

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Foster Carers A Guide to Allegations

Tusla would like to thank the foster carers, IFCA and FFI who assisted in co-designing this guide.

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Introduction

Fostering is truly rewarding, but at times, it can be a challenging experience.

Many of the children who have come to live with you will have been abused or neglected and are likely to be dealing with a lot of hurt, trauma and confusion and this can put foster carers at greater risk of allegations.

Research tells us that previous abuse and trauma can also make children and young people even more vulnerable to being hurt or abused again. It is therefore essential that you are supported to provide safe care to any child who comes to live with you and that if an allegation arises there is a robust and transparent way for how we assess those concerns and ensure that children are safe

and receive the help they need. In any assessment, every carer also has a right to be heard, supported and to be given the opportunity to show everyone that their care has been safe.

Trying to understand what has happened when an allegation has been made can be a very distressing and vulnerable time for the child or young person at the centre of the concern, the foster carer and/or family member who may have to respond to these concerns. While the majority of allegations can be resolved with a good outcome for the child and the carer, the overall experience can still be very distressing and makes people feel very vulnerable and scared.

Research¹ tells us that better outcomes can be achieved when

1. Everyone understands what an allegation is and why allegations are made.
2. Everyone is clear on the advice and support that is available and how you can access it.
3. There is good, clear information available to everyone about what happens and how Tusla assesses an allegation and what the role of the Gardai is.
4. The possible outcomes of an assessment are understood.
5. Foster carers know how to safeguard themselves from the risk of an allegation being made.

¹ https://www.education.ox.ac.uk/wp-content/uploads/2019/05/ImpactofUnprovenAllegations_ReesCentreJuly2016.pdf



This information booklet has been created for foster carers so that we can address the above findings, ensure children are safe, and that foster carers/parents are supported to continue to provide the most effective care and support.

2

Our values and how you should experience them?

In Tusla, we are committed to working in line with our stated values of respect, trust, kindness and empowerment. This means that as an Agency we should provide you with the support, training, and guidance to empower you to care and parent in a way that minimises the risk of any allegation arising.

If an allegation arises you are entitled to be treated with respect and dignity. This applies to the information you receive, the language we use, your participation in the assessment process, and your understanding of the outcome and what it means to you and your family. You should also be able to appeal any decision that affects your status as a carer.

You should have the support of a named person in Tusla that helps you throughout the assessment. They should work with you in a way that reflects our commitment to kindness and trust. They should also ensure that we communicate with you in a way that helps you participate in keeping you, your family and all children you care for safe.

A woman with dark, curly hair and round glasses is sitting at a table, looking off to the side with a thoughtful expression. She is wearing a maroon t-shirt. In the foreground, there is a white mug and some papers on the table. A pink speech bubble is overlaid on the left side of the image, containing a quote. The background is slightly blurred, showing what appears to be an office or meeting space.

**“They should
work with you
in a way that
reflects our
commitment
to kindness
and trust.”**

3

A little bit about the law and Tusla's obligations

Under the Child Care Act 1991² and Children First: National Guidance (2017)³ Tusla has a legal obligation to assess all allegations that are reported to the Agency.

We must promote the welfare of children who are not receiving adequate care and protection and ensure that the child is safe and receives appropriate help; this may include sharing information with others so that they too can safeguard any child who might be at risk.

The National Standards for Foster Care also set out clear standards for how allegations against foster carers should be managed. Standard 10 specifically sets out what requirements the Agency must meet when an allegation of abuse arises.

The law and standards are important because they enshrine everyone's rights and let you know what you can expect from the Agency.

² Child Care Act, 1991

³ gov.ie - Children First: National Guidelines for the Protection and Welfare of Children 2017

⁴ gov.ie - National Standards for Foster Care

4

What is an allegation?

An allegation is a claim that someone has caused harm to a child by physical, sexual, emotional abuse or neglect.

Anyone in a foster family may be the subject of an allegation, including the foster carer's own children. An allegation can be made by the child, or by someone acting on their behalf or their best interests, such as a birth parent or a teacher. Every fostering service has a duty to assess allegations of abuse or harm as well as look into complaints and Tusla has separate policies and practices for dealing with each scenario.

