

## Statutory foster care service

### Report on the progress made by Tusla's South Region in reaching compliance with eight of the *National Standards for Foster Care*

Health Information and Quality Authority (HIQA)  
Regulation Directorate monitoring inspection  
report on a statutory foster care service under the  
Child Care Act, 1991



<b>Name of Child and Family Agency (Tusla) region:</b>	South Region
<b>Time frame of HIQA follow-up monitoring activity</b>	<b>Commenced on:</b> 12 February 2018: Self-assessment and statement of compliance forms issued to each area. <b>Fieldwork:</b> 27-28 February, 26-28 March 2018 <b>Report finalised:</b> 6 November 2018

## About HIQA monitoring of statutory foster care services

The Health Information and Quality Authority (HIQA) monitors services used by some of the most vulnerable children in the State. Monitoring provides assurance to the public that children are receiving a service that meets the requirements of quality standards. This process also seeks to ensure that the wellbeing, welfare and safety of children is promoted and protected. Monitoring also has an important role in driving continual improvement so that children have better, safer services.

HIQA is authorised by the Minister for Children and Youth Affairs under Section 69 of the Child Care Act, 1991 as amended by Section 26 of the Child Care (Amendment) Act 2011 to inspect foster care services provided by the Child and Family Agency (Tusla) and to report on its findings to the Minister for Children and Youth Affairs. HIQA monitors foster care services against the *National Standards for Foster Care*, published by the Department of Health and Children in 2003.

In order to promote quality and improve safety in the provision of foster care services, HIQA carries out inspections to:

- **assess** if Tusla— the service provider — has all the elements in place to safeguard children
- **seek assurances** from service providers that they are **safeguarding children** by reducing serious risks
- **provide** service providers with the **findings** of inspections so that service providers develop action plans to implement safety and quality improvements
- **inform** the public and **promote confidence** in services through the publication of HIQA's findings.

HIQA inspects services to see if the National Standards are met. Inspections can be announced or unannounced.

## **Child and Family Agency (Tusla)**

The Child and Family Agency (Tusla) has the legal responsibility to promote the welfare of children and protect those who are deemed to be at risk of harm. Children in foster care require a high-quality service which is safe and well supported by social workers. Foster carers must be able to provide children with warm and nurturing relationships in order for them to achieve positive outcomes. Services must be well governed in order to produce these outcomes consistently.

The Child and Family Agency (Tusla) is organised into four regions: the West, the South, Dublin Mid Leinster and Dublin North East. The regions are divided into 17 Service areas, each of which provides a foster care service. The foster care services are managed by area managers working under a regional manager known as a service director. The service directors report to the chief operations officer, who is a member of the Tusla national management team.

## **HIQA Monitoring of TUSLA foster care services in 2017**

As part of the 2017 monitoring programme, HIQA carried out themed inspections of foster care services in 14 of the 17 Tusla Service areas. The themed inspections focused on eight of the National Standards for foster care which covered safeguarding and child protection, recruitment, assessment and approval of foster carers, foster care reviews and support and supervision of foster carers.

HIQA conducted themed foster care inspections in the Tusla South Region between February and June 2017 in three of the region's Service areas: Cork, Kerry and Carlow/Kilkenny/South Tipperary.\*

The levels of compliance found in themed foster care inspections conducted in 2017 in the South Region are represented in Table 1 overleaf.

Each area was required to submit an action plan to address findings of non-compliance as outlined in inspection reports. The reports and action plans were published on [www.hiqa.ie](http://www.hiqa.ie).

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\*A themed foster care inspection of the Waterford/Wexford area of the South Region was carried out in 2018.

**Table 1. Judgments of 2017 themed foster care inspections in the three of the four Service areas of the Tusla South Region**

Service area	Standard 10— Safeguarding and Child Protection	Standard 14a— GFC Assessments	Standard 14b— RFC Assessments	Standard 15 — Support and Supervision	Standard 16 — Training	Standard 17 — Reviews	Standard 21— Recruitment and Retention	Standard 23 — Foster Care Committee
Cork	Non-compliant Major	Substantially Compliant	Non- compliant Major	Non- compliant Major	Substantially Compliant	Non- compliant Major	Non- compliant Major	Non- compliant Moderate
Kerry	Non-compliant Major	Compliant	Non- compliant Major	Substantially Compliant	Compliant	Non- compliant Major	Compliant	Non- compliant Moderate
Carlow/Kilkenny/South Tipperary	Non-compliant Major	Substantially Compliant	Substantially Compliant	Non- compliant Major	Substantially Compliant	Non- compliant Major	Compliant	Non- compliant Major

Key to table

GFC = general foster carers (non-relative foster carers)

RFC = relative foster carers.

## HIQA follow up in 2018

HIQA carried out follow-up monitoring of the foster care services in three out of four Service areas in the South Region between February and March 2018. Based on the findings of the 2017 themed inspections, which focused on eight standards, and the resulting action plans, a statement of progress in the form of a self-assessment was completed by each Service area. The self-assessment required:

- an assessment of the area's current level of compliance
- the extent to which progress had been made to address areas of non-compliance as identified during the 2017 themed inspection
- evidence to support the self-assessment findings
- outstanding actions required to address non-compliance
- and a statement as to how the area manager was assured that timely actions would be taken to address non-compliance, where applicable.

Following receipt of the completed statement of progress from the three Service areas in the South Region, the information was reviewed by an inspector. In order to source further evidence of progress made, HIQA conducted inspection fieldwork in the Service areas where a significant number of major non-compliances had been found during the 2017 inspections, namely, Cork and Carlow/Kilkenny/South Tipperary. A desktop review was carried out for Kerry.

Following the reviews of the statements of progress, inspectors sought some additional information from the area managers to support the areas' judgments of its current compliance rating. This supporting information and documentation was reviewed by a HIQA inspector and a teleconference was conducted with the area manager for each area.

The focus of the follow-up inspections and the desktop review was to assess each area's progress in becoming compliant with the relevant standards, which included a particular focus on major and moderate non-compliances.

Following the completion of the desktop review and the follow-up fieldwork, HIQA interviewed the service director for the South Region.

