FOSTER CARE
REGULATIONS

Government of Ghana
Ministry of Manpower, Youth and Employment (MMYE)

Department of Social Welfare
July 2007
GUIDING PRINCIPLES

The Fundamental principle behind these guidelines is every child’s right to grow up in a family. In all foster care procedures, the best interests of the child shall be the paramount consideration.

The first priority for a child is to be cared for by his or her parents. All efforts shall be made to support the family or the extended family to keep the child. Only when such efforts prove insufficient and not appropriate, shall foster care be considered.

These guidelines are based on:
• The UN Convention on the Rights of the Child;
• Ghanaian Law;
• International Foster Care Organization Guidelines for Foster Care
• State of Rhode Island, Department of Children, Youth and Families, Foster Care Regulations 1998

Recognizing that in all countries in the World there are children living in exceptionally difficult conditions, and that such children need special consideration.

UN Convention on the Rights of the Child, Preamble

In all actions concerning children, whether undertaken by public or private social welfare childcare institutions, the best interest of the child shall be a primary consideration.

UN Convention on the Rights of the Child Article 3 (1)

State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

UN Convention on the Rights of the Child, Article 12 (1)

State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child.

UN Convention on the Rights of the Child Article 19 (1)

A child temporarily or permanently deprived of his or her family environment, or in whose best interests can not be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

UN Convention on the Rights of the Child Article 20 (1)

State Parties shall in accordance with their national laws ensure alternative care for a child temporarily or permanently deprived of his or her family environment, or in whose best interest cannot be allowed to remain in that environment.

UN Convention on the Rights of the Child Article 20 (2)

States and Parties shall recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

UN Convention on the Rights of the Child Article 27 (1)

GENERAL PROVISIONS

A. Definitions
For the purposes of these regulations, the following terms are defined as follows:

1. **Act** shall mean the Government of Ghana Foster Care Regulations.
2. **Department** shall mean the Ghana Department of Social Welfare
3. **Applicant** shall mean both the person applying for a license, and the person who has received a license. If the applicant is more than one adult, applicant shall mean both persons.
4. **Care Plan** shall mean the comprehensive, goal-oriented, time-limited, individualized program of action for a child and his/her family, developed by the Department in cooperation with the family and the child.
5. **Children's Home** shall mean a residential facility that cares for orphans and vulnerable children.
6. **Child and Children** shall be used interchangeably herein to mean one or more foster children.
7. **Foster Home** shall mean a household which receives one or more children (maximum of 6) unrelated to the caregiver by blood, marriage or adoption and who receives compensation for child care costs.
8. **Foster Parent** shall mean one or two adults as heads of household who receive into the home for care or treatment one or more children (maximum of 6) unrelated to the caregiver by blood, marriage or adoption and who receives compensation for child care costs.
9. **Household** shall mean those adults and children, if any who reside regularly with the foster parent or applicant.
10. **Kin/Kinship** shall mean relationships, by marriage, blood or adoption, is defined as follows:
    - Grandparent; including step-grandparent, great grandparent, or adoptive grand-parent
    - Sibling; including half brother/half sister, stepbrother/stepsister, brother-in-law, sister-in-law, adoptive brother/sister
    - Uncle or aunt of whole or half blood; including uncle-in-law/aunt-in-law, great uncle/great aunt
    - First and 2nd cousins; including cousin whole or half blood, first and 2nd cousins-in-law
    - Stepmother or stepfather
    - Nephew or niece; including nephew/niece of whole or half blood, nephew-in-law/ niece-in-law, great nephew/great niece
    - The putative father’s kins will be considered if his name appears on the child’s birth certificate, if the father has admitted paternity in a court of proper jurisdiction, or if the father has signed an affidavit
    - Spouses of any of the persons in the above group continue to meet this relationship requirement even after the marriage is terminated by death or divorce
11. **Kinship Certification** shall mean the process of approving a home for care of a related child.
12. **Kinship Home** shall mean a home provided for a child wherein the primary caregiver is related to the child as defined above.

**B. Legal Basis**

In accordance with the policies of the Government of Ghana, Department of Social Welfare: a foster family must obtain a foster license prior to boarding any unrelated child. All fostering placements must follow the procedures written below.

**C. Philosophy**

The Government of Ghana, Department of Social Welfare is authorized and responsible for the regulations of foster homes and the promulgation of regulations governing these homes. The Department of Social Welfare is responsible for the recruitment, monitoring, and training of foster caregivers.

The Department of Social Welfare shall satisfy itself that all efforts to keep the child in his/her own family have been explored and that foster care is the optimal choice of care for the child.

The Department of Social Welfare will keep confidential case records on all the children and monitor their care plan progress ensuring that the best interest of the child is met.
Foster parents assist the Department in implementing its child care responsibilities and share in the duty to protect and safeguard the well-being of children in their care. These regulations are written to assist foster parents in ensuring a basic quality of care, health and human rights for the children in their care.

The Department of Social Welfare may allow a variance to a rule upon the submission of a written request and documentation, providing that this variance in no way jeopardizes the health, safety and well-being of the child(ren) in care.

CRITERIA FOR HOLDING A FOSTER CARE LICENSE/CERTIFICATION

A. General Criteria

An applicant shall demonstrate through the licensing process ability and willingness to:

1. Assure that the child’s physical, emotional, developmental, educational, cultural and spiritual needs are met;
2. Share with the Department all factual information regarding significant changes in the personality, behavior, physical development or health status of the child;
3. Respect the child’s right to privacy by holding in confidence such matters as pertain to family and previous history;
4. Assist the Department social worker in the primary responsibility of establishing and attaining care plan goals for the child and to comply with the child’s care plan;
5. Provide an active and positive parenting role model to assist the child in his/her growth and development.
6. An applicant for a foster license shall be resident in Ghana but need not be a citizen of Ghana
7. If married, the spouse of the license applicant shall consent to the fostering arrangement.
8. No single male shall foster a female child except where the Department is of the view that it is in the best interest of the child to do so.