A complaint about a foster carer would not be treated as an allegation unless it related to physical, emotional, sexual abuse or neglect of the child. Complaints would normally be dealt with under Tusla's Tell Us complaints and feedback service.

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Support from your fostering link worker

Every foster carer should have a dedicated worker that supports them in their time as a foster carer/parent. These are often called a ‘fostering link worker’.

During any assessment of an allegation your fostering link worker will continue to provide you with advice and support. Your fostering link worker will continue to meet you, provide support and supervision meetings as appropriate and agree a plan of support with you. While your fostering link worker will not be leading the assessment of the allegation, they will be active participants in the planning process that support the assessment and will be informed of any outcome.

They should continue to be your key point of contact during the assessment process. If you do not have a dedicated fostering link worker then it is appropriate to contact the fostering team leader/fostering principal social worker and seek clarification on who your assigned point of contact is.



Why do I feel abandoned by my fostering team?

It is not unusual for foster carers to feel isolated during the assessment of an allegation. You are entitled to support throughout this process but some foster carers have told us that their fostering link worker has stopped visiting them or reduced contact with them. This can be distressing for foster carers who take this lack of contact to mean that their fostering link worker doesn't believe them. If you feel or experience this ensure you highlight this to your fostering link worker or ask to speak to the Fostering Team Leader or Principal Social Worker in the Fostering Team who can also assist. If you are not satisfied with the responses you receive you also have the right to complain via Tell Us.

6

Independent support for foster carers/parents

The Irish Foster Care Association (IFCA) is the national organisation that also supports foster families and the wider fostering community.

As part of the overall service, IFCA have a substantial advocacy and support service, which offers independent and professional support to the foster care community. Its aim is to offer the best and most appropriate support during challenging times by providing clarity and guidance for all those involved in foster care. The service is confidential, responsive and personal, and open to everyone involved in foster care. To talk to someone in confidence, you can call IFCA's National Support Helpline (Tel. 01 458 5123), which operates from 11am-3pm Monday to Friday, or you can email support@ifca.ie.

The helpline staff and volunteers are experienced in receiving calls related to allegations. They will listen patiently and offer comfort, clear information, and resources. These resources will include the option to make a referral to IFCA's Advocacy Service for

- Individual and ongoing support, including supporting you by attending meetings.
- Providing you emotional support through their counselling service.
- Guiding you towards legal advice if you feel this would be helpful.

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Protecting yourself and others from the risk of an allegation

When you apply to foster, introductory sessions and training on the importance of safe care will be discussed with you.

Safe care training is essential during your pre-approval and induction process; however, safe care remains an important consideration in the ongoing supervision and support you are entitled to you as a carer.

Your fostering link worker is available to discuss any particular safe care issues that may arise in the context of your own specific situation and the specific needs of the child who comes to live with you. We encourage discussion of any concerns or queries you might have. Safe care for everyone starts with talking about issues that might make things more challenging for the child, the carers and

their family so that you can begin to think about what you can do immediately and in the future to prevent more difficult problems emerging. It is important to know that your fostering link worker is there to support you in exploring your concerns and agreeing actions, specific to your home and family that address those concerns.

As it becomes available, information about the child should be shared with you and this should inform safe care practices. There are times when not all information is available when a child comes into care. Sometimes new information emerges over time. Your approach to safe care

in your home should change according to what information is available and this should be considered on an ongoing

basis. Your fostering link worker can and should support you in considering how you approach safe care in your home.