### **Foster care service in the Tusla South Region**

The foster care teams in the three areas of the South were organised in different ways — some were based in one location, others were based in offices throughout each area in the region. Teams were managed by team leaders who reported to principal social workers. The areas had both general and relative foster care households providing a service for children in care (see Table 2).

**Table 2. Numbers of general (non-relative) and relative foster carers in the South Region in August 2018**

Service area	General foster carers at time of follow up	Relative foster carers at time of follow up	Number of children in care
Cork	309	106	828
Kerry	69	39	160
Carlow/Kilkenny South Tipperary	184	83	396

## Summary of findings

### Theme 2: Safe and Effective Services

Services promote the safety of children by protecting them from abuse and neglect and following policy and procedure in reporting any concerns of abuse and or neglect to the relevant authorities. Effective services ensure that the systems are in place to promote children’s welfare. Assessment and planning is central to the identification of children’s care needs. In order to provide the care children require, foster carers are assessed, approved and supported. Each child receives the supports they require to maintain their wellbeing.

## Standard 10 –Safeguarding and child protection

The 2017 themed inspection programme found major non-compliance in relation to safeguarding and child protection in all of the three Service areas inspected.

In the Kerry Service area, the areas for improvement related to ensuring allegations were notified to the foster care committee in a timely manner. The ‘Tusla Interim Protocol for managing allegations of abuse and neglect’ had been commenced shortly before the 2017 inspection but had not yet been implemented. There was no system to ensure An Garda Síochána (police) vetting for foster carers was renewed every three years and to ensure that Garda vetting was sought for young people in the foster care household who became adults. Additionally, not all foster carers were trained in Children First (2011).

The 2018 follow-up inspection found that the Kerry Service area had made improvements in relation to this standard. The Tusla Interim Protocol was now being implemented. Actions had been taken to ensure systems were put in place to monitor the progress of allegations. The foster care committee were made aware of allegations in a timely manner. Systems to ensure Garda vetting for adult members of the foster care household had improved. While some applications for updated Garda vetting for foster carers remained outstanding at the time of the 2018 inspection, applications had been submitted to the national vetting bureau by the Service area who were awaiting processing of the applications. Additionally, progress had been made to ensure foster carers had been trained to understand their responsibilities under Children First (2017).

In the Cork Service area, the 2017 inspection found that the areas for further improvement related to ensuring child protection and welfare allegations were managed in line with Children First (2011) and received an appropriate response, ensuring strategy meetings were held and recorded, ensuring decisions on categorisation and actions taken were clearly recorded and that formal systems were in place to ensure the foster care committee were notified of child protection and welfare allegations against foster carers. There were insufficient safeguarding arrangements, such as An Garda Síochána (police) vetting and adequate home visits by link workers, in place for all foster carers. Additionally, not all foster carers were trained in Children First (2011).

The 2018 follow-up inspection found that significant improvements in the management of allegations had been made in the Cork Service area. The 'Tusla Interim Protocol for managing allegations of abuse and neglect' was being implemented. Procedures to ensure that the foster care committee and area manager were notified of allegations and serious concerns were in place. Tracking systems to monitor the progress of the investigations of allegations and serious concerns against foster carers had also been developed. However, further work was required to ensure that these procedures and systems were consistently embedded into practice such as further development of the tracking systems and improvements in record keeping. The recording of investigations, assessment and management of allegations did not always adequately show the rationale for decisions made.

Inspectors found that safeguarding measures had improved in 2018, in that all approved foster carers were allocated and received a visit from a link worker. While the Service area still had 21 unassessed relative foster carers awaiting assessment, they were assigned to a link worker for a screening visit and link worker visit.

While there were improved systems for ensuring all foster carers had Garda vetting, these systems needed further development to ensure they were robust. Inspectors found there were three foster carers and one adult living in a foster home that had no Garda vetting. On escalation of these issues the area progressed the Garda vetting applications for all these individuals.

At the time of the 2018 follow up inspection, there were six relative foster carers whose status was 'Not Approved'<sup>1</sup>. This meant that these relative foster carers had not been approved by the foster care committee but children remained in the placement. The oversight of safety planning to ensure the safety of children in these 'Not approved' placements was insufficient and required

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<sup>1</sup> Tusla refer to relative foster carers who had not been approved by the foster care committee but children in care remained placed with them as 'Not approved'.

improvement as there was no system or process in place to ensure adequate safety plans were in place for these children. This was escalated to the area manager following the inspection for them to establish the total number of placements involved and for a review of the management oversight of these placements and plans, if required. A satisfactory response was received from the area manager in relation to planned improvements to ensure that management oversight was more robust at each level of management.

Additionally some actions were outstanding such as all foster carers receiving training to understand their responsibilities under Children First (2017). While there was a complaints register that captured complaints and recorded their status, further development of information technology (IT) systems to capture the status of complaints remained outstanding.

In the Carlow/Kilkenny/South Tipperary Service area, the 2017 inspection found that the Service area had significant areas for further improvement. These included:

- ensuring appropriate and timely actions were taken to protect children in the care of foster carers where allegations or serious concerns had been made against foster carers,
- ensuring systems of monitoring and to provide oversight of foster carers, where allegations and serious concerns had been made, were sufficient,
- safeguarding measures were not sufficient as there was no overall system to ensure appropriate safeguarding for unallocated foster carers. This included visits to the foster care household by a link worker. Additionally, the managers of the service were not able to promptly assure themselves when children in care, who were living in placements without a link worker, were last visited by their social worker.

Following the 2017 thematic foster care inspection, an inspection of the child protection and welfare (CPW) service within the Carlow/Kilkenny/South Tipperary Service area was undertaken by HIQA in October 2017. This was, in part, triggered as a result of the findings of the 2017 foster care inspection. Following findings of Major non compliances from that October 2017 CPW inspection, measures were outlined by the regional service director to HIQA that were to address the deficits in the management of allegations by the service.

The 2018 follow-up foster care inspection in the Carlow/Kilkenny/South Tipperary Service area found some improvements had been made in safeguarding measures. A comprehensive and effective tracking system was put in place to monitor visits to the foster care household by a link worker in order to ensure they were prioritised where appropriate.

