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HSE accused of potential 'dereliction of duty' over foster care:

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THE HEALTH Service Executive has been accused of a potential “dereliction of duty” over the safety of children in foster care by the State’s independent health service watchdog.

After highlighting major concerns over the safety of children in foster care in parts of Dublin last year, the Health Information and Quality Authority (Hiqa) told the HSE in recent weeks its “grave concerns” have not been properly addressed.

The issues highlighted included children in unsafe placements for long periods of time, missing files, failing to assess foster carers and more than 100 child protection concerns not being responded to.

In addition, some children had not had any contact with a social worker for up to a decade or more.

The authority’s chief executive Dr Tracey Cooper said despite numerous assurances from the HSE over several months, the executive was still failing to adequately safeguard children in foster care.

In a letter to head of the HSE Prof Brendan Drumm on May 13th last, Dr Cooper said the authority’s findings indicated a “potential dereliction of duty by the HSE in discharging its statutory duties” in relation to children in foster care in Dublin North West and North Central. She added: “It is a fundamental duty of the HSE in relation to the protection of children that their health and welfare is safeguarded. This fundamental duty is, in our view, not being adequately discharged in relation to child-protection issues identified.”

In follow-up letters to Prof Drumm in late May and early June, Dr Cooper repeated the authority’s belief the HSE was still not safeguarding children effectively in these areas.

In response, Prof Drumm acknowledged services in parts of Dublin and the rest of the country had not yet reached the required standard. But he said all concerns raised by Hiqa had been dealt with fully or were being dealt with by local managers.

Prof Drumm wrote that the HSE had responded “swiftly” to concerns raised by Hiqa last October and had “demonstrated considerable progress in a relatively short timeframe”. “We are satisfied that all child protection concerns in relation to children in foster care which have come to light are being satisfactorily addressed.” He added that while it was crucial children were safeguarded, it would not be possible in the short term to fully comply with regulations and standards for children in care due to “legacy issues which emerged many years before the HSE was established”.

In a follow-up letter last month, Prof Drumm said an extensive work programme was under way and added “We are fundamentally and totally committed to this process.”

Given the serious nature of the issues highlighted in Dublin, Dr Cooper also said the board of the HSE needed to assure Hiqa and itself that proper action was being taken.

She said the board should ensure there was full accountability within the HSE for managing these serious issues; that the HSE was in full compliance with its statutory duties; and that progress reports of steps to improve services were reported to the board at regular intervals.

The Irish Times understands that, on foot of this letter, Minister for Health Mary Harney also wrote directly to the chair of the HSE board, Liam Downey, highlighting the fact that the HSE was in breach of numerous statutory duties and calling for urgent action.

Hiqa has said it will continue to closely monitor the HSE’s foster care services in Dublin North West and North Central, as well as other areas around the country where concerns persist.

A national audit of foster care services earlier this year found children have been placed with unapproved foster carers in every part of the State, except the west. Hiqa is due to publish the final findings of its inspection reports for foster care in the Dublin North Central, North West and North areas this week.

The authority yesterday declined to comment, except to say its board has approved them for publication. They are expected to make sweeping recommendations aimed at strengthening child protection and foster services locally and nationally.