B. Age

1. A foster parent shall be at least twenty-one (21) years of age.
2. Exceptions may be considered for related caretaker(s) 18 through 20 years old.

C. Health

1. The applicant and all members of the household shall not have a physical or mental health condition that the Department determines may adversely affect the child or the child’s care.
2. The applicant shall submit the name of a physician who is familiar with the applicant’s medical history and who is available to comment to the Department upon the applicant’s health and ability to foster.
3. The applicant shall ensure the availability of a physician’s reference regarding any member of the household as requested by the Department.
4. If requested, the applicant shall submit the name of a physician, or mental health professional who is familiar with the applicant’s health or mental health history and who is available to comment on the applicant’s mental health status and ability to foster.

D. Income and Fiscal Management

1. The applicant shall demonstrate that the household has sufficient income and appropriate fiscal management to maintain its stability and security without a foster board payment.
2. Written verification of income shall be provided to the Department upon request.
3. The applicant shall use foster board stipend to meet the individual needs of the foster child.

E. Family Composition
1. One or two adults as head of household may receive a foster care license.
2. All children and adults residing in the household shall be considered in terms of how they might be affected by, or have an affect upon, a foster child in the household.
3. The total number of children in the household shall not exceed six (6) including natural, adopted, kin and foster children. The total number of foster children shall not exceed five (6).
4. Homes licensed for in excess of six (6) foster children pursuant to the terms of previously adopted regulations shall be reduced to a maximum of six (6) foster children through attrition.
5. Each home’s capacity to accommodate foster children will be assessed individually, and not to exceed seven (7) total.
6. The number and ages of natural, adopted and foster children in the household shall be considered on an individual basis. An exception to the maximum limits can be made to accommodate sibling groups and kin placements on an individual basis. This variance may be obtained from the Department of Social Welfare.
7. The applicant shall demonstrate an ability to meet the needs of all children in the home.

F. Personal Characteristics

1. Foster parents must be qualified to meet the children’s physical, emotional, social, developmental, treatment, educational, cultural, and permanency needs. Therefore, they must demonstrate the maturity, interpersonal qualities, and life experiences that prepare them to provide family foster care.

2. An applicant shall demonstrate the following personal characteristics to the Department’s satisfaction:
   a) Maturity;
   b) Stability;
   c) Flexibility;
   d) Ability to cope with stress;
   e) Capacity to give and receive love; and
   f) Good character.

3. Such characteristics shall be assessed by a review of the following:
   a) Social history, including the applicant’s own experience in being raised as a child;
   b) The applicant’s current parenting experiences;
   c) Ability to demonstrate an understanding of the role and responsibility of being a parent;
   d) Ability to express emotions appropriately;
   e) Reactions to experience of separation and loss (through death, desertion, divorce, etc.);
   f) Education and employment history;
   g) Participation in community activities and relationships with extended family;
   h) Money management ability and daily routines and habits;
   i) Hobbies, special interests, skills and talents.

4. If the Department has doubts about the willingness and ability of prospective foster parents to meet the requirements for fostering, those prospective foster parents may not be selected.

G. Foster Parent Ability

At the time of licensing, foster parents should have the knowledge and skills to:

1. Protect and nurture children in a safe, healthy environment with unconditional positive support;

2. Support relationships among children and their parents, siblings, and kin;

3. Meet the developmental needs of the child by:
   a) helping them cope with separation and loss;
   b) helping to build trusting relationships;
c) building self esteem;
d) affording positive guidance;
e) promoting cultural identity;
f) using discipline appropriate to the child’s age and stage of development and without harsh, humiliating, or corporal punishment;
g) supporting intellectual development and educational growth, and
h) encouraging and modeling positive social relationships and responsibilities.

4. Support permanency planning, focusing on the child’s care plan that may include family reunification or other safe, nurturing relationships intended to last a lifetime;

5. Participate as essential and effective members of a team, including managing the impact of fostering on themselves and their family, and obtaining rewards from the fostering experience;

6. Inform the Department if they (the foster parents themselves) need assistance in reading comprehension;

7. The applicant shall cooperate in the assessment of his or her parenting ability which shall take into account the following:
   a) Motivation for becoming a foster parent;
   b) Characteristics and number of children best suited to the family;
   c) Existing family relationships; attitudes and expectations regarding the applicant’s own children and parent-child relationships, especially where such relationships might effect the child;
   d) Capacity to provide for child’s needs while giving proper consideration to natural or adopted children;
   e) Realistic assessment of positive and negative aspects of foster parenthood;
   f) Willingness to comply with the provisions of the foster care regulations, as set forth herein;
   g) Ability to understand, participate in and assist in carrying out the child’s plan, as appropriate;
   h) Personal characteristics necessary to provide continuity of care throughout the placement;
   i) Flexibility to meet changing needs over the course of the placement;
   j) Ability to accept the child’s relationships with his or her natural family, including visitations;
   k) Ability to help a child return home or be placed for adoption, and to gain satisfaction when appropriate, from the experience;
   l) Ability and initiative to work with the child’s biological parents (where appropriate) towards the goal of reunification;
   m) Otherwise demonstrate the ability to meet the child’s physical, emotional, social, developmental, treatment, educational, cultural, and permanency needs.

H. Health and Safety

1. The house and the premises of the applicant shall be free of hazards to the safety of a child and shall conform to necessary state and local codes and ordinances.

2. The residence and all structures associated with it shall be maintained in a clean, safe and sanitary condition and in a reasonable state of repair.

3. All outdoor recreation equipment shall be maintained in a reasonable state of repair.

4. Reasonable efforts shall be made to protect a child, through the use of physical barriers or adult supervision, from potential hazardous outdoor areas, such as water, open pits and wells, cliffs and caves, high speed or heavily traveled roads, and electrical equipment and machinery.

5. The residence shall be adequately heated and safely lighted and ventilated.

6. Bleach, cleaning materials and any poisonous or corrosive household chemicals shall be stored in a safe area, inaccessible to young children.
7. Prescription and over-the-counter drugs and alcohol shall be stored out of reach of young children.