The 2018 follow-up foster care inspection found there had been little improvement in the management of allegations against foster carers since HIQA inspected this foster care service in June 2017. During the Carlow/Kilkenny/South Tipperary 2017 foster care inspection, the area manager gave assurances to HIQA that allegations made by children in care against foster carers would be given priority for assessment. However, at the time of the 2018 inspection the principal social worker for the fostering service told inspectors that concerns in the community were prioritised over allegations made against foster carers. She also said she had raised these concerns with the area manager during supervision and it was discussed at area management meetings. Given that these deficiencies were known by the area manager, it was a concern that the area judged their compliance level as substantially compliant when the level of risks in the

area was known. Measures outlined by the service director following the inspection of the Carlow/Kilkenny/South Tipperary Service area child protection and welfare service, had not been effective. Allegations were not being managed in line with Children First (2017) and assurances provided by the area manager were not satisfactory. HIQA informed the area manager that these deficits would be further addressed during the interview with the service director for the South Region, as part of the Report on the progress made by Tusla's South Region in reaching compliance with eight of the *National Standards for Foster Care*.

### **Regional summary for standard 10**

Overall, in 2018, every area in the South Region had made some progress in addressing areas of non-compliance identified during the 2017 inspections relating to safeguarding practices. However, progress was inconsistent across the South Region and further improvement was required to ensure that:

- all allegations were managed in line with Children First
- all areas implemented a consistent approach to the effective management of allegations
- all foster care families were allocated a link worker and
- every area had effective systems of Garda vetting in place.

The service director told inspectors that he held meetings with area managers from the respective areas on an on-going basis to assure himself on the delivery of foster care services. Additional methods of assurance initiated by the service director included a quality assurance review of governance arrangements in the Carlow/Kilkenny/South Tipperary area. The service director was also a member of governance oversight committees in the Cork and Carlow/Kilkenny/South Tipperary Service areas. He did not receive reports in relation to the progress of allegations from each area but expected the process to be followed consistently. He told inspectors that oversight of allegations lay at individual Service area level and not with the Tusla South Regional office. He said that frontline services progressed and logged allegations, in line with the procedures and the foster care committee had oversight of the progress of allegations which was in line with the governance arrangements and 'Tusla Interim Protocol for managing allegations of abuse and neglect. While the service director outlined the governance arrangements, these were not adequate as he did not have a system in place to be assured on the progress of allegations.

The service director accepted there may be wider systems issues and/or oversight issues in relation to the management of allegations in the Carlow/Kilkenny/South Tipperary Service area. He said that work had already been undertaken with the respective child protection staff teams and he would expect to see changes in practice based on this work. He said he also requested that an audit of allegations be undertaken by the Tusla quality directorate along with monitoring and validation reports on action plans written in response to HIQA inspections. A local governance group had been established in the Carlow/Kilkenny/South Tipperary area to monitor the progress of the work undertaken, audits and the validation exercises. However, while these processes were underway they were not yet finished and consequently, further work was required.

There was no consistent approach to undertaking Garda vetting of foster carers, individuals living in the foster care household and foster care committee members across the region. Each service

area had developed their own systems to address Garda vetting. While resources, including administrative supports, were a significant challenge in some areas in the region the development of independent systems did not ensure efficient and consistent use of already challenged resources. More work was required to ensure consistency across the region. Additionally, the Service areas had differing approaches to assure themselves that foster carers understood their responsibilities of being a mandated person under Children First 2017. A decision had not been taken by the service director on a best practice approach for both of these issues. The service director did not have a uniform method of monitoring and assuring himself that the Service areas were compliant in relation to these issues and with the requirements of this standard.

The regional director stated there was a need to:

- ensure that learning and improvement was implemented across all foster care services in the region
- consider good practice and key challenges across the region
- consider the elements of service support and delivery – in particular administrative supports, approach to recruitment, approach to team structure, composition and organisation.

In response to this, the service director informed HIQA that a regional foster care services committee with a focus on service improvement and learning was to be established in the region from October 2018. It was expected that this would support overall service improvement, quality and consistency in foster care services delivered by Tusla in the South Region. Arising from this committee, an action plan and implementation plan for the region would be developed for 2019. The service director said that he would chair the committee for the first few sittings at which point a professional support person for the area of foster care and aftercare would assume the role of chair.

#### **Standard 14a – Assessment and approval of non-relative foster carers**

In 2017, the themed inspections found that the Kerry Service area was compliant with this standard. The Cork and the Carlow/Kilkenny/South Tipperary Service areas were found to be substantially compliant, and were progressing their action plans to reach full compliance with this standard.

#### **Standard 14b – Assessment and approval of relative foster carers**

The 2017 themed inspections found substantial compliance in the Carlow/Kilkenny/South Tipperary Service area, in relation to the assessment and approval of relative foster carers. Improvement was required in this area to ensure that assessments of relative foster carers were completed within the timeframe of 16 weeks as outlined in the *National Standards for Foster Care*.

The follow-up inspection in 2018 found that Carlow/Kilkenny/South Tipperary Service area was making progress to achieve compliance within timeframes specified. The statement of progress completed for the Carlow/Kilkenny/South Tipperary Service area indicated that the principal social

worker and team leaders were closely monitoring the progress of assessments to ensure timely completion.

The 2017 themed foster care inspections had found major non-compliance in the Cork and Kerry Service areas in relation to this standard.

In the Kerry Service area, the areas for improvement related to long delays in the completion of relative foster care assessments and there were 15 relative foster carers who had not been assessed but who had children placed with them. Of these the fostering department had decided that six of these foster carers, for a variety of reasons, were not to be put forward for an assessment, leaving nine relative foster carers whose assessments had not commenced. Improvements were also required in the system of preliminary checks for emergency placements with relative carers, as preliminary checks were not always carried out in full and oversight of this process required improvement. Inspectors found preliminary reports were not signed off by the principal social workers from both the child protection and welfare service and the fostering service and the foster care committee was not notified of these placements.