Practical things that help keep everyone safe include

1. Take part in training offered to you
2. Build a good local support network which include other foster carers and available peer supports, close family or friends and consider joining IFCA for the advice and support they can offer you. IFCA has also developed guides that helps you think of the practical things you can do that can prevent the risk of an allegation being made.
3. Discuss with your link worker the child's needs and how you should best care for this child. Think about the questions you have, write them down and ask your fostering link worker or the child's social worker. Think about how the information you have and how it should inform you and your family's safe care of the child. Your fostering link worker can help you with this. Create some key rules that can be written down in a simple way and then explained to everyone; showing how we can all keep ourselves safe.
4. Keep a record of any key events, noting the date, time and the people who were present. This can include times when the rules were tested and worked, or times when things didn't work in the way you intended. If something worrying has happened, such as a child getting hurt, and you are concerned about it, tell your fostering link worker or their team leader without delay.

5. If an allegation is made you should ask for it to be put in writing to you. It is helpful to understand the detail of what has been said so you can respond in the best way possible.
6. Develop and maintain good relationships with the child's parents and other significant family members. This helps resolve misunderstandings, and they might have good ideas about how you can best care for their child safely.
7. Make sure you are accessing supervision with your fostering link worker. Having early and ongoing conversations about safe care helps avoid having to think about steps to take when a concern arises.
8. Most importantly, take care of yourself. Use the support available and reach out for help when needed. You are entitled to support throughout your time as a foster carer.



Why do I feel I am being treated as guilty even though no finding has been made against me?

Many foster carers tell us that during an assessment they feel they are treated as though they are 'guilty until proven innocent'. We know any allegation is a source of huge upset and stress for a carer. It is important to seek help and advice from your fostering link worker. Tusla has a legal duty to ensure that all concerns raised about children and young people are listened to and dealt with appropriately. Try to remember this is the focus of the assessment of an allegation and you should reach out and use all of the supports available to you during this time.

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Why are allegations made?

Most carers will go through their entire fostering journey and never experience an allegation.

It's difficult to understand or explain why young people in care, or someone on their behalf, might make an allegation. Every young person is different and will have a different reason for making an allegation. Common reasons include:

- The allegation is true, the child has been abused or hurt, and they or others want that to stop. Children often make an allegation after they have left the foster home because they feel safer to talk about things when the danger is no longer present. We know children in care are more vulnerable to further abuse, so we must always remain vigilant to their safety.
- Sometimes a child has been abused in the past but now that they are safe, they may remember their abuse differently and may confuse something that happened in the past with something that has upset them recently.
- Sometimes a child may make an allegation to test the foster carer, to test whether a carer is willing to stand by them during the allegation process. They test because they'd rather know immediately if the foster carers aren't really invested in them.
- Some children may feel that if they make people believe that things aren't

good in the foster home then they will be sent back home to their family. Even children who have experienced harm at home will still have strong emotional bonds and connections to parents or siblings. Children will often say they want the abuse to stop not their family.

- Some children may be upset about minor quarrels or sanctions imposed on them for poor behaviours, such as grounding or restricting access to social media. They react with anger because of previous hurt and in doing so allege that someone has hurt them.

- Some members of the child's family network may also feel that challenging the care provided by the carer might result in the child being returned home. This can sometime means that they allege abuse or encourage someone else to make an allegation.
- In relative care situations, for some parents it can be particularly difficult to see another family member become the carer of their child and feeling of loss and hurt can appear as anger and may make an allegation as a way of expressing this anger.



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Jargon explained

Child Protection and Welfare (CPW) Assessment	This is the assessment always undertaken by the CPW team that looks at the future harm and safety of the child and what action need to be taken to ensure the child ongoing safety.
CASP⁵ – Child Abuse Substantiation Procedure	The need for a CASP assessment will be determined at the inquiry stage of the CPW assessment. CASP is required if the foster carer is also working or volunteering within a role that would also indicate a risk to other children based on what is has been alleged by the child in foster care, and that information needs to be share to safeguard those children from harm.
Abuse	This refers to any incident(s) of physical, sexual, emotional harm or neglect to a child as per the definition of Children First (2017).
Welfare	This refers to issues that affects the child's health and/or overall wellbeing but does not constitute abuse.
Past Harm	Past hurt, injury or abuse to the child and its impact on the child. It also includes risk-taking behaviour by the child/young person.