8. The Department shall be informed if a resident of the household owns or possesses a firearm. Possession or ownership of firearms shall conform to national laws.
   a) Any firearm, air rifle, hunting slingshot or other projectile weapon shall be stored in an area inaccessible to children;
   b) Any ammunition, arrows or projectiles for weapons shall be stored separately from the weapon or firearm in a locked space;

9. The residence shall have telephone service that must be maintained. Appropriate emergency telephone numbers, including local police, fire, rescue, poison control, and the child care worker.

10. All locking doors within the residence shall be able to be unlocked from both sides.

11. The residence shall have a continuous supply of safe drinking water.

12. Bathroom and toilet facilities used by the child shall be maintained in good working order.

13. Garbage and rubbish shall be disposed of on a regular and reasonable basis; the outside storage of garbage or rubbish shall be in covered containers or closed bags.

14. Smoke detectors shall be placed in appropriate locations and be operative in the residence whenever required in accordance with provisions of the Fire Code.

16. Dogs, cats, and other pets or domestic animals maintained on the premises shall be kept in a safe and sanitary manner, and according to state and local requirements.
   a) Pets maintained on the premises shall have up-to-date rabies vaccinations as appropriate;
   b) Children shall, according to their ages and function levels, be protected from animals which are potentially dangerous to their health;
   c) The number and types of pets must be in accordance to national requirements.

I. Comfort and Privacy

1. All sleeping rooms for children shall have at least one window, and shall be used only as bedrooms.

2. Living rooms, dining rooms, and halls shall not be used as bedrooms for the foster child, or any other member of the household. An exemption may be made for kin caretakers.

3. Attics, basements and cellars must meet all codes and regulations to be used as bedrooms.

4. Each foster child shall have his/her own bed of a type and size appropriate to the child’s stage of development. Cots will not be considered beds. Each infant shall have his/her own full size crib that must conform to all safety regulations.

5. Except for children under the age of one (1) year, sufficient sleeping space shall be available so that neither the parent’s own child nor the foster child shares the bedroom of any adult.

6. A child more than three (3) years of age shall not share a bedroom with any child of the opposite sex.

7. Except for children under the age of one (1) year, space shall be provided within the sleeping room for the child’s personal possessions and for a reasonable degree of privacy.

8. Each sleeping room shall provide a minimum of square footage of floor space per child in accordance with the Fire Code.

9. No more than four (4) children shall be permitted to sleep in one bedroom.
10. Where bunk beds are used, the vertical distance between the mattresses shall allow each occupant to sit up comfortably in bed; the top bunk shall be fastened securely to the side frames. No child under the age of six (6) will be allowed to sleep in the top bunk.

11. Youth or toddler beds can only be used for children ages two (2) to four (4).

J. Training

1. The foster parent shall complete training as recommended by the Department.

2. Successful completion of the pre-service orientation course shall be required prior to initial licensing. All applicants must attend.

3. All courses shall be provided or approved by the Department.

4. Kin caregivers may be exempt from this requirement.

THE PROVISION OF SERVICES

The foster parent shall agree to and meet the following conditions in order to retain the foster care license throughout its terms:

A. Ability to Work with the Department

a. The foster parent shall work respectfully and cooperatively with the Department representatives as members of a team responsible for planning, providing for and discussing the total care services provided to the child, as addressed in the case and service plans.

b. The foster parent shall fully and timely disclose all information related to a child’s problem(s).

B. Supervision

a. Each child in care shall be adequately supervised at all times, as appropriate to the child’s needs and level of development.

b. When the foster parent must be absent from the home for any reason, the child shall be left in the care of a competent person.
   1. Foster parents should provide the social worker with the names and ages of all baby sitters who care for the child on a regularly scheduled basis for extended periods.
   2. Overnight sitters must be at least eighteen (18) years old.
   3. Department clearances will be completed by the child’s social worker.

   c. If the absence of the foster parent is on a regular basis, the child care arrangements made by the foster parent shall be approved by the Department.

C. Problem Management

a. A foster parent shall make every effort to use the same disciplinary methods with all children in the household, within the limitations outlined below.

b. A foster parent shall use discipline to teach a child appropriate behavior in a manner consistent with the child’s age and functioning level.
   1. Disciplinary methods shall stress praise and encouragement for desired behavior.
   2. All rules and expectations made by the foster parent shall be explained to the child in a manner appropriate to the child’s age and understanding. This explanation shall be made during the child’s initial orientation to the home, and prior to any disciplinary actions for violations of such rules.
   3. Children shall not be punished for actions over which they have no control.
4. Children are not be punished for bedwetting or in the course of toilet training activities.

c. The foster parent shall not subject a child to a verbal abuse or to derogatory remarks about him or herself, family, language, tribal or ethnic background; or to threats of physical violence, or to repeated threats of removal.

d. The foster parent shall not use, or delegate any other person to use, any of the following punishments on a child:

1. Corporal (physical) punishment of any form, including hitting, slapping, pinching, spanking, paddling, shaking, kicking, biting, mechanical restrain or un-approved physical restrain;
2. Requiring or forcing the child to take a painful or uncomfortable position, including but not limited to, squatting, kneeling, bending;
3. Requiring or forcing the child to repeat physical movements;
4. Verbal abuse, ridicule or humiliation;
5. Denial of elements of the care plan, including visitation with the legal family;
6. Delegation of discipline to other children, or to persons unknown to the child;
7. Assignment of physically strenuous exercise or work;
8. Withholding of any meal;
9. Unreasonable or prolonged denial of involvement in extracurricular or community activities, contact with peers, visiting or communicating privileges;
10. Denial of sufficient sleep;
11. Requiring the child to remain silent for long periods of time;
12. Denial of shelter, clothing, or bedding;
13. Isolation of a child in a small, confined space, including a closet, locked room, or a box;
14. Prolonged withholding of emotional response or stimulation; or
15. Destruction or unreasonable withholding of a child’s property.

