being charged or investigated for a criminal offence?

Yes or No

4. Are you aware of any persons providing residential care at the home or of any adults residing at the home (other than individuals receiving care), who have been convicted of a criminal offence for which a pardon has not been received, including but not limited to an offence under the [Criminal Code](#), the [Controlled Drugs and Substances Act](#), and/or the [Immigration and Refugee Protection Act](#) (and its predecessor)?

Yes or No

5. Are you aware of any persons providing residential care at the home or adults residing in the home (other than individuals receiving care), who have been convicted of a sexually based offence as listed in the schedule to the [Criminal Records Act](#), for which they have since been pardoned?

Yes or No

6. Are you aware of any persons providing residential care at the home or adults residing in the home (other than individuals receiving care), who are presently being charged or investigated for a criminal offence?

Yes or No

7. If you answered yes to any of the above, please provide details of the conviction(s) and/or charge(s), including date, offence and penalty. (If more space is required, provide additional page.)

ADULT ABUSE REGISTRY RECORD

8. Have you ever been placed on the Adult Abuse Registry?

Yes or No

9. Are you aware of any person(s) providing residential care at the home or of any adults residing at the home (other than individuals receiving care), who have been placed on the Adult Abuse Registry?

Yes or No

10. Are you presently under investigation for an allegation of abuse or neglect of an adult living with an intellectual disability as defined in [The Adults Living with an Intellectual Disability Act](#) (formerly known as the Vulnerable Persons Living with a Mental Disability Act) or a patient as defined in [The Protection for Persons in Care Act](#)?

Yes or No

11. Are you aware of any person(s) providing residential care at the home or adults residing at the home (other than individuals receiving care), who are presently under investigation for an allegation of abuse or neglect of an adult living with an intellectual disability as defined in [The Adults Living with an Intellectual Disability Act](#) (formerly known as the Vulnerable Persons Living with a Mental Disability Act) or a patient as defined in [The Protection for Persons in Care Act](#)?

Yes or No

12. If you answered yes to one or both of the previous two questions, please provide details of the investigation, including date and offence. (If more space is required, provide an additional page.)

SECTION B (to be completed when experiencing document delays)

I declare that the above information is true and complete.

I understand that the provisional LOA is conditional upon providing satisfactory Criminal Record Checks, including a Vulnerable Sector Search, and clear Adult Abuse Registry Checks within six months. I further understand that should the results of a Criminal Record Check or an Adult Abuse Registry Check contradict this Declaration, RCL may suspend the provisional LOA immediately.

Operator Name: _____ Signature: _____

RCL Authority: _____ Signature: _____

Date: _____

SECTION C (to be completed at the annual review/renewal)

I declare that the above information is a true and complete.

I understand that if information is received that causes RCL to believe that a person has been charged or is under investigation and may pose a risk to the individual(s) or be unable to carry out their responsibilities, RCL may request a subsequent CRC and/or AAR check.

I understand that the provision of incorrect information may result in the cancellation of the LOA or Licence.

Operator Name: _____ Signature: _____

RCL Authority: _____ Signature: _____

Date: _____

Note: In situations where there are two individuals listed as operators on the LOA, only one operator is required to sign.

This form is to be maintained on RCL's operator file.

APPENDIX B

DECLARATION OF CRIMINAL RECORD AND ADULT ABUSE REGISTRY RECORD

This form is to be completed by respite providers, adult household members and visitors in the following situations:

- When respite providers providing residential care in a host family home encounter a significant delay in obtaining either a Criminal Record Check **or** an Adult Abuse Registry Check.
- When persons intending to reside in a host family home as an adult household member encounter delays in obtaining their Criminal Record Check and/or Adult Abuse Registry Check.
- When visitors will be staying temporarily in a host family home for **one to six months or 31 to 180 days in a one-year period**. Visitors of the individual(s) receiving care are not required to complete this form.

Note: Visitors staying longer than six months or more than 180 days in a one-year period are required to submit a Criminal Record Check, including a Vulnerable Sector Search, and an Adult Abuse Registry check. RCL must be notified if a visitor becomes a permanent household member.

Respite providers completing this form while waiting for a Criminal Record Check **or** an Adult Abuse Registry Check may only work under direct supervision by the operator or an approved respite provider.

Persons staying or residing at the home as visitors or household members cannot provide residential care to the individual(s) residing at the home and cannot be left alone with the individual(s).

Home/Facility: _____ Address: _____

Applicant Surname: _____ First Name(s): _____

Any Previous Names (birth name, etc.): _____

Date of Birth: _____
Year
Month
Day

CIRCUMSTANCE

Record Check Delay for Respite Provider (Complete Section A and B)

Delayed Document:

- Criminal Record Check
- Adult Abuse Registry Check

Respite Provider Duties: _____

Visitor or Household Member (Complete Section A and C)

Visitor duration of stay: _____

SECTION A

DECLARATION

(respite providers should only complete the section relevant to the delayed document.)

