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# **PERFORMANCE AUDIT REPORT of the AUDITOR GENERAL on the REGULATION OF RESIDENTIAL HOMES FOR CHILDREN (ORPHANAGES) BY THE DEPARTMENT OF SOCIAL WELFARE (DSW)**



*This report has been prepared under section 11 of the Audit Service Act 2000 for presentation to Parliament in accordance with section 20 of the Act.*

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Auditor – General  
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26 August 2013*

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## TRANSMITTAL LETTER

Ref. No. AG.01/109/Vol.2/64

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26 August 2013

Dear Sir,

**PERFORMANCE AUDIT REPORT OF THE AUDITOR-GENERAL  
ON THE MANAGEMENT OF RESIDENTIAL HOMES FOR  
CHILDREN (ORPHANAGES) BY THE DEPARTMENT OF  
SOCIAL WELFARE (DSW)**

I have the honour to submit to you a performance audit report on Management of Residential Homes for Children (Orphanages) to ensure the care and protection of children placed in these homes in accordance with my mandate under Section 187(2) of the 1992 Constitution of Ghana and Section 13(e) of the Audit Service Act which requires me to carry out performance audits.

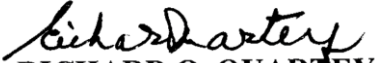
2. The purpose of the audit was to determine whether DSW’s regulation of the operations of Residential Homes for Children (RHC) is ensuring care and protection of the children under the custody of the RHCs. The audit covered the period 2008 to 2012.

3. We found that DSW’s regulation of RHCs to ensure the care and protection of children within the homes has largely not been achieved. About 96% of the homes in the four sampled regions are operating illegally and they are not monitored adequately to ensure that they operate within the minimum standards, therefore placing the lives of the children at risk.

4. We made some recommendations to assist DSW to make the operations of RHCs legal and effectively monitored, thereby ensuring the care and protection of children placed in the RHCS.

5. I trust that this report will meet the approval of Parliament.

Yours faithfully,

  
**RICHARD Q. QUARTEY**  
**AUDITOR-GENERAL**

**THE RIGHT HON. SPEAKER**  
**OFFICE OF PARLIAMENT**  
**PARLIAMENT HOUSE**

## LIST OF ACRONYMS

AMA	-	ACCRA METROPOLITAN AUTHORITY
CRI	-	CARE REFORM INITIATIVE
DOVVSU	-	DOMESTIC VIOLENCE AND VICTIMS SUPPORT UNIT
DSW	-	DEPARTMENT OF SOCIAL WELFARE
EOCO	-	ECONOMIC AND ORGANISED CRIMES ORGANISATION
GoG	-	GOVERNMENT OF GHANA
IGF	-	INTERNALLY GENERATED FUNDS
LEAP	-	LIVELIHOOD EMPOWERMENT AGAINST POVERTY
MESW	-	MINISTRY OF EMPLOYMENT AND SOCIAL WELFARE
MMDA	-	METROPOLITAN, MUNICIPAL AND DISTRICT ASSEMBLIES
MDRI	-	MULTILATERAL DEBT RELIEF INITIATIVE
NGO	-	NON GOVERNMENTAL ORGANISATION
RHC	-	RESIDENTIAL HOMES FOR CHILDREN
STMA	-	SECONDI TAKORADI METROPOLITAN ASSEMBLY
UNICEF	-	UNITED NATIONS CHILDRENS' FUND

# **PERFORMANCE AUDIT REPORT OF THE AUDITOR - GENERAL ON THE REGULATION OF RESIDENTIAL HOMES FOR CHILDREN (ORPHANAGES) BY THE DEPARTMENT OF SOCIAL WELFARE (DSW)**

## **EXECUTIVE SUMMARY**

The Department of Social Welfare (DSW) regulates the operations of RHCs to ensure proper care and protection of orphans and vulnerable children placed in institutions. DSW engages in activities such as, providing homes for the homeless, setting and regulating service standards, monitoring and evaluating the operations of RHCs.

2. Orphanages in the country have increased by 169% between 2005 and 2012, catering for about 4,500 children. However, there have been reports of child abuse, molestation and neglect at the RHCs. Notable among these was the Osu Children's Home and the Peace and Love Orphanage at Adenta (Accra). Also, most orphanages in the country were reported to be operating below the standards set by DSW.