In the 2018 follow-up inspection, inspectors found that progress had been made. Of the nine relative foster care assessments outstanding, all had commenced with three completed. The remaining assessments were ongoing. There were more robust systems in place to ensure children were safely placed with relative carers in emergencies. Oversight of the process had improved and the foster care committee were now notified of new placements and also when initial assessments were completed.

In 2017 in the Cork Service area, the areas for further improvement related to significant delays in the commencement and completion of relative foster care assessments with many children placed for several years with unassessed relative carers. At the time of the 2017 thematic inspection there were 73 relative foster carers who had not been assessed but who had children placed with them. Improvements in safeguarding measures, such as regular visits and up-to-date Garda vetting for these foster carers were also required.

In the 2018 follow-up inspection, inspectors found that significant work was being undertaken in relation to assessments of unapproved relative foster carers. However, the high caseloads of link workers impacted on the ability of the Cork Service area to undertake timely assessments of long standing unassessed relative foster carers. 41 relative foster care assessments were undergoing assessment in March 2018. In addition, 21 new relative foster care applications had been received which were awaiting assessment but had a link worker. A significant number of the relative carers in Cork were unassessed for a number of years which increased the complexity of the assessment. This in turn impacted on the likelihood of relative carers not being approved by the foster care committee. At the time of the follow-up inspection, the number of 'Not Approved' relative carers had increased from three at the time of the February 2017 inspection to six in March 2018. In some of these cases, the area sought approval from the Court to keep the child in the placement. Link workers told inspectors this was a significant issue and the numbers of 'Not approved' relative carers was likely to increase as more of these assessments were presented to the foster care committee.

## **Regional summary for standard 14 (b)**

Overall, some progress had been made across the region. Inspectors found a wide variance in practice and systems across the region. Each of the areas had developed unique systems and protocols, yet there was insufficient learning shared between areas on what worked well. Significant work was required to address the fundamental deficiencies where areas of major non-compliance were found. This was particularly evident in the Cork Service area where a review of resources was required in order to address the long term capacity and sustainability of the fostering team; to ensure future relative foster care assessment requests are assessed in a timely manner. Action required to address areas of non-compliance included, additional resources, consolidation of the restructuring of the fostering team and review of cases where relative carers were not approved by the foster care committee.

The service director told inspectors that the establishment of the regional foster care services committee would examine the variance in practice and systems across the region. He said he also had requested the professional support person for foster care to extract the different systems throughout the region for completion of emergency checks for relative foster carers. Additionally, the service director said that the restructuring of the foster care service in the Cork area was nearing completion and it was expected that this would begin to address capacity issues. However, HIQA were not assured that restructuring, without increasing capacity, would adequately address the high caseloads of link workers in the area, the high number of unassessed and unallocated relative carers and the ongoing backlog of assessments of relative foster carers. The service director acknowledged that while he has put in additional administrative support, maintained temporary staff and appointed two additional staff, the Cork area was not resourced adequately. He said one of the tasks of the local governance group was to look at the capacity requirements of the fostering team. By the time of the follow-up inspection, this remained outstanding.

## **Standard 15 – Supervision and support of foster carers**

In 2017, the themed inspections found that the Kerry Service area was substantially compliant in relation to this standard. Improvements were required to ensure formal supervision of foster carers was carried out.

In the 2018 follow-up inspection, the statement of progress completed for the Kerry Service area indicated that a new pro-forma document to record the supervision and support provided to foster carers during link worker visits had been implemented.

The 2017 themed foster care inspections had found major non-compliance in the Cork and the Carlow/Kilkenny/South Tipperary Service areas in relation to this standard.

In the Carlow/Kilkenny/South Tipperary Service area, the areas for further improvement included ensuring: that all foster carers were allocated a link worker and that supervision and support for some allocated foster carers and all unallocated foster carers was of good quality. This also meant ensuring that the frequency of visits to the foster care homes was adequate. Additionally, good

quality oversight of foster care files and ensuring that the fostering service was sufficiently resourced to provide adequate oversight was required.

In the 2018 follow-up inspection, improvements were not being implemented at a sufficient pace and hence consistent good quality supervision and support for all foster carers was not found. The frequency of visits to foster carers had improved and a new supervision and support pro-forma document was implemented and used by link workers when they visited foster carers. A comprehensive survey was undertaken with foster carers prior to the inspection to provide an analysis of supports required for foster carers. At the time of inspection, it was too soon to measure the impact of this analysis on service delivery. Additionally, the recording of training and support groups that foster carers attended had improved.

The quality of supervision and support was mixed. The service did not have adequate staffing resources and strategic plans to ensure all foster carers had an allocated social worker were not realistic. At the time of the follow up inspection, there were 60 foster care households without a link worker, of which 38 had children placed. While this had decreased from 90 foster carers (of which 42 had children placed) at the time of the June 2017 inspection, it compromised the provision of consistent and quality supervision and support. Oversight of supervision and support by social work team leaders and the principal social worker had not improved as records did not show that case supervision had taken place in the seven months prior to the inspection on ten of the 17 files sampled by inspectors.

In 2017 in the Cork Service area, the areas for further improvement included ensuring: that all foster carers were allocated a link worker and that the level of supervision and support provided to foster carers was sufficient.

In the 2018 follow-up inspection, inspectors found that significant progress had been made in addressing deficiencies in the provision of supervision and support. All approved foster carers now had an allocated link worker. New developments were in place to standardise practice. A new policy was in place since November 2017, which was being implemented together with a new pro-forma document to record supervision. This was to be used by link workers when they visited foster carers. However, it wasn't fully embedded into practice as not all visits were recorded on this template. Additionally, foster carers did not receive a visit every six months at a minimum, in line with the new policy. Consequently the quality of supervision and support was mixed. Case loads of link workers were high and this prevented more frequent and higher quality supervision and support. Oversight by the social work team leaders and principal social worker was found on some files but needed to be more robust to ensure the implementation and effectiveness of these new developments.