CRIMINAL RECORD

1. Have you ever been convicted of a criminal offence for which you have not received a pardon, including but not limited to an offence under the [Criminal Code](#), the [Controlled Drugs and Substances Act](#), and/or the [Immigration and Refugee Protection Act](#) (and its predecessor)?

Yes or No

2. Have you ever been convicted of a sexually based offence as listed in the schedule to the [Criminal Records Act](#), for which you have since been pardoned?

Yes or No

3. Are you presently being charged or investigated for a criminal offence?

Yes or No

4. If you answered yes to any of the above, please provide details of the conviction(s) and/or charge(s), including date, offence and penalty. (If more space required, provide additional page.)

ADULT ABUSE REGISTRY RECORD

5. Has your name been entered onto the Adult Abuse Registry?

Yes or No

6. Are you presently under investigation for abuse or neglect of an adult living with an intellectual disability as defined in [The Adults Living with an Intellectual Disability Act](#) (formerly known as the Vulnerable Persons Living with a Mental Disability Act) or a patient as defined in [The Protection for Persons in Care Act](#)?

Yes or No

7. If yes, please provide details of the investigation, including date and offence. (If more space is required, provide additional page.)

SECTION B (To be completed by respite providers)

I declare that the above information is true and complete.

I understand that my employment is conditional upon my providing a satisfactory Criminal Record Check, including a Vulnerable Sector Search, and a clear Adult Abuse Registry Check within six months.

I also understand that I must be directly monitored at all times by the operator until I provide a Criminal Record Check/Adult Abuse Registry Check.

I further understand that, should the results of the Criminal Record Check/Adult Abuse Registry Check reveal that relevant information was omitted on this Declaration; my employment may be terminated immediately for just cause.

Applicant Signature

Signature of the Operator

Date:

SECTION C (To be completed by visitors and adult household members)

I declare that the above information is true and complete.

I understand that I may not provide residential care to the individual receiving residential care at the home.

I understand that if information is received that causes the operator, the supervising program or the RCL to believe that I have been charged or am under investigation of a crime and that there might be a risk to the individuals, I may be requested to submit a Criminal Record Check and/or an Adult Abuse Registry Check.

I also understand that, should the results of a requested Criminal Record Check/Adult Abuse Registry Check reveal that relevant information was omitted on this Declaration; my stay at the home will be reviewed by the RCL and supervising program.

Visitor Signature

Signature of the Operator:

Date:

This form is to be maintained on the applicant's file at the facility and may be requested by RCL for review at any time.

APPENDIX C

WHERE TO REQUEST RECORD CHECKS

Criminal Record Checks, including the Vulnerable Sector Search, can be requested from:

In Winnipeg:

Winnipeg Police Service
 Winnipeg Police Headquarters
 245 Smith Street
 Winnipeg MB R3C 1K1

Further information, or an online application for a Criminal Record Check, visit the [Winnipeg Police Service Online Record Checks Page](#).

Outside of Winnipeg:

Contact the local police or RCMP detachment. Criminal Record Checks with a Vulnerable Sector Search must be requested from the jurisdiction in which the applicant lives. For visitors in residential care facilities, Criminal Record Checks can be requested at the nearest RCMP detachment. Adult household members and visitors should mark off “volunteer position” when applying for a Vulnerable Sector Search.

For further information about Criminal Record Checks or requesting a Vulnerable Sector Search, visit the [Royal Canadian Mounted Police Criminal Records Check Page](#).

Persons who have recently entered Canada may need to provide additional documentation as part of the Criminal Record Check application process. It is important that they contact the WPS, RCMP or local police agency for more information about identification requirements.

Note: If a name-based Criminal Record Check or a Vulnerable Sector Search does not provide a definite way of confirming an identity, applicants may be asked to provide fingerprints. The use of fingerprints is the most accurate way to confirm a person’s identity. They ensure that individuals cannot evade their criminal past and protect individuals from being falsely associated with a criminal record that is not theirs.

Adult Abuse Registry checks can be requested from:

1st Floor – 777 Portage Avenue
 Winnipeg MB R3G 0N3
 Office Hours: Monday – Friday 8:30 a.m. to 4:30 p.m.

Toll-free: 1-800-282-8069
Telephone: 204-945-6967
TTY: 1-800-855-0511 (Manitoba Relay Service)
Fax: 204-948-3388
Email: aar@gov.mb.ca

Further information on how to apply for an Adult Abuse Registry Check, visit the [Adult Abuse Registry Check Page](#).

Please note that the information contained in this appendix is correct at the time of writing. Information may change.