⁵ Child Abuse Substantiation Procedure (CASP) Version 2 - 2024Tusla - Child and Family Agency

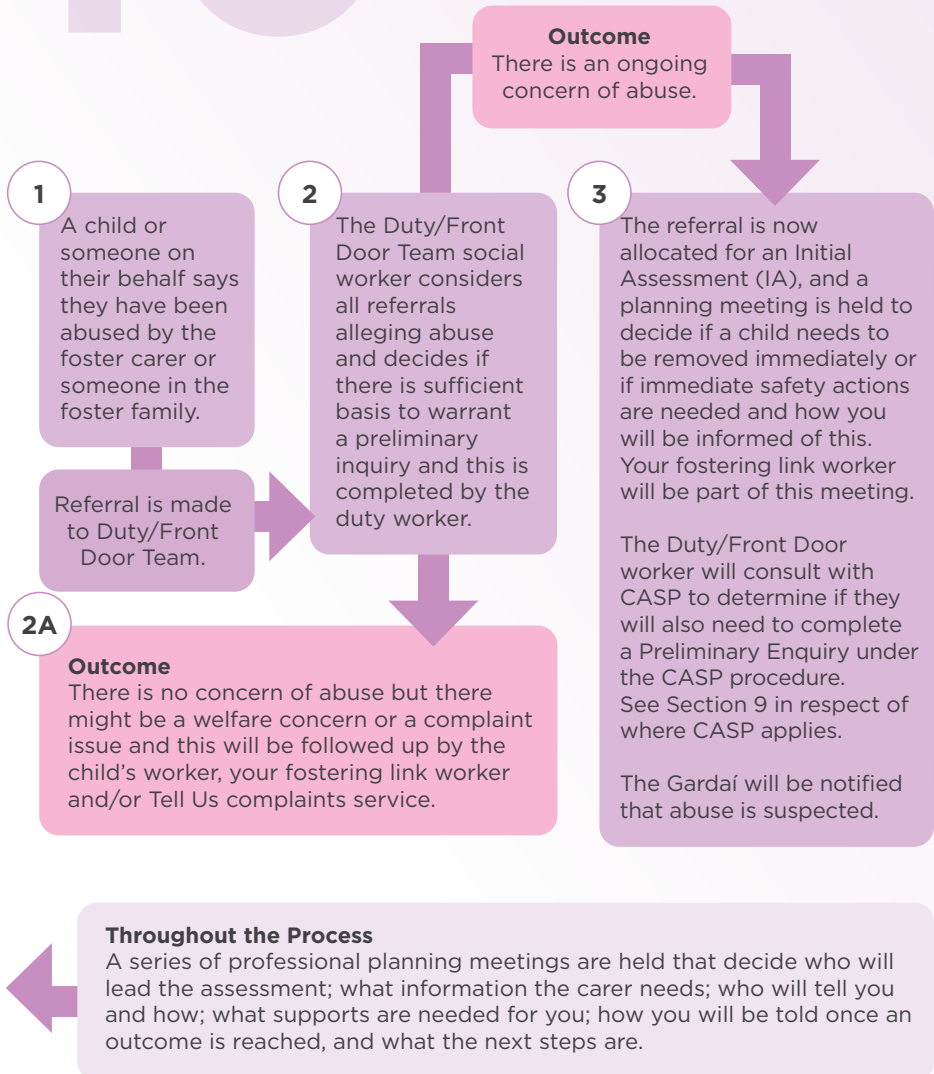
Complicating Factors	Actions of behaviours in and around the family, the child and by professionals that make it more difficult to solve the danger or future abuse.
Danger Statement	The harm of hurt that is believed likely to happen to the child if nothing in the family's situation changes.
Safety Goals	The behaviours and actions that Tusla need to see to be satisfied that the child is safe enough to close the case to CPW.
Strengths	People, plans and actions that contribute to the child's wellbeing and plans about how a child will be made safe when danger is present.
Safety	Action taken by parents, carers and children to make sure the child is safe when the danger is present.
Immediate Safety Actions	Immediate next steps or action that ensure the child is safe from any immediate or imminent danger.
Safety Scaling	Using a scale of 0-10, where 10 means there is sufficient safety and 0 means there is no safety. It allows everyone to give their perspective on where they feel the child's safety is at a point in time.
Preliminary Inquiry	A stage in the CPW assessment process that allow us to consider if abuse is a concern and what type of abuse we are concerned about.