3. The study was therefore carried out to determine whether DSWs regulation of the operations of RHCs is ensuring care and protection of the children. The audit team employed the use of interviews, document review, questionnaire administration and inspections to gather evidence to conclude on the audit objective.

4. We found that, DSW has not regulated the RHCs operating in the country to provide care and protection to children admitted into the homes, therefore placing the lives of these children at risk. The team noted the following:

### **DSW has not licensed 96% of RHCs operating in the four sampled regions**

5. DSW is not able to ensure effective supervision of the RHCs as most of the homes they superintend are not formally registered and recognised therefore placing the lives of children in those homes at risk.

We recommended that all operating RHCs are made to apply for license and screened to ensure that, the RHCs meet the requirement otherwise they should be closed down. DSW should also carry out periodic educational campaigns to sensitise prospective home operators on the need to obtain proper approval before operating.

#### **DSW does not have required data on the operating RHCs in the sampled regions**

6. DSW is unable to track progress of the RHCs as well as the wellbeing of the children in the RHCs. This is because DSW does not have data on the homes to enable them assess the competency of the home owners and managers and also recommend corrective measures to the homes.

We recommended that, DSW should educate all identified homes on the need to provide relevant information on the homes and children to them. DSW should also assess the capabilities of the management staff of these RHCs.

#### **DSW is not inspecting to ensure that RHCs operate within standards**

7. DSW officials do not monitor the operations of RHCs. We found that the activity plans had no monitoring schedule and district officers could not provide reports on visits they had made to the RHCs. As a result, minimum standards for operating the RHCs as prescribed by the guidelines are not met and followed by the RHCs.

We recommended that DSW should ensure and insist that activity and work plans are prepared and implemented at the district level. DSW should also request for all reports due them from the RHCs and sanction RHCs that do not meet this requirement. DSW should also compliment their staffing position at the district levels by appealing to the National Service Secretariat to post students of the School of Social Work to them.



# CHAPTER ONE

## INTRODUCTION

### 1.1 Reasons for the Audit

In January 2009, the Department of Social Welfare (DSW) carried out a study on Residential Homes for Children (RHC) in Ghana. The study found that, the number of RHCs operating in the country has increased by 169% from 55 in 2005 to 148 in 2012 and were catering for about 4,500 children.

2. There have also been reports of child abuse and neglect at the RHCs. Notable among these was the report by Anas Aremeyaw Anas, an investigative journalist in February 2011, on Osu Children's Home (Accra), where he exposed how childcare professionals abuse children placed in their care. This incident was widely reported in both the print and electronic media and led to the setting up of a commission of enquiry by the Ministry of Employment and Social Welfare (MESW).

3. There was also the Peace and Love Orphanage at Adenta (Accra) which was closed down after being accused of child abuse and molestation in 2009 (myjoyonline.com, April 14, 2009)<sup>1</sup> It was also reported on myjoyonline.com on 14 April, 2009 that many RHCs were flouting the regulations set by DSW. These homes had received and fostered children whose identities were known.

4. The Economic and Organised Crimes Organisation (EOCO), also upon a tip off intercepted children being trafficked from Hohoe in the Volta region to Europe and America. These children were later found to be from an orphanage in the Region. (ghanatoghana.com, January 27, 2011)<sup>2</sup>

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<sup>1</sup> <http://news.myjoyonline.com/news/200904/28754.asp>

<sup>2</sup> <http://www.ghanatoghana.com/ghanahomepage/child-trafficking-hohoe>

5. In the light of these developments, the Auditor-General commissioned a performance audit into the Department of Social Welfare's (DSW) regulation of Residential Homes for Children (RHCs) in accordance with the Audit Service Act 2000, Act 584 (13e).

## **1.2 Purpose, Audit Questions, Assessment Criteria and Scope**

### **1.2.1 Purpose**

6. The study was carried out to determine whether DSW's regulation of the operations of RHCs is ensuring care and protection of the children under the custody of the RHCs.

### **1.2.2 Audit Questions**

7. The audit team sought to answer the following questions to conclude on the audit objective:

- i. Has DSW ensured that, RHCs are operating legally?
- ii. Does DSW monitoring of activities of operating RHCs lead to adherence to standards?
  - a. Does DSW have the required data on RHCs in operation to enable them monitor their activities effectively?
  - b. Is DSW's monitoring ensuring that the RHCs operate according to set standards?