D. Sexual Development

a. Sexual maltreatment of any child is prohibited.

b. The foster parent shall be sensitive to the special needs of the child who has been sexually abused, and shall request help from the child’s care worker or supervisor whenever a difficulty arises in this area.

c. A foster parent shall be aware of the child’s needs for appropriate information about sexuality geared to the child’s age and stage of development. A foster parent should consult with the social worker or supervisor for any necessary assistance in providing information to the child.

d. Foster parents are responsible for shielding the child from inappropriate sexual television, music, newspapers, etc.

E. Transportation

a. Foster parents should have reliable transportation so that the children in their care have access to school, community services, and the Department.

b. Any vehicle used to transport children shall be maintained in a safe condition and in compliance with motor vehicle laws.

c. Children transported in a motor vehicle shall be in an appropriate safety restraint or seat belt, in accordance with the law.

d. Children five (5) years of age or younger are required to ride in the back seats of motor vehicles.

e. Children shall be transported in vehicles covered by liability insurance.
f. Anyone who transports children must have a valid driver’s license.

F. Medical Care

a. The foster parent shall ensure that the child’s medical needs are addressed in a timely and competent manner.

b. The foster parent shall inform the Department in a timely manner of any care or treatment provided to the child by a professional medical person.

c. The foster parent shall make no decision regarding major medical or surgical intervention (including the use of psychotropic medication) without the approval of the Department, except in emergencies.

G. Education

a. The foster parent shall enroll a child of school age in the appropriate school within five (5) school days of the child’s placement into the home.

b. The foster parent shall cooperate with the Department, the child and the educational advocate, if any, in the development and maintenance of the child’s educational plans.

c. The foster parent shall intercede with the school authorities, and shall advise the Department on a regular basis of the child’s educational performance.

d. The foster parent shall review grade reports and other information from school authorities, and shall advise the Department on a regular basis of the child’s educational performance.

e. The foster parent shall provide a quiet, well-lighted space for the child to study, and shall establish regular times for homework and study.

H. Children’s Money

a. When age and circumstances permit, a foster parent shall allow and encourage a child to possess his or her own money.

b. A foster parent shall give a child above the age of five (5) years a reasonable allowance at least weekly. The amount and frequency of the allowance shall be agreed upon with the Department.

c. Money earned, received as a gift or an allowance by the child shall be the child’s personal property.

d. A foster parent may limit the amount of money a child may possess or to which he/she has unencumbered access, when the limitations are in the child’s best interest and agreed upon with the Department.

e. A foster parent shall not require a child to assume any part of the expenses for his or her care unless indicated by the care plan.

f. A foster parent may deduct reasonable sums from a child’s allowance to pay restitution for damages done by the child, if such restitution plan is agreed upon by the case worker and documented. Restitution must be based on the child’s ability to pay.

g. When a foster child has ongoing earned income from employment, he or she shall be encouraged to establish an interest-bearing savings account. The foster parent is encouraged to monitor the child’s expenditures, and any withdrawals and deposits to his or her accounts. The Department shall be notified of the existence of the child’s savings account.

I. Visitation and Contacts
1. A foster parent shall support visitation between the child and his or her family as outlined in the child’s care plan.

2. In accordance with the child’s care plan, there shall be reasonable opportunity provided for the child’s use of the foster home telephone to contact family and friends.

3. A foster parent shall not restrict or censor correspondence to or from the child, except in accordance with the child’s care plan.

J. Religion

1. A foster parent shall not require any religious observance or practice of a child, except upon the written request of the parent or guardian.

2. Reasonable efforts shall be made by the foster parent to provide the opportunity for a child to participate in religious observances or practices other than that of the foster parent in accordance with the wishes of the parent or guardian.

3. The foster parent shall notify and receive the approval of the Department before any change in religious affiliation is made by the child; nothing herein shall be construed to suggest that the Department may prevent a change in religious affiliation by a child of sufficient age and competence to make such a decision.

K. Work

1. A child shall not be required, nor denied the opportunity to work outside the foster home, except in accordance with the care plan.

2. The foster parent shall notify the Department whenever a child is working outside the foster home.

3. A foster parent shall notify and involve each child, as age and circumstances permit, in routine household maintenance.

   a) A foster parent shall ensure that household chores are performed in a reasonable and safe manner.

   b) The foster parent shall not require the child to perform household chores in a manner dissimilar to any other child in the household of similar age or ability.

L. Clothing

1. A foster parent shall ensure that each child has adequate, clean, well fitting and seasonable clothing that is age and gender appropriate.

2. A child’s clothing must be identifiably his/her and not shared in common.

3. A foster parent shall surrender all of a child’s clothing currently identified as his/her to the child when the child is discharged from the home.

4. All monies provided by the Department for a child’s clothing shall be expended exclusively for clothing for the child.

M. Personal Belongings

1. A child shall be allowed to bring his/her personal belongings to the foster home, and to acquire belongings his or her own.
2. A foster parent may, as necessary, limit or supervise the use of an item.

3. Where extraordinary limitations are imposed, the child shall be informed of the reasons. Limitations shall be discussed with and agreed to by the Department.

4. The foster parent shall make reasonable provisions for the protection of a child’s property.

5. A foster parent shall surrender to the child his or her personal belongings when he/she is discharged from the foster home.

N. Personal Hygiene

1. The foster parent shall provide age appropriate training to the child to establish habits of physical cleanliness, good grooming and personal hygiene. The foster parent shall ensure that each child has necessary articles for his or her own use to maintain personal hygiene.

O. Recreation

1. The foster parent shall provide regular opportunity for recreational activities that are appropriate to the age and abilities of the child.

2. The foster parent shall encourage the child to participate in school and community services and activities both with the family and on his or her own.

3. The foster parent shall encourage and arrange for the child to have contacts and friendships with other children.

4. The foster parent shall make available materials and equipment appropriate to the child’s age and ability for both active and quiet play.

P. Meals

1. The foster parent shall provide the child with a minimum of three (3) well-balanced meals, or the equivalent, each day at regular times, with not more than fourteen (14) hours between the evening meal and breakfast.