Initial Assessment	A stage in the CPW assessment where we finalise our decision on the type of abuse and the level of ongoing risk/danger there is to a child.
Safety Planning	An ongoing planning process that allows us to move towards the safety goals and collectively monitor progress towards them.
Foster Care Committee (FCC)	The Foster Care Committee is a designated group of people who have clear responsibilities as set out under Section 23 the Foster Care Standards. Committees are made up of people with an expertise in child welfare, including some who have significant training or experience of foster care, and may include one or more persons who are not officers of Tusla. Committees include at least one person who is a foster carer.
Additional Foster Care Review	An additional review is conveyed under 10.19 of the National Standards for Foster Care. It is required when a child is removed from a placement on foot of an allegation of abuse. Your fostering link worker will complete a review report for the Foster Care Committee, which will make a decision regarding the temporary cessation of other placements pending the outcome of any assessments required. A copy of the additional foster care review report will be shared with you in advance of presentation to the FCC.



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What Happens - Understanding the Process



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The IA is led by a social worker from the CPW team and will openly explore with everyone connected to the child, the foster carer, birth parents, the child (if appropriate) and professionals the following:

- What we are worried about, including any past harm, complicating factors and future danger statements.
- What is working well, including any strengths or safety.
- What needs to happen both in terms of immediate next steps and longer terms safety goals.

Outcome
There is an ongoing concern of abuse and IA begins.

Everyone is entitled to receive a copy of the above information, and everyone will be asked to agree to the Danger Statements and Safety Goals and scale how much safety they believe is present in the child's care today.

4A

Potential Outcomes

Abuse is indicated and there is ongoing risk of significant harm which will require removal of the child and an additional foster care review.

or

Abuse is indicated and there is a risk of ongoing harm which the Agency believes can be resolved through safety planning. Once safety is assured the child needs will continue to be addressed through the normal care-planning processes.

or

Welfare is indicated – that is, not abuse – and the child's needs should be addressed through their normal care planning process.

And if relevant

CASP determines if an allegation against a person subject to abuse allegations is founded or unfounded.

If a CASP assessment is required, this will be completed separately and independently as per CASP.

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How will I be involved/What information will I receive?

When an allegation is made, you are entitled to the following:

- You are entitled to know, as soon as practicable and in writing, the nature of the allegation made against you. The only reasons this would not happen are
 - It might increase the potential risk to any child or
 - It would interfere or prejudice any investigation by the Gardaí.
- You will be told if a child needs to be removed because immediate and serious risk has been identified, but you may not be consulted about that decision if it relates to the child's immediate best interest at that time.
- You should be an active participant in the any ongoing CPW assessment identified, and any safety planning process agreed. This means
 - It is the Duty/Front Door Team in the area, that holds overall responsibility for the child, that receives and screens the referral.

-
- The social worker will talk to you and others about the information set out in Stage 4 above and share the information we collate about that.
 - If there is an ongoing concern about future harm, you will be part of agreeing any danger statements, safety goals and be part of the network and meetings that support developing and monitoring any agreed safety plan.

While you will not attend the professional planning meetings referenced in the above process, your fostering link worker will attend and be your key point of contact for information on any decision coming from those meetings.

- On conclusion of the CPW assessment you will be told the outcome and next steps as set out in 4A in Section 10.



Will I be told what the allegation is?

It might be that you are told there has been an allegation but not all details of the allegation straight away. This can be extremely difficult for foster carers who will be aware that an allegation has been made about them, but not by whom. This is to ensure that a child's safety needs can be considered fully and any assessment can be done without compromising any Garda investigation.