### **1.2.3 Assessment Criteria**

8. The following assessment criteria were used:

- i. According to the Children's Act, 560 (106) 4 and 5, the Minister shall cause residential homes for children to be inspected by the Department and if the

- home meets the required standard, it is approved by notice published in the Gazette
- ii. The Act further states that, a home shall obtain a license upon approval and payment of approved fees. This provision according to the Act, does not apply to the government homes
  - iii. According to LI 1705, after a license has been issued to a home, the approved residential home shall be inspected quarterly by the Department accompanied by a public health nurse. Notwithstanding, the Department may cause an inspection of an approved residential home at any time without notice
  - iv. The Department of a District Assembly shall monitor homes within its district. (Children's Act, Act 560 (106).

#### **1.2.4 Scope**

9. We examined the licensing, inspecting and reporting activities of DSW in the regulation of RHCs in Ghana from 2008 – 2012. The study was conducted from August 2011 to November 2012.

10. The team selected the Headquarters of DSW in Accra as well as four regional offices in the country (Greater Accra, Western, Ashanti and Northern) for the study. Three of the four regions, that is, Greater Accra, Ashanti and Northern Regions had government homes, whilst Western Region had the lowest number of RHCs and the highest number of closed down cases. Additionally, the four regions together had 93 RHCs, representing 63% of the total identified RHCs in the country.

11. We further examined the operations of 25 selected district offices and 38 RHCs (government and private) in the sampled regions. Attached as Appendix A is the list of Districts sampled by the team.

### **1.3 Methods and Implementation**

12. We used the following methods to collect data to answer the following questions:

- Interviews
- Questionnaire
- Document reviews, and
- Physical inspection.

#### **1.3.1 Interviews**

13. We interviewed key personnel at DSW headquarters, regional and district offices responsible for regulating the operations of RHCs in the country. This was to help the team gather information on the operations of these key personnel as well as gather sufficient evidence for the audit assignment. Appendix B shows the list of personnel the audit team interviewed and the reasons for the interviews. The team also interviewed managers of the RHCs visited to find out the role they play during monitoring and licensing of RHCs.

#### **1.3.2 Documents Review**

14. We reviewed the following documents to understand the activities of DSW in the management of RHCs as well as to gather and corroborate evidence collected:

- Legislative instrument [LI 1705 (2003), Children's Act 560 (1998)]
- Organizational structure
- Annual Reports (2009, 2010)
- Guidelines for operation of orphanages in Ghana
- National Standards for Residential Homes for Orphans and Vulnerable Children in Ghana, 2010
- DSW's Organizational Charter
- List of orphanages operating in the country, and
- District and regional inspection files.

### **1.3.3 Physical Inspection**

15. The team inspected the facilities of four public RHCs out of five in the sampled regions as well as 34 private RHCs in those regions.

16. We sampled 11 private RHCs out of 33 in the Northern Region and 10 out of 28 in the Ashanti Region, 10 out of 25 in the Greater Accra region and three out of seven in the Western Region. The samples were selected such that, it was spread across the entire selected region in order to capture the general situation of the region as a whole. The inspections were done to assess the extent to which RHCs met standards as stipulated in the National Standards for Residential Homes for Orphans and Vulnerable Children in Ghana, 2010.

### **1.3.5 Questionnaire Administration**

17. We administered questionnaires to the four regional Directors of the sampled regions as well as 25 MMDA officers of DSW. We also administered questionnaires to managers of all homes (government and private) visited. This was done to seek their views on management and regulation of RHCs. Samples of the questionnaires are attached as Appendix C.

## **CHAPTER TWO**

### **DESCRIPTION OF THE AUDIT AREA**

#### **2.1 Historical Background**

18. Caring and protecting orphans and vulnerable children can be traced back to the colonial days. Industrialisation, urbanisation and migration contributed to break down in marriages as most men left their wives and children in search of greener pastures, resulting in many children becoming vulnerable and needing care. To ensure that these vulnerable children are cared for and protected, the Government of Ghana established the Department of Social Welfare (DSW) to manage the public RHCs in the country.

19. The first officially recognised government Children's Home (The Children's Home) was established in 1949 at Kaneshie and later moved to Osu (now, Osu Children's Home) in Accra. This was followed by other government children's homes in Kumasi and Tamale. Also, individuals and Non Governmental Organisations (NGOs) operated residential homes to complement the activities of the existing government homes in providing care for these children. By 2000, private RHCs could be found in almost all regions of the country.