2. The foster parent shall not exclude the child from family meals.

3. The foster parent shall provide for any special dietary needs for the child as determined by a proper medical authority or dictated by the child’s religion or culture.

Q. Required Notification

1. The foster parent shall notify the Department prior to allowing any person to visit in the home for a period in excess of three (3) days.

2. The foster parent shall notify the Department prior to making plans for the care of the child by another person for a period in excess of forty-eight (48) hours.

3. The foster parent shall notify the Department immediately in any of the following instances:
   a) The death of a child;
   b) A serious injury or illness involving medical treatment of the child;
   c) A serious emotional or behavioral crisis which may endanger the child or others;
   d) When a child has been subjected to alleged abuse or neglect, or has been the alleged victim of assault or other physical or sexual abuse;
   e) Unauthorized absence of the child from the home in accordance with Department policy;
f) Removal of the child from the home by any person or Department other than the placing Department;
or any attempts at such removal.
g) Any fire or other emergency requiring overnight evacuation of the premises;
h) Any exclusion of a child from school or involvement with police;
j) Any changes in household composition.

4. The foster parent shall inform the Department as soon as possible, but not more than five (5) working
days following any circumstance listed below:
   a) Any serious illness or death in the household;
b) The permanent departure of any member of the household;
c) Any other circumstance or incident seriously affecting the child or child care.

5. The foster parent shall inform the Department at least four (4) weeks prior to a planned move of
residence.

6. The foster parent shall notify the Department by the end of the next working day of any fire requiring the
services of the fire Department within the residence.

7. The foster parent shall notify the Department within five (5) working days prior to taking foster child out of
the region.

R. Preparation for Independent Living

The child shall be supported and encouraged to acquire appropriate skills for productive living and eventual
independence.

Even the young child should have these skills included in his/her care plan and this portion of the plan
should be updated as the child meets successively more challenging goals.

Plans for the youth who is nearing emancipation should concentrate upon development of a network for
services to be utilizes once the youth has left care. Foster carers may be included in this network. Formal
plans may be made for the youth to experience the skills necessary for productive adult living prior to exit
from foster care.

This plan should include aftercare: The child in care should cooperate and the Foster Care Agency should
provide for a network of services to support and assist him/her during a transition period of one to six years.

ADDITIONAL REGULATIONS FOR FOSTER HOMES FOR DEVELOPMENTALLY DISABLED

1. Kitchen, living room, bedrooms, and bathrooms used by the children in care shall be located on the
   ground floor and shall be easily accessible the physically disabled.

2. Developmentally disabled foster children shall occupy bedrooms on the first floor.

3. There shall be a written plan for egress, approved by the Department, in the event of an emergency.

4. All doors to the outside shall be equipped with inside locks permitting egress with a single hand motion.

5. In accordance with the goals established by the care plan, each child shall be taught by the foster
   parent(s) self-help skills, namely; dressing, bathing, feeding, toileting, and personal grooming.

6. In accordance with each child’s developmental stage and capabilities, as established by the care plan,
each child should be provided by the foster parent(s) appropriate activities for motor language, social,
emotional and intellectual growth and development.
7. In accordance with the child’s care plan, as indicated, adaptive equipment shall be used to facilitate the activities of daily living.

8. Foster parent(s) shall provide the opportunity for each child to participate in outdoor activities on a regular basis, unless there is compelling medical reason not to do so, as documented in a written statement by a licensed physician.

9. Foster parent(s) shall participate in a course of specialized training offered or approved by the Department concerning the care and the development of developmentally disabled persons. This training shall be upgraded on an annual basis.

10. Smoke detectors shall be operational on each floor of the home.

11. There shall be written emergency provisions approved by the Department regarding heat, light, and cooking facilities.

**PLACEMENT OF THE CHILD**

After a foster family has obtained a foster license a child is able to be placed in their care.

A placement committee compromised of a probation officer, social welfare officer, person in charge of an approved residential home (if that child is in residential care), and two other people from the community with demonstrated interest in the welfare of the child as determined by the Department of Social Welfare may decide to place the child with a foster family.

**A. Social Inquiry Report on the Foster Arrangement**

**1. Case Study of the Child**

Screening before a child is placed in a foster home includes conducting a comprehensive case study on the child and their eligibility for foster placement.

The Department of Social Welfare shall conduct a case study on the child to establish eligibility for fostering and the basic background of the child. The case study of the child shall, as much as possible, be supported by appropriate documentation that is appended to the recommendation for fostering.

The case study shall include:

a) General description, including:

1. Two recent photographs of the child;
2. The child’s first name, father’s name, mother’s name, grandparents’ names;
3. Siblings or other family ties that remain
4. The child’s age, date of birth, sex, ethnic group, language, religion, identifying features, etc.;
5. The child’s psychological status, indicating social interaction, mode of behavior, attitude, etc.
6. The child’s health history including immediate needs, preventative needs and ongoing needs
b) Family history, including:

1. The identity, location, characteristics and psycho-social/economic status, health history of the biological parents and their relationship with the potential foster child;

2. The identity, location, characteristics and psycho-social status of siblings and their relationship with the potential foster child;

3. The identity, location, characteristics and psychosocial status of members of extended family and their relationship with the potential foster child; and

4. If the child does not have a traceable familial background, as in the case of abandoned children, a chronological placement case history report should be included.

c) The child’s health & psychosocial status, including:

1. Physical status;

2. Health status

3. Nutritional status (anthropometry);

4. Educational status;

5. Pre-foster family care placement environment (biological parents, foster home, institution, adoption, etc.);

2. Consultation

A. With the Child

The Department of Social Welfare must confidentially consult with the child to obtain their opinion about their foster placement and the social inquiry report shall state the child’s preference.

B. With the Child and Foster Family

As part of the consultation process the prospective foster child and the foster caregiver shall be given an opportunity to meet each other in person. This meeting will allow the child to form an opinion about the placement and is part of the adjustment process is the placement is made.

a. Whenever possible, the foster carer will accept a pre-placement visit in their home with a child who is being considered for placement in that home.

b. Prior to the pre-placement visit, the child should be made aware of his/her rights and access to his/her Foster Care Agency case worker.