### **Regional summary for standard 15**

Overall some progress had been made across the region. The quality of supervision and support varied across the area. New pro-forma documents to record the supervision and support foster carers received when they were visited by their link worker were in use in all three Service areas. However, they were not all in the same format. Further improvements were required to ensure that:

- all foster carers were allocated a link worker
- link worker caseloads were manageable and facilitated good quality supervision and support
- oversight by social work team leaders and the principal social worker was robust to ensure visits to foster carers were frequent and of good quality
- foster carers had access to an out-of-hours service for foster carers
- additional staffing resources were in place for the Cork and Carlow/Kilkenny/South Tipperary Service areas, in order to meet the needs of the service.

The service director said that the regional foster care services committee would ensure that the outcome and learning from inspections, reviews, monitoring and risk assessments were integrated into practice.

Inspectors did not agree with the self-assessed judgement in the Carlow/Kilkenny/South Tipperary Service area as their self-assessed judgement was identified as non-compliant moderate. Given, there were still a significant number of foster carers without an allocated link worker inspectors were of the opinion that the judgement remained as non-compliant major. The failure by managers in this Service area to recognise this as a major non-compliance with this standard poses a risk that this may not be considered a priority, and therefore not be responded to appropriately.

The service director told inspectors that resourcing in some of the Service areas was an issue and he had not yet come to a decision on how to address capacity within the foster care services. He advised that further consideration of how social work, social care and administration staff were deployed in order to meet the needs of the service was required.

## **Standard 16 - Training**

In 2017, the themed inspections found that the Kerry Service area was compliant with this standard.

The 2017 themed inspections found that Cork and the Carlow/Kilkenny/South Tipperary Service areas were found to be substantially compliant in relation to this standard.

In the Cork Service area, the areas for improvement centred on ensuring relative foster carers attended foundational training for foster carers and that foster carers attended training following their approval. Additionally training records for foster carers were not well maintained.

In the 2018 follow-up inspection, the statement of progress completed for the Cork Service area indicated that foundational training for relative foster carers was scheduled. A training program had been developed with 14 training sessions covering a number of relevant topics. Additionally, there was some managerial oversight of foster carers attendance at training. However the self-assessment also identified further actions to ensure compliance. These included the development of a recruitment programme, provision of ongoing training in Children First and monitoring and oversight of foster carer feedback from training sessions to identify further training needs.

In the Carlow/Kilkenny/South Tipperary Service area, the areas for improvement related to the quality of training records on foster carer files.

In 2018, the statement of progress completed by the Carlow/Kilkenny/South Tipperary Service area indicated that developments had been made in the recording and tracking of training completed by foster carers over time.

### **Regional summary standard 16**

Overall in the South Region all areas were working through the actions outlined in their action plans to improve their compliance with this standard. The service director said that the convening of the regional foster care services committee would identify the requirements to meet current and future service needs in relation to training.

### **Standard 17 – Reviews**

The 2017 themed inspection programme found major non-compliance in relation to reviews of foster carers in all of the three Service areas inspected.

In the Kerry Service area, the areas for improvement related to the significant number of foster carers, 50 out of 128 or 40%, that had not had a review in over three years. The quality of foster care review reports required improvement to ensure consistency and that the voices of children were well reflected in the reports. Timelines for completion of recommendations from foster care reviews were not recorded in the reports and there was no formal system for ensuring recommendations were followed up in a timely manner.

In 2018, the statement of progress completed by the Kerry Service area indicated that significant progress had been made. An electronic system had been put in place to inform oversight and to monitor the timeliness of outstanding foster care reviews and included an early warning system to flag when a foster care review was due. The number of outstanding reviews reduced to 10 out of 108 or 9% with the backlog having been addressed. The Service area said that review forms were enhanced to ensure the voice of the child was of greater prominence and review report formats were changed to ensure recommendations were followed up on.

In 2017 in the Cork Service area, the areas for further improvement related to the significant number of foster carers, 240 out of 517 or 46%, that had not had a review in over three years. The standard of all foster care reviews was not comprehensive and reviews did not always contain routine checks such as updating An Garda Síochána (police) vetting, health and safety assessments and medicals. The voice of the child was not always considered as part of the review. Recommendations from foster care reviews did not contain timelines for completion and there was no formal system for ensuring recommendations were followed up in a timely manner.

The 2018 Cork area follow-up inspection found that some progress had been made and practice in relation to foster care reviews was improving. New systems had been put in place to monitor and provide oversight of the progress of reviews, however, this needed to be more robust to ensure

they were effective. The number of outstanding foster carers who did not have a foster care review within three years was now 93 out of 415<sup>2</sup> or 22%. While this was a reduction, it was still a large number of outstanding reviews. Plans outlined by the Service area to address the backlog, following the February 2017 inspection, were not effective. Additional resources were required to support the review process including staffing resources along with information technology support. Outstanding actions identified by the Service area in their statement of progress were in relation to ensuring the voice of the child was represented at the foster care review. Additionally, systems to ensure all relevant documentation was in place prior to the review taking place had not been established. However prior to the publication of this report the service director advised that they now have a dedicated person in place to ensure more robust governance of foster carers reviews, a system incorporating a spread sheet had been developed to ensure all documentation required for a review is in place, and that progress is subject to on-going review.

In 2017, in the Carlow/Kilkenny/South Tipperary Service area, the areas for improvement related to the significant number of foster carers, 241 out of 340 or 71%, that had not had a review in over three years. Additional reviews of foster carer were not completed where an allegation was made against a foster carer.

The 2018 follow-up inspection in the Carlow/Kilkenny/South Tipperary Service area found insufficient progress had been made since the June 2017 inspection. While 83 foster carers had a review since the last inspection, there were still 156 out of 267 or 58% of foster carers who did not have a foster care review within three years. Progress in this area was very poor and the plan to address the backlog of reviews was not effective.

### **Regional summary for standard 17**

Overall, progress across the three Service areas had not been consistent and was poor in one Service area. According to the standards, foster carers should participate in regular reviews of their continuing capacity to provide high-quality care and to assist with the identification of gaps in the fostering service. At the time of the follow-up inspections, there remained a total of 259 out of 790, or 32%, foster carer reviews outstanding in the three Service areas in the South Region. The service director said he received ongoing reports from the foster care services on the progress of foster care reviews across the region which he addresses in management meetings with the respective area managers. He acknowledged that progress had been made but the backlog remained high in some areas.