#### **2.2 Mandate, Mission and Functions of DSW**

##### **2.2.1 Mandate**

20. DSW is a Department under the Ministry of Employment and Social Welfare and is mandated by Sections 105 – 114, part VI, sub part I of Act 560, (Children Act 1998) and LI 1705 to regulate the operations of children's homes in Ghana.

### **2.2.2 Mission**

21. The DSW exists to promote the delivery of social and development services to vulnerable and excluded individuals, groups and communities in collaboration with other stakeholders.

### **2.2.3 Vision**

22. To take the lead in integrating the disadvantaged, vulnerable and excluded in mainstream development.

### **2.2.4 Functions**

23. The DSW performs several functions related to the regulation of RHCs in the country. These include:

- regulating the activities of RHCs.
- setting and regulating service standards for operating RHCs, and
- inspecting and evaluating the operations of RHCs.

## **2.3 Organisational Structure of DSW**

24. DSW is headed by a National Director who is responsible for all activities of the Department. He is assisted by deputy directors in charge of specific programmes. There are regional directors who also report directly to the National Director. District directors are responsible to their respective regional Directors while the specific programmes also have programme heads in the regions. The organogram is attached as appendix D.

## **2.4 Funding**

25. DSW is funded by direct GoG funds through the Ministry of Employment and Social Welfare (MESW), LEAP allocation (also GoG) and also from the Multilateral Debt Relief Initiative (MDRI), UNICEF and Internally Generated Funds (IGF's). (All amounts are in Ghana Cedis).

**Table 1:** Funding for DSW activities between 2008 and 2012

	Direct GoG	LEAP	UNICEF	IGF's	Total
<b>2008</b>	107, 690	468,516	180,565	7,772	<b>764,543</b>
<b>2009</b>	153, 571	380,048	152,898	8,425	<b>694,942</b>
<b>2010</b>	53,499	780,331	359,742	9,401	<b>1,202,973</b>
<b>2011</b>	68,050	536,897	347,012	8,619	<b>960,578</b>
<b>2012</b>	82,067	639,700	165,771	9,719	<b>897,257</b>
<b>Total</b>	<b>464,877</b>	<b>2,805,492</b>	<b>1,205,988</b>	<b>43,936</b>	<b>4,520,293</b>

*Source: Audit team extraction from DSW financial files.*

26. Table 1 shows the sources of funds for DSW. The only fund available for use for DSW's planned activities is the GoG funds. Funds from GoG in Table 1 exclude salaries and allowances. The Table shows that, the amount of money received by DSW increased by 43% from 2008 to 2009 and dropped by 65% from 2009 to 2010. However, GoG funds allocated to DSW increased by 27% from 2010 to 2011 and 21% from 2011 to 2012.

27. Regional spending at DSW is done at the discretion of the Regional Directors. DSW head office informs their regional offices of monies paid into their accounts. The monies are all paid in the name of the regional director and not tied to any specific intervention or activity such as inspecting or feeding cost for the government homes.

## **2.5 Key Stakeholders**

28. The following stakeholders shown in Table 2 play vital roles in the management of RHCs:



**Table 2:** Key stakeholders and their responsibilities

<b>1</b>	Ministry of Finance and Economic Planning	Responsible for disbursement of GoG funds for the operations of DSW
<b>2.</b>	Ministry of Women and Children's Affair	Mandatory member of the National Inspecting Team responsible for inspecting the activities of the RHCs as well as the welfare of all children
<b>3.</b>	UNICEF	Fund activities relating to the management of orphanages
<b>4.</b>	Ministry of Health	Mandatory member of the National Inspecting Team responsible for inspecting the health standards of the RHCs
<b>5.</b>	Domestic Violence and Victims Support Unit (DOVVSU), Ghana Police Service	Mandatory member of the National Inspecting Team. Law enforcement agents responsible for investigating abuse of children, rescue of abandoned children and provision of police extracts for children being sent into RHCs. They also assist DSW in the closure of RHCs for non-compliance

*Source: DSW files*

## **2.6 System Description**

### **Licensing and Monitoring of RHCs**

#### **Licensing of RHCs**

29. Regulation of the private RHCs differs from that of the public ones because the public homes are directly managed by DSW. DSW's regulation of the private homes begins with the homes applying for license. A prospective RHC operator buys an

application form from DSW and submits the completed application form together with Copies of the Registrar General's certificate, organization's constitution and or bye laws and four completed sets of DSW investigation format for orphanages, to the district office of DSW where the RHC is situated.