   1. The child should also be provided with a description of the foster carer family, their home, photographs and a video, if possible, so the child is able to prepare for meeting the foster carers.
c. The foster family should receive from the Department of Social Welfare information that pertains to the psychological, emotional, or physical history of the child and his/her family, including:

a) name, date of birth (legal name and name known by);
b) health and health card number; allergies, medical and dental records; genetic, eating or sleeping disorders;
c) psychiatric or psychological disturbances of the child or other family members;
d) behavioral issues of the child or other family members;
e) school and academic records;
f) significant events and prior placement information;
g) child's interests, hobbies, or extra-curricular activities;
h) clothing and belongings list;
i) any other significant information.

3. Placement Decision

The social inquiry report should include the final recommendation of the committee after a case study of the child is made, the child is consulted, and the child and foster family are consulted. The result of the decision will be a foster-care order that places the child. The committee should specify in the order the duration of the foster care placement and its dates for review.

B. Additional Placement Considerations

1. Before Placement

a) A child shall be sent to an approved residential home by the Placement Committee or may be placed with a fit person before foster placement.

b) Every child in an approved residential home may be eligible for foster care.

c) Any approved residential home which refused to permit resident children to be fostered shall have its license to operate revoked by the Department of Social Welfare.

d) In considering placement, the Committee shall preferably place the child with foster parents who have child of a similar age to the child who is being placed in foster care.

2. Emergency temporary foster care by the police

Where the exigencies of the situation determine that it is in the best interest of the child to do so, the police may temporarily put a child in the custody of a suitable person or hospital to give the child care and protection.

a) The police shall within 7 days report the temporary fostering to the Department

b) If the person is determined to be a fit person by the Department, the matter should be referred to the placement committee.

c) If the person is determined not to be a fit person, the child shall be moved to an approved residential home while another foster placement is found.
d) If a child is in the hospital, the Department shall consult with hospital authorities on how long the child needs to stay in the hospital before they can be placed.

3. Inter-Family Fostering (Kin Foster Home)

Where kin wish to foster a child within the family the application shall be submitted to the social worker. The application shall then be forwarded to the Department for final approval by the placement committee.

C. Services Upon Placement

1. Care Plan

The prospective foster child, the fostering family and the Department of Social Welfare shall create a care plan for the child who is being placed in foster family care. The care plan shall detail the child’s need and expectations and how these will be met in the foster family placement. The care plan should also detail the child’s expectations and hopes for contact with family members. (Please see OVC Standards legislation as a reference)

2. Counseling

A prospective foster child and applicant shall be provided with counseling to create psychological preparedness and avoid maladjustment after the foster placement.

3. Health

a) The Department shall ascertain the immunization status of the foster child and shall determine which immunizations are outstanding.

b) The foster parents shall ensure that any outstanding immunizations are provided to the child.

c) The Department shall obtain a medical record report for the foster child from a registered medical officer at the expense of the Department.

d) The existence of a medical condition shall not prevent any child from being fostered.

D. Follow-up after Foster Placement

1. By the Department: The Department of Social Welfare shall take the responsibility of following-up on the adjustment and development of the child placed with foster parent/s.

a) A child’s placement in the foster home will be reviewed every three months

b) Updates should be added to the care plan during this review and include:

   1. the health of the child
   2. the educational development of the child
   3. the observed relationship between the child and foster parent (s)

   c) These updates will be conducted during an in person visit at least once every two months and include an inspection of the foster home as well as a confidential consultation with the child

   d) Reports of neglect and abuse of foster child by the foster carers shall be immediately investigated in compliance with existing governmental statutes and Department policies.

   e) The Department shall maintain a record on each child that includes:
1. Details of the child’s biological family
2. Medical history
3. Social inquiry report (including case study)
4. Details on foster parents
5. Any other relevant information
6. Their individual care plan

2. By the Foster Family:

1. The foster family shall collect information on the adjustment and development of the child and prepare quarterly, biannual, and annual reports for the Department of Social Welfare detailing any changes in the child’s care plan, other new information about the child including educational attainments or problems, health issues, other incidents and general developments.

2. The foster family must attend trainings provided by the Department of Social Welfare twice a year.

E. Changes in Placement

When needed the Department of Social Welfare shall take action with respect to the best interest of the child until the child is reunified with his or her biological parent/s or placed in another alternative childcare program.

1. Removal of Child from the Country

No foster child shall be permanently removed from the country without prior written consent of the Department which shall determine if the removal is in the best interests of the child.

A foster parent shall submit a written application to the Department in order to temporarily remove the child from the country. The child should not be removed until the application is approved and all conditions for temporarily removing them are met.

2. Return to Biological Parents

The Committee shall state in the foster care order the conditions under which the foster child is to be returned to the child’s biological parents. If these conditions are met, the child’s social inquiry report should be reviewed to determine if this is in the best interests of the child.

3. Death of the Foster Child

The death of a foster child should be immediately reported to the Department and then biological parents. A death of a foster child will terminate the foster care order.

Biological parents or foster family of the child may bury the child. If they are unable to or unwilling, the Department shall take responsibility for the burial.

4. Death of Foster Parents

1. The death of a single foster parent shall terminate a foster care order and the child may be placed with a new foster parent by the placement committee.
2. When a foster care parent dies and is survived by a spouse with whom the child and parents were living, the surviving spouse may become a single foster parents upon the application to the placement committee for a new foster care order.

3. Where the surviving spouse is male and the child is female, the Committee shall consider if it is in the best interest of the female child to remain with the male foster parent.

F. Biological Parents

1. Rights of Biological Parents

Biological parents of children and youth in care have the right to personal dignity and respect and to be informed of their rights and how to exercise them. Rights include:

a) The biological family has the right to voice opinions, thoughts, feelings and beliefs without retribution by making use of the established grievance process.

b) The biological parents have the right to be informed of any significant events or developments in the child’s life.

c) The biological parents have the right to their own identity and ethno-cultural heritage, language, traditions, activities and religious/spiritual beliefs.

d) The biological parents shall have access to recorded information related to all family members including the child in care provided such access is within the legal limits of the country.

e) The biological parents have the right to confidentiality.

f) The biological parents have the responsibility to participate as a member of the interdisciplinary intervention team.

g) The biological parents have the right to state a preference for the religious and ethno-cultural upbringing of the child.