- At any stage of the assessment, information might suggest that there is a need to remove the child to assure their safety. You will be informed about this, but you may not be consulted about that decision if it relates to the child's immediate best interest at that time.
- If a CASP assessment is required, you will be provided with all information about the allegation and the assessment process in line with CASP procedures i.e. when Stage 2 of the assessment is initiated. On conclusion of the CASP assessment you will be informed of the outcome as set out in Section 12 below.
- If a notification/referral is made to the Gardaí you will be advised on this.
- If an additional foster care review is required you will receive a copy of the report prepared for that review and you will also be entitled to make your own representation to the FCC before they make their decision on your status as an approved foster carer.



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What does the outcome mean or what impact will they have on being a foster carer/parent?

In a CPW assessment an outcome that harm has occurred and there is an ongoing risk of significant harm, this means:

1. The child's placement will end.
2. It also means that an assessment of the safety needs of other children in your home, including you own children, may be required.
3. Your fostering link worker will prepare a report for an additional foster care

review, and the Foster Care Committee will convene this review to consider your ongoing approval as a foster carer.

If the outcome is there has been harm and there is an ongoing risk harm then:

1. The Agency will support a time-limited safety planning process that will allow you, and your network of support, to show the Agency how you will keep the child safe from any future danger and what additional needs you have

to ensure you can provide for the child's ongoing care.

2. In such circumstances, it may arise that the child, the parent or you decide that the placement should end. The Agency will support you regarding that decision, and ongoing supervision will assist you in continuing as a foster carer.
3. The outcome of the assessment will be shared with the FCC. It will form part of your scheduled foster care review, along with other relevant information, any progress update on the safety planning process.

- **If the outcome is a welfare concern**

1. The child's needs should be addressed through their normal care-planning process.
2. Ongoing supervision will assist you in continuing as a foster carer and any needs arising from the assessment.
3. All outcomes of welfare will be noted in your next scheduled foster care review.

If a CASP assessment is required because of the need to safeguard other children that the foster care may be in contact with through employment or voluntary work and if the outcome is

1. Founded

- The child's placement will most likely end, if the CPW assessment has not already determined this.
- If not already undertaken, it also means that an assessment of the safety needs of other children in your home, including you own children, may be required.
- The FCC will be informed of the outcome, and your fostering link worker will prepare a report for an additional foster care review. The FCC will convene this review to consider your ongoing approval as a foster carer.

2. Unfounded

- The FCC will be informed of the outcome and this information will be included in your scheduled foster care review along with other relevant information.
- Ongoing supervision will assist you in continuing as a foster carer and any needs arising from the assessment.



Will an allegation affect other role outside of fostering?

When carrying out an assessment into allegations of abuse made in respect of a foster child, Tusla has a legal duty to consider the welfare of any other children in the household – including the foster carer’s own children. This includes birth children or adopted children. If the foster carer’s children are deemed to be at risk they would be subject to the same safeguarding procedures as any other child in the community. In these circumstances, foster carers are advised to seek independent legal advice.



Will the child be removed from my care?

Good practice guidance suggests that foster children should not automatically be removed. However, if a serious allegation has been made and immediate and serious concern are indicated then the foster child and any other foster children within the household are likely to be removed while the assessment takes place. In some circumstances it may be suggested that the person who is the subject of the allegation leaves the home. This might be the preferred course of action to maintain the stability for everyone else in the home. These decisions will form part of the immediate safety action required to be put in place and you will be part of these decisions. If the outcome of any assessment is the child is at ongoing risk of significant harm they will be removed from your care.



Will my own children be removed from my care?

When carrying out an assessment into allegations of abuse made in respect of a foster child, Tusla has a legal duty to consider the welfare of any other children in the household – including the foster carer's own children. This includes birth children or adopted children. If the foster carer's children are deemed to be at risk they would be subject to the same safeguarding procedures as any other child in the community. In these circumstances, foster carers are advised to seek independent legal advice.



13

What is the role of the Gardaí?