30. DSW's District Officers inspect the home and report to the Regional office. The Report sent from the DSW District Office to the Regional Office should contain a recommendation from the District Assembly where the RHC is located. The Regional Office of DSW after studying the report, recommends to the head office whether a license should be issued to the home or not. A programme head at the head office of DSW also studies the report and recommendations and acts accordingly.

31. An issued license is valid for one year after which the RHC has to apply for renewal. To renew the license, the RHC is to submit their annual audited financial report and annual progress report to DSW district office for onward submission to the regional office and then to the head office

**Note:** The processes leading to licensing only applies to the private RHCs.

### **Monitoring of RHCs**

32. DSW sets standards by which the homes are to operate. DSW district offices together with a public health nurse inspect the homes quarterly and on ad hoc basis to ensure that the homes are operating within the set standards. The district office then reports the activities of the homes to head office through the regional office. The regional and national monitoring team of DSW also inspects RHCs on ad hoc basis. Homes that do not meet the set standards are to be closed down by the Department with the support of DOVVSU and the other stakeholders.

## CHAPTER THREE

### FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

#### 3.1 Introduction

33. The Department of Social Welfare (DSW) has been in charge of the management of Government RHCs and regulation of private RHCs since its establishment in 1948. The Department, determined to ensure proper care and protection of orphans and vulnerable children placed in institutions, has introduced the Care Reform Initiative (CRI), which discourages institutionalisation of children in need of care and protection.

34. The team however noted the following two areas in DSW's operations that the lives of these children were at risk:

- DSW has not licensed 96% of RHCs operating in the four sampled regions
- In monitoring the operations of orphanages,
  - DSW does not have the required data on all the sampled homes, and
  - DSW is not able to ensure that their standards are followed by the RHCs.

#### 3.2. DSW has not licensed 96% of RHCs operating in the four sampled regions

35. The Children's Act, Act 560, Section 105, requires a person or an NGO who wants to establish a home for children to apply to the Minister for Employment and Social Welfare who will cause the homes to be inspected by the DSW and if the home meets the required standard, it is approved by notice published in the Gazette. The Act further states that, a home shall obtain a license upon approval and payment of approved fees. Section 114(2) provides that any person who operates a home without licence is liable to a fine or to a term of imprisonment.

36. The inspection and licensing of RHC enables DSW to determine whether the premises is suitable for a home, the management is capable in terms of qualifications and

ability to run the home and also the policy of the home accords with the Children's Act. According to the Guidelines for the Operation of Orphanages in Ghana developed by DSW, all application processes are to start at the district level of DSW where the RHC is located and then the licensing certificate is issued at the head office of DSW by the Director of Social Welfare, if satisfied.

37. The team found through review of files on RHCs that, DSW had compiled records on 85 RHCs operating in the four sampled regions. Of this number, 82 operated without license while the remaining three had their licences expired. The 85 excludes all the four government homes visited by the team during our field visits with DSW officials. The audit team found in Gazette Number 34 the names of three RHCs that had obtained licenses as at March 2010, were published on 14 May 2010.

38. We conducted a survey of 31 unlicensed homes to find out why they operated when they had not been licensed. We found that, 13 homes had Certificate of Incorporation from the Registrar-General's Department and NGO certificate of recognition from DSW. This certificate of recognition is issued by DSW to entities and individuals to operate NGO's and not RHCs. The remaining 18 homes had Certificates of Incorporation from the Registrar-General's Department.

39. In an attempt to find out why the operators did not apply to DSW for approval and licensing, we noted that, 71% (22) of the 31 unlicensed operators (from the sample) did not know they were to obtain license from DSW. In the opinion of the operators, the NGO certificate of recognition was enough mandate for them to operate the RHCs. Ten of the 25 District Officers interviewed also believed the use of the Certificate of Recognition was enough mandate to operate a RHC.

40. In finding out why DSW had not licensed the 82 RHCs, the District and Regional Officers sampled informed the audit team that head office placed a ban on the registration and licensing of RHCs. The officers could neither tell when the ban took effect nor the duration of the ban. The Regional and District Officers could not provide any documentary evidence to support the claim. The explanation given by the officers was that, the ban was issued in a meeting by way of a communiqué. However, head office refuted the claim of a ban placed on licensing.