2. Responsibilities of Biological Parents

The responsibility of biological parents will be to support efforts to actively resolve family conflicts and aim toward the reunification of the family by being involved in the placement of the child and to maintain contact and schedule visits with them unless such contact places the child in danger of harm or is mandated against by the courts. Responsibilities include:

a) The biological parents should provide information about their own and the child’s background, medical history and development history. This may take the form of a ‘memory book’ which shall contain background and other relevant information and documents on the child.

b) Biological parents have the responsibility to follow through on any commitments, agreements or contracts made with the child and family services, foster families and others involved in their child’s plan of care.

c) The biological parents have the responsibility to be involved in the planning for their child’s placement and care provided such involvement does not interfere with the child’s and foster family’s safety.

3. Termination of Parental Rights

Termination of parental rights may only be initiated after assessment of the biological parents ability to continue productive involvement in their child’s life as determined by the placement committee and the Department. (First draft: please add appropriate legal processes needed for parents rights)
APPLICATION PROCESS FOR RECEIVING A FOSTER CARE LICENSE/CERTIFICATION

A. The Process

The application process shall consist of five (5) parts:
1. Application Form;
2. Clearance and Record Checks;
3. Fire Safety Inspection;
4. Home Study; and
5. Pre-Service Orientation Course

B. The Application Form

1. The applicant for a foster care license/certification shall obtain an official application from the Department and shall return that application completed in full.

2. The applicant shall supply the Department with the following information:
   a) His or her name, nicknames, date of birth, National Health Insurance number, ethnic background, religious affiliation, work and home telephone numbers, date and place of any marriages or divorces, and past five years of employment history;
   b) The name of all children, whether or not living in the household, his or her date of birth, current school and/or occupation;
   c) The name, date of birth, and relationship to the applicant of any adult living in the household;
   d) The name and address of one physician familiar with the applicant’s medical history;
   e) Statement concerning source and amount of current income
   f) An explanation of any involvement by the applicant or by any member of the household with a human service Department;
   g) An explanation of any conviction or probationary sentence of the applicant or any member of the household; and
   h) A description of any physical handicap or mental disability of the applicant or any member of the household (any use of such information will be consistent with provisions of the Disabilities Act):
      I. The Department may obtain the health and mental health status and history of all members of the household to assure that no member has an illness or condition, including alcohol and drug abuse that presents a health or safety risk to any child placed there, and/or interferes with the foster parent’s ability to provide satisfactory care.
      II. Each health history should include written statements from a physician regarding the applicant’s general health, specific illnesses, or disabilities, alcohol or other drug problems, infectious diseases, and other relevant health conditions. No qualified individual with a disability or any individual because of a known relationship or association with an individual with a disability shall be excluded from participation as a foster parent.

C. Clearances and Records Checks

I. Department of Social Welfare:
   a) The Department will conduct a child abuse and neglect record check on all prospective foster parents and all other persons living in the home. The applicant may be denied if the record check indicates that a protective services investigation is pending, or if there is a substantiated report of child abuse or neglect on any member of the household.
b) The applicant shall cooperate with the Department by providing the Department with the legal names and aliases, if any, and birth dates of all members of the household. Records of the Department shall be checked to determine in the applicant or other members of the household have a history of substantiated child abuse or neglect, or currently has (or has had) a child, natural, adopted or foster, involved with a child placing Department.

2. **Criminal Identification Department:**

   Each applicant and adult household shall have his or her name cleared by the Ghana Criminal Identification Department, for evidence of a criminal record. Other criminal background checks may be conducted at the Department’s discretion.

D. **Fire and Safety Inspections**

1) Inspections as required by law shall be conducted by the authorities having jurisdiction for the fire inspections.

2) The application process shall be contingent upon approval of the application’s residence by the authorities having jurisdiction for fire inspections.

3) Each home licensed by the Department of Social Welfare shall have two means of egress from every level. Homes that are not over two stories in height that do not have two means of egress may be approved provided that smoke detectors are installed.

4) Basements shall not be used for sleeping

5) Foster children must have 50 square feet per child in a student size bed and 24 square feet for a child in a crib. Kin providers are exempt from this section, providing the sleeping arrangement is approved by the Fire Inspectors.

6) All electrical wiring shall be in accordance with the law.

7) A two inch thick timber or masonry material shall be placed to close any opening that may allow a fire to easily access the interior or exterior walls and allow the fire to extend to the above floors.

8) The home must be kept reasonably tidy, and all exits, corridors, passageways, stairways, and fire escapes kept clear for safe egress.

9) All foster homes must be equipped with smoke detectors in accordance with local codes.

E. **Home Study**

1. Each applicant shall participate in a home study conducted by the Department to assess his/her ability to provide quality foster care for a child. The applicant shall make all members of the household available for interviews.

2. The applicant shall be evaluated by the Department on the criteria explained in the section of the regulations entitled “Criteria for Holding a Foster Care License.”

F. **Pre-Service Orientation Course**

1. The applicant for an original license shall successfully complete a course of pre-service orientation as required by the Department.

G. **Final Determination**
1. Each applicant shall be notified in writing by the Department of the final disposition of his or her application.

2. The applicant shall be afforded all appeal remedies.

H. Licensing/Certification Limitations

1. A foster care license shall apply only to the place of residence occupied by the applicant at the time of issuance.

2. A license is valid from the date of issue and expires one (1) year from the date of such issuance, unless otherwise specified; or unless revoked or otherwise invalidated by the Department; or voluntarily surrendered by the parent.

3. The applicant may be issued a provisional license not to exceed a period of six (6) months for a home not previously licensed.