The Agency is obliged to report all allegations of abuse to the Gardaí as per Children First 2015 and the Joint Working Protocol with An Garda Síochána⁶

The fundamental objective of safeguarding procedures is to ensure that the child is safe and their welfare protected. An initial strategy meeting/discussion is convened by the Duty/Front Door Team Team with the Gardaí, who will decide if a Garda investigation is required. Generally, the Gardaí will only want to be involved if it appears that a criminal offence has or is likely to have been committed.

Not all allegations result in a formal interview by the Gardaí, and indeed those that do, may not automatically

progress beyond an initial interview. However, if the Gardaí decide to progress with an interview, the following information will help explain how they might engage with you (to establish the facts about an allegation) and if any further action/intervention is required.

There is a difference between an interview with the Gardaí for evidence-gathering – that is, not under caution – and an interview under caution, where the foster carer is being interviewed as a suspect in the criminal investigation.

⁶ <https://www.tusla.ie/children-first/publications-and-forms/>

All notifications made to the Gardaí, including those that do not progress to conviction, are on the Garda Information System (Pulse) and may be flagged under any vetting request.

Some foster carers may choose to seek legal advice from the outset, and it is important that you are satisfied that your legal rights are protected. It is wrong to believe that to ask for a legal representative to advise and assist you indicates that you are guilty or have something to hide. That is not the way the Gardaí or the courts think about the role of a solicitor or legal representative,

or the motive of a person who chooses to exercise their right to have one; solicitors are an important part of the process. IFCA advises very strongly to exercise your right to have a legal representative. You can do this independently or you can seek support for this through IFCA. If you contact IFCA it is possible to receive parallel support from both the IFCA advocacy service and the legal service as you may still feel it necessary to explore the emotional impact of what you are experiencing.



14

What is the role of the Foster Care Committee?

The role of the Foster Care Committee (FCC) is outlined in Section 23 of the Foster Care Standards.

The FCC will always be notified if any child has been removed from your care due to immediate and serious risk or a determination of ongoing risk of serious harm following an assessment. This allows the FCC to make an immediate decision regarding the suitability of any further placements while assessments continue. Any removal of a child will require an additional foster care review to be held. The FCC will consider the outcome of that review and if there is to be any change to your status as a foster carer.

You will be involved and will participate in the review process to ensure your perspective is reflected.

The outcome of any CPW assessment, a CASP assessment or a Garda investigation will be shared with the FCC. This information will form part of the normal foster care review which occurs under Standard 17.

The fostering team or FCC may decide/recommend expediting this review based on the outcome of these assessments or investigations.

The review will look at the nature of the allegation and what lessons can be learned from it; for example, whether you may benefit from some additional training or support. The report will also make a recommendation about your fostering status – that is, if your approval should remain the same or change. Like all reviews, you will be given a copy of the report prior to the FCC meeting and

sufficient time to provide your own written report to the FCC if you wish to do so.

It may be that a fostering team recommends termination of a foster carer's approval. The FCC's role is to make this decision. All decisions of the FCC are subject to appeal as per the FCC Policy Procedure and Guidance and you are entitled to request this appeal.



Will the fostering allowance be stopped?

The fostering allowance follows the child and therefore it will cease if a child is removed from your care.

15

Safe care starts with self care

Keeping you and your family safe also keeps children who come to live with you safe.

From the outset of your fostering experience, and throughout your time as a foster carer, it is the support network around you that will help you most to have a truly positive experience and sustain you if things become challenging. Often, allegations result in the outcome that abuse has not occurred and that a child and the carer just need more support and help with some difficulties they might be facing. In such circumstances we want the child and you to feel supported in addressing these difficulties, and to maintain you as a truly valuable foster carer for Tusla.

Remember:

- a. If in doubt about anything seek help and advice early to prevent things getting worse.
- b. Build a network of support around you that involves people naturally connected to you and your fostering link worker and any other professionals, like IFCA fostering peers support or a counsellor, that you feel would be helpful.
- c. Continuously refresh your training, connect with peers, and support groups.
- d. Celebrate your successes and learn from what works for you and your family when providing safe care for the children that live with you.



Notes

TÜSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

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