

Mr Jim Gibson
Chief Operations Officer
The Child and Family Agency
Floors 2-5
Brunel Building
Heuston South Quarter
Dublin 8

14 August 2019

Our Ref: 20190814_EB_JG

Re: Voluntary Consent for the placement of children in the care of Tusla

Dear Mr Gibson,

During a number of recent inspections, HIQA has raised concerns regarding the processes and practices in place in relation to Voluntary Consents for children to be placed in the care of Tusla.

The main issues arising are as follows:

- Up to date voluntary consent forms not on the child's file on NCCIS
- The most significant area being Carlow/Kilkenny/South Tipperary where 43 children did not have any evidence of Voluntary consent on either NCCIS or the child's paper file
- Several children's consent forms were contained on historical forms, which indicated consent to be placed in the care of the 'Health Service Executive', and these had not been updated to reflect that child is in the care of Tusla

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- Consent forms with no end date or expected duration of placement, and some of these consents dated as far back as 10 years ago
- Consent forms with end dates that have since elapsed
- Consent forms which indicated 'short-term' or '6 weeks' – and this timeframe had since elapsed
- No evidence that voluntary consent was reviewed during child in care reviews, or that the appropriateness of the child remaining in the voluntary care of Tusla had been reviewed and considered
- Several children being subjected to voluntary consent for significant periods of time, and their legal status not being secured, despite clear indications that they would not be re-unified
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

All of the above issues are contrary to Tusla's 'Practice Guidance on Voluntary Consent for Admission to Care' approved on the 7 July 2017 and best practice principles.

I am bringing this to your attention at this stage of the foster care inspection programme, given the serious nature of this issue.

I would appreciate if you would revert and outline how Tusla intends to assure themselves that the practice and processes in place in relation to consent for children to be placed in the Voluntary care of Tusla, are adequate and in line with best practice.

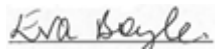
Please outline what specific action you intend to take in order to address this and the timeframe for completion of all actions.

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Please provide a response by close of business on Wednesday 28 of August 2019.

Yours sincerely,



Acting Head of Programme
Children's Services Regulation

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