4. The applicant may be issued a probationary license which sets forth terms of re-mediation and which shall not exceed a period of twelve (12) months.

5. The applicant may be issued a limited license, which specifies the number and ages of children in the home or a particular child.

6. The license shall specify the maximum number of children to be cared for in a single residence as determined appropriate by the Department.

7. The number of children for each license shall be limited by the Department as appropriate. In no case shall the number of foster children in a single residence exceed six (6).

8. A foster parent shall not care for more than two (2) children less than two (2) years of age, or four (4) children less than six (6) years of age, at any time. This shall include the foster parent’s legal children in the same age group.

9. No person may hold a foster care license and a day care/school license simultaneously without a variance.

10. No person shall receive non-related adults and children into care without a variance.

11. Additional foster care regulations, as appropriate to specialized foster homes, are appended to the end on this document.

DENIAL, RENEWAL AND REVOCATION OF A FOSTER CARE LICENSE/CERTIFICATION

1. Renewal

   1. A foster care license shall be subject to renewal annually.
   2. A foster parent, when requesting a license renewal, shall demonstrate that he or she meets all regulations stipulated herein.
   3. A kin certification shall be subject to renewal bi-annually.
   4. A six month provisional certification may be issued to a kin caretaker allowing compliance to occur for the fire safety inspection, home study and completed physician’s reference form.

2. Denial

A license/certification shall be denied for the following reasons:

   1. The applicant or other member of the household has a documented history of child abuse or neglect;
2. The applicant or other member of the household has a past or current history of Department intervention deemed to be detrimental to the care of children;

3. The applicant or other member of the household has a past or current history of substance abuse deemed to be currently detrimental to the care of children.

4. The applicant or other member of the household has been arrested and pending disposition, convicted of, or is serving an active probationary sentence for, a criminal listed in Appendix 1;

5. The applicant fails to cooperate with the Department in its licensing investigation, including the falsification or omission of facts;

6. The applicant fails to comply with any of the regulations contained herein.

7. The applicant fails to demonstrate the ability to foster as defined in this Act.

8. Certification will not be granted when child’s natural parents or legal guardian resides with the applicant for the child.

9. The Department will not select as a foster family any household in which an adult has a substantiated criminal record of child abuse or spouse abuse or a criminal conviction, as evidenced by the government criminal record checks for any crimes against children or for any violent crimes, including rape, felony assault, murder, and any felony drug-related offense. Convictions of nonviolent felonies misdemeanors should be handled on a case-by-case basis, taking into account the nature of the offense, the length of time that has elapsed since the event, and the individual’s life experience during the ensuing period of time.

C. Revocation and Other Licensing Actions Pertinent to Foster Care Homes

1. Licensing Actions include the following:
   a) Requirement that foster parent(s) attend training.
   b) Restriction as to the number, or needs of children.
   c) Initiation of probationary status for a specific period with specific conditions.
   d) Revocation of license or certification.

2. A License Shall be Revoked for the Following Reasons:
   a) The foster parent or other member of the household is convicted of a felony; or
   b) The child in the foster home is in immediate physical danger from the caregivers;
   c) The foster parent fails to protect a child from physical or emotional harm because of failure to provide adequate supervision appropriate to the child’s needs and level of development;
   d) The foster parent or other member of the household is indicated as a perpetrator of sexual abuse; or is indicated as perpetrator of physical abuse which result in death, hospitalization, or physical injury to a child;
   e) The foster parent or other member of the household threatened to harm a child;
   f) The foster parent fails to comply with any of the regulations contained herein or with the Ghana Laws pertaining to the care of the children;
   g) The foster parent fails to cooperate with the Department in its licensing process, including the falsification or omission of facts.

D. Procedure for Review Pursuant to Possible Licensing Actions

1. The Department reviews the care of a kin or foster home and materials or communication concerning reasons for a licensing action.
2. When there is reasonable cause to believe that there exists imminent danger to the child’s physical and emotional well being:
   a) The Department consults with the supervisor and/or the primary worker and may order the removal of the child(ren) from the home if such removal has not already taken place.
   b) Concurrent with or subsequent to the removal, the foster parent(s) or kin caretaker(s) is notified immediately of the decision to remove the child(ren) from the home.

3. Regardless of whether the child(ren) is removed from the home, the following protocol is followed when licensing action is being considered:
   a) The Department sends notice by mail informing the foster parent(s) or kin caretaker(s) that the Department is considering a licensing action and provides notice of the facts that may warrant this action. The letter indicates a willingness to meet with the foster parent(s) or kin caretaker(s) and provides a date and time for the meeting.
   b) At the meeting, the foster parent(s) or kin caretaker(s) is given opportunity to show cause why the action should not be taken.
   c) If after such meeting the facts continue to appear to warrant licensing action, written notification of that licensing action is sent to the foster parent(s) or kin caretaker(s) within ten (10) working days. The foster parent or kin caretaker will be notified of their right to appeal the decision through an Administrative Hearing.
   d) A copy of both notices shall be sent simultaneously to family and the Department.

4. Subsequent to the initiation of licensing action by the Department, the foster parent(s) or kin caretaker(s) may appeal the action in various forums.

Appendix I—Licensing and Certification of Foster Care Homes

Criminal Offenses

The arrest and conviction or arrest pending disposition for one of the following criminal offenses would preclude a prospective applicant from having his/her home licensed/certified as a foster care home.

Offenses Against the Person
Murder
Voluntary manslaughter
Involuntary manslaughter
Kidnapping
Kidnapping with intent to export
First degree sexual assault
Second degree sexual assault
Third degree sexual assault
Assault with intent to commit specified felonies
Assault by spouse
Felony assault
Domestic assault
First degree child abuse
Second degree child abuse

Offenses against the family
Incest
Child snatching
Exploitation for commercial or immoral purposes

Public Indecency
Transportation for indecent purposes:
Harboring
Prostitution
Pandering
Deriving support or maintenance from prostitution
Circulation of obscene publications and shows
Sale or exhibition to minors of indecent publications, pictures, or articles
Child nudity in publication

Drug Offenses