41. We interviewed DSW District and Regional Officials to find out why they allowed the RHCs to operate without license. They opined that the children under the care of the RHCs would be stranded if the homes were closed down.

42. The lack of formal registration and licensing of all RHCs in the country has led to:

- Loss of revenue from fees that would have been generated from licensing. Had all the 143 privately owned RHCs been licensed, that would have generated GH¢7,150.00 at the current fee of GH¢50.00 and also, further revenue from yearly renewal fees
- Many of the RHCs have not been thoroughly inspected by DSW as required by the Act to determine whether the facilities used at the RHCs and their respective management meet the minimum standards required to operate a home for children. Therefore, Ghanaians are not assured if the children at the RHC are living under good conditions and receiving protection, and
- DSW is unable to effectively detect illegal activities that go on in the homes such as child trafficking and illegal adoption and to take action to curb them.

43. DSW is unable to supervise the activities of RHCs operating without license because these operators do not recognise the authority of DSW.

## **Conclusion**

44. A certificate of recognition issued by DSW to NGOs does not meet the criteria to operate a home for children. DSW has prepared guidelines to help their staff and prospective home operators in the licensing process. The guidelines specify the requirements needed to obtain a licence and a certificate of recognition is not included. Also the Certificate of Incorporation does not entitle any entity to operate a home. It only signifies the birth of a new legal entity.

45. Based on issues such as DSW not ensuring that RHC operators apply for license, operators not knowing that they should acquire a license, perception of a ban on licensing and misconception of NGO certificate as a license on the part of both DSW officers and RHCs, have led to 96% of RHCs operating without license.

46. In effect, DSW is not able to ensure effective supervision of the RHCs as most of the homes they superintend over are not formally registered and recognised.

## **Recommendations**

47. We recommend that:

- DSW should ensure that all RHCs operating without license are made to apply and screened to ensure they meet the requirements
- DSW should carry out periodic educational campaigns to sensitise prospective home operators on the need to obtain proper approval before operating, and
- DSW should train their staff on customer service practices to ensure their staff at the district and regional levels deal effectively with their clients.

## **Management response**

48. DSW noted that, not all residential homes for children are operating legally. In 2006, 148 homes were discovered with at least 4,000 children in these homes. About

80% of these children were from poverty stricken families. According to DSW, these children will have to be reunified with families, if the illegal homes are to be closed down. However, though the homes are not legal, they are under surveillance until the children are reunified with families.

### **3.3 Ineffective monitoring/inspection of RHCs**

#### **3.3.1 DSW does not have the required data on all the sampled homes**

49. RHCs are required by the Guidelines for the Operation of Orphanages in Ghana to prepare annual reports and submit to DSW. In the annual report, the RHCs are to provide the following information:

- Name of home
- Location
- Postal address
- Aims and Objectives
- Number of staff by sex and training
- Number of children admitted during the years by age/sex
- Number of children discharged during the year by age/sex
- Number remaining at close of year, and
- Significant occurrences during the year.

50. The Guideline also requires RHCs to keep records to enable them provide the information needed in the annual report. The books required to be kept at the homes are:

- Admissions and discharges register – to keep accurate data on enrolment, dates of admission of children to the homes and dates of discharge together with reason for discharge
- Log book or daily occurrence book – this is to keep records of happenings each day for analysis and action to resolve any issue

- Personal files on each child – to record all necessary information about each child
- Donation book – record of all incomes accruing to the RHC from donations
- Hospital book – record hospital attendance of every child in the home
- Cost of feeding returns, and
- Visitors' book – shows all people who visit the orphanage.

51. The team reviewed files of the RHCs at the district offices of DSW and interviewed 25 DSW district officers in the sampled regions to find out the data they had collated on the RHCs in their districts. We noted from the file review that, 11 districts had data on the names of the homes, their locations and contacts. In addition to the data the 11 districts had, one district had data on the number of children in the homes and status of the children. According to DSW officers in the sampled districts, some of these homes began operations before DSW got to know of their existence through informants in the communities. Sometimes, a home may begin as NGOs and switch into running RHCs without the knowledge of DSW.