The quality of foster care reviews was inconsistent and ranged from comprehensive to mixed. Different systems were employed across the region and there did not appear to be shared learning across the region in order to promote consistency and good practice. The service director said that the establishment of the regional foster care services committee would support overall

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<sup>2</sup> HIQA were informed by the service director for the South Region that following Service area reviews of the respective foster care panels, foster carers who were not actively fostering children or available to foster children were deactivated resulting in this reduction in the overall number of foster carers between the 2017 and 2018 inspections.

service improvement, quality and consistency in foster care services including the quality of foster care reviews.

While the Kerry Service area had addressed the backlog of foster care reviews, the Cork and Carlow/Kilkenny/South Tipperary Service areas had not sufficiently addressed the deficiencies in the number of outstanding foster care reviews identified. Compliance levels suggested in the Cork and Carlow/Kilkenny/South Tipperary Service areas self-assessment form was substantially compliant. As the percentages of outstanding foster care reviews were 22% and 58% respectively in these Service areas, it was of concern that managers in these Service areas did not recognise the judgment as a major non-compliance with the standard, as these deficiencies still posed a risk and needed to be considered as a priority. Substantive action was still required for the areas to achieve compliance.

#### **Theme 4: Leadership, Governance and Management**

Effective governance is achieved by planning and directing activities, using good business practices, accountability and integrity. In an effective governance structure, there are clear lines of accountability at individual, team and service levels and all staff working in the service are aware of their responsibilities. Risks to the service as well as to individuals are well managed and the system is subject to a rigorous quality assurance system. Services provided on behalf of the area are robustly monitored. The Foster Care Committee is a robust mechanism for approving both placements and foster care applications.

#### **Standard 23 – The Foster Carer Committee (FCC)**

The 2017 thematic foster care inspections found that the foster care committees in the three Service areas in the South Region were not in compliance with standards, national policy, procedure and best practice guidance.

The 2017 themed inspection programme found moderate non-compliance in the Cork and the Kerry Service areas in relation to this standard.

In 2017, in the Kerry Service area improvements were required to ensure that: Garda vetting was in place for all foster care committee members; an annual report was completed so as to contribute to the development of the service and; a system was in place so that the foster care committee could track the progress of investigations into allegations and serious concerns.

In 2018, the statement of progress completed by the Kerry Service area indicated that Garda vetting had been returned for all but four foster care committee members and applications had been made for these members. An annual report had been written by the principal social worker for the fostering service and was to be presented to the foster care committee in March 2018. A

system was now in place to provide oversight and monitor the progress of investigations into allegations and serious concerns made against foster carers.

In 2017, in the Cork Service area improvements were required to ensure that: a training programme was provided for the foster care committee; an annual report was completed; a system was established for the foster care committee to track the progress of investigations into allegations and serious concerns.

The 2018 statement of progress completed by the Cork Service area indicated that progress had been made to address the deficiencies found in the 2017 thematic inspection. The annual reports for 2015 and 2016 were completed with the report for 2017 due to be completed. A register to monitor the progress of investigations of allegations and serious concerns against foster carers had been implemented and was overseen by the fostering department who then sent it to the foster care committee on a monthly basis. Induction and training had been provided to members of the foster care committee and new procedures had been put in place to ensure a more efficient and effective committee. An additional foster care committee was being established to ensure the Service area had the capacity to undertake all the requirements of the foster care committee policy, procedure, and best practice guidance.

The 2017 themed foster care inspection in the Carlow/Kilkenny/South Tipperary Service area had found major non-compliance in relation to this standard. The improvements that were required included: ensuring there were adequate arrangements in place for the chair of the foster care committee to fulfil all requirements of the role; having an induction programme for new foster care committee members; ensuring all members had evidence of Garda vetting; providing additional training for members and; ensuring a robust arrangement was in place to provide oversight and track allegations made against foster carers with both Tusla and private agency foster carers.

The 2018 follow-up inspection in the Carlow/Kilkenny/South Tipperary Service area found that some progress had been made but further work was required to bring the Service area into compliance. Some positive developments had been made. A new system was in place to monitor and provide oversight of allegations and serious concerns made against foster carers. However, inspectors found that the information recorded on this system was not always accurate, which compromised the effective oversight of allegations and serious concerns by the foster care committee. A new foster care committee chair was appointed and was due to commence in April 2018. As this arrangement was not in place at the time of the follow up inspection in March 2018, it was therefore too soon to assess the impact of this change. Other actions that were identified by the area as having been completed had not been. For example, while briefings had taken place with foster care committee members, and they had been included in briefings on Children First, a full training needs analysis of foster care committee members had not yet been completed.

### **Regional summary for standard 23**

Overall, progress in relation to foster care committees across the region was inconsistent. Foster care committees across the three Service areas were operating in different ways and further development was required to ensure that they functioned in a standardised manner and fulfilled

all their functions under the standards and in compliance with the Tusla national policy procedure and best practice guidance. For example, systems had been established to provide oversight and monitor the progress of serious concerns and allegations made against foster carers. However, these were established, implemented and overseen in different ways and the South Region did not have one consistent approach. This did not ensure best practice was shared and that the service director was sufficiently assured that the Service areas were compliant against this standard.

The service director said that the HIQA inspections identified specific issues in relation to the foster care committees and these issues were addressed with the respective area managers to drive improvement. He said that in response, an extra foster care committee had been established in the Cork area and a new chair had been appointed in the Carlow/Kilkenny/South Tipperary area which evidenced that efforts had been made to address the identified deficiencies. He said the regional foster care services committee which was being set up in October 2018 would also identify further areas for improvement and shared learning in this area.

### **Theme 5: Use of Resources**

Services recruit sufficient foster carers to meet the needs of children in the area.  
Foster carers stay with the service and continue to offer placements to children.

### **Standard 21 – Retention and recruitment of foster carers**

The 2017 themed inspections found that Carlow/Kilkenny/South Tipperary and Kerry Service areas were compliant in relation to this standard.

