

Updated as of May 29, 2020

## **Coronavirus (COVID-19) CFS Practice Guidance – Child Abuse Committee**

Child Abuse Committee (CAC) regulations set guidelines for agencies to follow. Public health measures to support social distancing, including limiting in-person meetings, affects agencies' ability to ensure requirements are met. This information is intended to help guide your response during COVID-19.

### **Are CAC meetings an essential service?**

A previous document was circulated to help identify and differentiate between urgent and essential services in child welfare. Urgent services include situations where current child safety is potentially at risk. CAC meetings are therefore deemed non-urgent, as there are no immediate child safety concerns. The referral to the CAC is considered essential.

**NEW:** CAC meetings may resume through virtual alternatives, if available. If social distancing can be followed (large room, limit of required attendance, seating two meters apart), meetings may occur in-person. If these conditions can not be met and/or quorum cannot be met, then continue to postpone meetings. These measures will be reviewed in the future.

### **Should referrals to CACs continue?**

As per 7(1) of the regulations, a referral to the CAC should be made within 30 days from when an agency believes a child may have been abused. All efforts should continue to be made to refer matters to the CAC within 30 days. Referrals should be made electronically or via paper to ensure social distancing. Agencies can use a condensed form to expedite the process if necessary.

If a referral is delayed beyond the 30-day window due to other essential and urgent work, this needs to be highlighted in the referral documentation.

### **Should CAC meetings still occur?**

In order to meet quorum at least three of the mandatory members appointed under subsection 3(2) are required to be present.

**NEW:** At this time, meetings should be held virtually or in a location where social distancing protocols can be followed.

### **Should CACs continue to give notices?**

CACs are responsible to provide a Notice of Opportunity.

**NEW:** As the regulations do not specify timelines, the Notice of Opportunity may be deferred if social distancing is not possible.

The regulations do not dictate a requirement for CACs to vote within a specific timeline for case deliberations.

**NEW:** It is recommended that all voting matters be deferred until Manitoba Courts are operating in more regular fashion.

Once a vote is taken and service occurs for a Notice of Intent to Register, the offender has 60 days to file. Courts are currently only processing urgent matters and this may affect their ability to meet this timeline.

In the event an agency has already voted, attempts to provide Notice need to occur. If an individual cannot be contacted, the agency's attempts should be documented.

### **Can I still submit Child Abuse Registry Checks (CAR)?**

Agencies should continue to submit CAR and PCC applications for processing. Forms and instructions for child and family services agencies are available through the Child and Family Services Information System.

There are two application forms:

#### 1.) CAR-CFSI – Application for a Child Abuse Registry Check – CFS Investigation

These forms are used when investigating a child in need of protection. No consent is required by the subject of the record. It is not used for screening a person unless risk factors are identified. These can be processed by agency staff with access.

#### 2.) CAR-CFSO – Application for a Child Abuse Registry Check – Other

These forms are used to assess individuals applying to provide work or services to an agency, including potential employees (including respite providers), foster home applicants, family residences to be used a place of safety, adoptive applicants, volunteers and students. It can also be used to screen individuals having contact with or in relationship with children and families receiving services. Forms must be submitted to the Registry Unit for processing.

### **Can I still submit Prior Contact Checks (PCC)?**

Direct access has been provided to limited agency staff to access forms for PCCs.

### **Am I able to contact the Registrar to obtain additional information about someone currently/previiously on the registry?**

Yes. If you learn an individual is or was on the registry, you can contact the Registrar via email at [breanne.manastyrsky@gov.mb.ca](mailto:breanne.manastyrsky@gov.mb.ca) and request additional information.