The 2017 themed foster care inspections had found major non-compliance in the Cork Service area in relation to this standard. Improvements were required to ensure there was a sufficient number and range of foster carers to meet the demand for services. Increased resources in staffing to progress assessments and to grow the pool of potential foster carers, was required. The foster care panel required periodic review to ensure there was an appropriate range of foster carers to meet the needs of children in the Service area.

The statement of progress completed by the Cork Service area indicated that some progress had been made in relation to the recruitment and retention of foster carers. Restructuring in the fostering team was not fully completed at the time of the follow-up inspection; however, a recruitment committee had been established. Information sessions for those interested in becoming foster carers were being held monthly. A recruitment campaign had commenced and a focussed campaign to identify foster carers who could meet specific needs of particular children was to be considered once the outcome of the general campaign was known. Further resources were required to fund recruitment campaigns. A system was in place to collate information relating to enquiries about fostering. However, further actions were required including ensuring that prospective general and relative foster carers were appropriately screened prior to their application.

## **Regional summary for standard 21**

The recruitment of foster carers was identified as a concern in only one of the three Service areas with the other two compliant at the time of the 2017 thematic inspections. According to the Cork Service area self-assessment form, their suggested compliance level in relation to this standard was now substantially compliant. Given that the actions had not brought about a significant change to ensure there was an appropriate number and range of foster carers, inspectors did agree with this judgment. The Service area still had a considerable amount of work to undertake for this to be achieved. The area identified that additional staff resources was required to facilitate further development in this area. At the time of the inspection, these resources had not been allocated and were not yet in place.

The service director told inspectors that initiatives had begun throughout the South Region in the different Service areas. This included the establishment of recruitment groups and committees in different areas. He stated that the establishment of the regional foster care services committee would identify initiatives that had worked and would be developed into a region wide action plan.

## **Conclusion**

Progress had been made on specific issues in the different areas but there wasn't consistent improvement across the South Region. For example, while the Cork area had allocated all approved foster carers a link worker and began to implement new developments to standardise practice, the Carlow/Kilkenny/South Tipperary area still had a significant number of foster carers without a link worker.

There was a lack of shared learning between the three areas. There were different systems in use to provide oversight and monitor key systems. For example, systems to track Garda vetting for foster carers were different in each area and worked well in some areas and did not in others and; electronic systems to monitor foster care reviews and flag when a review was due were also varied across the region. Where there were deficiencies, there did not appear to have been sharing of these systems to effect positive change in governance which would have been a more efficient use of resources. Key information from the foster care committee such as their oversight of serious concerns and allegations, status of foster carers who are approved and 'Not approved' and other information in the annual reports was not utilised effectively to contribute to shared learning on what worked and what could be improved throughout the region. Positive developments in particular areas, such as recruitment and retention strategies or training initiatives were not utilised by the other areas in the region, in order to drive continual improvement and consistency.

Staffing resources was a significant issue across the region and impacted on some areas capacity to deliver a good quality service. For example, to undertake assessments of foster care applicants in a timely manner and to ensure foster carers were visited in line with the standards. The service director said that the Cork and Carlow/Kilkenny/South Tipperary Service areas were not sufficiently resourced and consideration was being given to extra ways of resourcing the fostering

departments such as employment of social care professionals, restructuring fostering teams and upgrading IT systems.

Some methods of driving improvement within Service areas had not been as effective as expected. The Cork Service area established a governance oversight group following the February 2017 inspection to monitor the progress of identified actions. However, the oversight group was reliant on quality information from the fostering service and hence were not aware of significant deficiencies with the service such as the increase in the number of 'Not approved' foster carers and corresponding poor quality oversight of safety planning.

Some areas did not recognise major non-compliances on the statement of progress and this was a concern.

The service director told inspectors that he accepted there was a need to:

- ensure that learning and improvement was implemented across all foster care services in the region
- consider good practice and key challenges across the region
- consider the elements of service support and delivery – in particular administrative supports, approach to recruitment, approach to team structure, composition and organisation.

In response to this, he said a regional foster care services committee with a focus on service improvement and learning was to be established from October 2018. It was expected that this would support overall service improvement, quality and consistency in foster care services delivered by Tusla in the South Region. Arising from this committee, an action plan and implementation plan for the region would be developed for 2019. The service director said that he would chair the committee for the first few sittings at which point a professional support person for the area of foster care and aftercare would assume the role of chair.

While the setting up of this regional foster care services committee in October 2018 is a positive development, the significant delay in responding to the major non compliances across the region first identified in February 2017, May 2017, and June 2017, is a concern. The length of time it has taken to address these issues reflects poor governance across the South Region.

The systems that the service director had in place to maintain oversight of foster care services across the region was poor. For example, while the service director received updates on the progress of foster care reviews, there were little initiatives to drive timely improvement to assure himself the backlog was addressed as identified in timelines set out in the Service areas action plans. The service director did not receive reports on the progress of allegations and therefore had no formal methods of assuring himself that allegations were being managed appropriately. Additionally, there had been a delay in addressing the region wide deficiencies and poor progress in ensuring there were robust arrangements for shared learning between service areas.

HIQA will continue to monitor the progress in the South Region through each area's action plan and in particular will continue to seek updates in relation to the major non-compliances in the

Cork area and the Carlow/Kilkenny/South Tipperary area, where the management of serious concerns and allegations made against foster carers remains a significant issue.

## Appendix 1 – Standards and regulations for statutory foster care services

<b><i>National Standards for Foster Care (April 2003)</i></b>
<b>Theme 1: Child-centred Services</b>
<p><b>Standard 1: Positive sense of identity</b>  Children and young people are provided with foster care services that promote positive sense of identity for them.</p>
<p><b>Standard 2: Family and friends</b>  Children and young people in foster care are encouraged and facilitated to maintain and develop family relationships and friendships.</p>
<p><b>Standard 3: Children’s Rights</b>  Children and young people are treated with dignity, their privacy is respected, they make choices based on information provided to them in an age-appropriate manner, and have their views, including complaints, heard when decisions are made which affect them or the care they receive.</p>
<p><b>Standard 4: Valuing diversity</b>  Children and young people are provided with foster care services that take account of their age, stage of development, individual assessed needs, illness or disability, gender, family background, culture and ethnicity (including membership of the Traveller community), religion and sexual identity.</p> <p><b><i>Child Care (Placement of Children in Foster Care) Regulations, 1995</i></b>  <i>Part III Article 8 Religion</i></p>
<p><b>Standard 25: Representations and complaints</b>  Health boards<sup>¥</sup> have policies and procedures designed to ensure that children and young people, their families, foster carers and others with a bona fide interest in their welfare can make effective representations, including complaints, about any aspect of the fostering service, whether provided directly by a health board or by a non-statutory agency.</p>

<sup>¥</sup>Where reference is made to Health Boards these services are now provided by the Child and Family Agency.

## ***National Standards for Foster Care (April 2003)***

### **Theme 2: Safe and Effective Services**

#### **Standard 5: The child and family social worker**

There is a designated social worker for each child and young person in foster care.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***  
*Part IV, Article 17(1) Supervision and visiting of children*

#### **Standard 6: Assessment of children and young people**

An assessment of the child's or young person's needs is made prior to any placement or, in the case of emergencies, as soon as possible thereafter.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***  
*Part III, Article 6: Assessment of circumstances of child*

#### **Standard 7: Care planning and review**

Each child and young person in foster care has a written care plan. The child or young person and his or her family participate in the preparation of the care plan.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***  
*Part III, Article 11: Care plans*  
*Part IV, Article 18: Review of cases*  
*Part IV, Article 19: Special review*

#### **Standard 8: Matching carers with children and young people**

Children and young people are placed with carers who are chosen for their capacity to meet the assessed needs of the children or young people.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***  
*Part III, Article 7: Capacity of foster parents to meet the needs of child*

***Child Care (Placement of Children with Relatives) Regulations, 1995***  
*Part III, Article 7: Assessment of circumstances of the child*

## ***National Standards for Foster Care (April 2003)***

### **Standard 9: A safe and positive environment**

Foster carers' homes provide a safe, healthy and nurturing environment for the children or young people.

### **Standard 10: Safeguarding and child protection**

Children and young people in foster care are protected from abuse and neglect.

### **Standard 13: Preparation for leaving care and adult life**

Children and young people in foster care are helped to develop the skills, knowledge and competence necessary for adult living. They are given support and guidance to help them attain independence on leaving care.

### **Standard 14a: Assessment and approval of non-relative foster carers**

Foster care applicants participate in a comprehensive assessment of their ability to carry out the fostering task and are formally approved by the health board<sup>3</sup> prior to any child or young person being placed with them.

#### ***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part III, Article 5 Assessment of foster parents*

*Part III, Article 9 Contract*

### **14b. Assessment and approval of relative foster carers**

Relatives who apply, or are requested to apply, to care for a child or young person under Section 36 (1)(d) of the Child Care Act, 1991 participate in a comprehensive assessment of their ability to care for the child or young person and are formally approved by the health board.

#### ***Child Care (Placement of Children with Relatives) Regulations, 1995***

*Part III, Article 5 Assessment of relatives*

*Part III, Article 9 Contract*

### **Standard 15: Supervision and support**

Approved foster carers are supervised by a professionally qualified social worker. This person, known as the link worker, ensures that foster carers

<sup>3</sup>Formally health boards at the time of writing the Standards, now The Child and Family Agency (Tusla).

***National Standards for Foster Care (April 2003)***

have access to the information, advice and professional support necessary to enable them to provide high-quality care.

**Standard 16: Training**

Foster carers participate in the training necessary to equip them with the skills and knowledge required to provide high-quality care.

**Standard 17: Reviews of foster carers**

Foster carers participate in regular reviews of their continuing capacity to provide high quality care and to assist with the identification of gaps in the fostering service.

**Standard 22: Special Foster care**

Health boards provide for a special foster care service for children and young people with serious behavioural difficulties.

### **Theme 3: Health and Development**

#### **Standard 11: Health and development**

The health and developmental needs of children and young people in foster care are assessed and met. They are given information, guidance and support to make appropriate choices in relation to their health and development.

#### ***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part III, Article 6 Assessment of circumstances of child*

*Part IV, Article 16 (2)(d) Duties of foster parents*

#### **Standard 12: Education**

The educational needs of children and young people in foster care are given high priority and they are encouraged to attain their full potential. Education is understood to include the development of social and life skills.

### **Theme 4: Leadership, Governance and Management**

#### **Standard 18: Effective policies**

Health boards have up-to-date effective policies and plans in place to promote the provision of high quality foster care for children and young people who require it.

#### ***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part III, Article 5(1) Assessment of foster carers*

#### **Standard 19: Management and monitoring of foster care agency**

Health boards have effective structures in place for the management and monitoring of foster care services.

#### ***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part IV, Article 12 Maintenance of register*

*Part IV, Article 17 Supervision and visiting of children*

#### **Standard 23: The Foster Care Committee**

Health boards have foster care committees to make recommendations regarding foster care applications and to approve long-term placements. The committees contribute to the development of health boards' policies, procedures and practice.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part III, Article 5(3) Assessment of foster carers*

***Child Care (Placement of Children with Relatives) Regulations, 1995***

*Part III, Article 5(2) Assessment of relatives*

**Standard 24: Placement of children through non-statutory agencies**

Health boards placing children or young people with a foster carer through anon-statutory agency are responsible for satisfying themselves that the statutory requirements are met and that the children or young people receive a high quality service.

***Child Care (Placement of Children in Foster Care) Regulations, 1995***

*Part VI, Article 24: Arrangements with voluntary bodies and other persons*

**Theme 5: Use of Resources**

**Standard 21: Recruitment and retention of an appropriate range of foster carers**

Health boards are actively involved in recruiting and retaining an appropriate range of foster carers to meet the diverse needs of the children and young people in their care.

**Theme 6: Workforce**

**Standard 20: Training and Qualifications**

Health boards ensure that the staff employed to work with children and young people, their families and foster carers are professionally qualified and suitably trained.