52. At the regional level, the team requested for data containing the names of all homes under their jurisdiction with their contact numbers and locations, number of children in the homes, dates of admission, number of discharges (if any) and progress reports on the homes on all RHCs operating in the sampled regions. Although the regional offices of DSW provided the team with a list of RHCs in their respective regions, the information was short of relevant data like the number of children in each home. There was also no progress report on any of the homes. According to the DSW officials interviewed, the reason for not having complete data on the homes was that, the homes did not provide them with the information. From probing, the DSW officers said they requested the data from the operators verbally, but the managers of the RHCs did not respond.



53. We also enquired from DSW whether the qualifications of managers of the homes meet their expectations and were capable of providing the details required. DSW responded they do not have such details on the managers of the homes. Our interviews with managers of the sampled homes revealed that they were not aware that they should submit this data on the number of children in each home to DSW, although the Guidelines required them to do so.

54. DSW's lack of complete data on the homes has resulted in their inability to plan for all the RHCs and execute the monitoring function efficiently. They are also unable to account for all children in the homes within a particular year as well as significant occurrences during a particular year. For instance, the team found during the audit in Ashanti Region that, in eight of the 10 private homes the team visited, a total of 23 children could not be accounted for in 2011. Through review of files on the children in these homes, we found that some of the names in the home's register did not tally with other records such as health insurance cards. On further questioning of the home managers by the team, they said the children had been re-united with their families. DSW could not confirm whether these children have truly re-united with their families because they got the information during our audit.

55. Also in the West Mamprusi District of the Northern Region, the audit team together with the DSW officials discovered during an inspection that, a child had been given to a foreigner without DSWs knowledge.

## **Conclusion**

56. DSW is not able to track progress of the RHCs as well as the wellbeing of the children in the RHCs. Although the Guideline for the Operation of Orphanages in Ghana requires the RHCs to provide DSW with data, the homes do not adhere to it. DSW has not compiled data on the managers of homes to enable them assess their competency in

managing homes. This in the view of the audit team is because DSW has no measure in place to collect these data from the homes when the home is not licensed. The homes on the other hand do not see the need to provide these data.

57. Thus DSW is unable to review progress reports and recommend corrective actions where there have been infractions of the guidelines. DSW cannot tell if the children placed in the care of the RHC operators are really in their care or not.

### **Recommendations**

58. We recommend that DSW should:

- assess the capabilities of management staff of the RHCs to ensure they are managed by people with the necessary skills and experience who can provide DSW with the necessary information required for monitoring the RHCs
- educate all identified homes on the need to provide relevant data on the homes and children to them, and
- identify a period within the year when the annual progress report should be submitted by the RHCs and prompt the RHCs prior to the period of their obligation to provide the report.

### **Management response**

59. DSW agreed with the findings but indicated during the exit meeting that they have initiated the process to collect data concerning all children in these homes.

### **3.3.2 DSW is not inspecting to ensure that RHCs operate within standards**

60. According to LI 1705, Section 45 (2) and (3), after a license has been issued to a home, the approved residential home shall be inspected quarterly by the Department accompanied by a public health nurse. Notwithstanding, the Department may cause an inspection of an approved residential home at any time without notice. Moreover,

according to the Children's Act, Act 560 (106), the Department of a District Assembly shall monitor homes within its district.

61. Inspection is conducted by DSW to ensure that the operating standards set by the department are followed by all operating RHCs. It is also to help DSW check the health status of the children in the RHCs as well as progress of the RHCs.

62. DSW officers in all the districts we visited confirmed through interviews that, they are responsible for inspecting and reporting on the activities of the homes within their districts to the regional office of DSW. The team requested from the DSW districts, inspecting files to review yearly inspection plans, quarterly inspection reports and annual inspection reports to ascertain the frequency of their visits and the quality of reports they send to their regional offices.

63. However, the team found through the review of district inspecting files that, 17 out of 25 officers did not have activity plans detailing how often inspecting of RHCs was to be done. The remaining had activity plans with programmes such as disbursement of funds and inspection of LEAP beneficiaries, public education on community care and child protection, education on child abuse and domestic violence, other than inspecting or supervision of the RHCs.

64. The district officers explained that, they used to prepare activity and work plans but these activity plans were always not implemented due to lack of funds, therefore they stopped preparing the plans. The team was informed by the officers that, their visits to the homes were more ad hoc than quarterly. This according to the DSW officials was because they lacked the needed manpower at the district level to undertake periodic inspections. A district office according to them should have at least four officers; a

district officer and three programme officers but we found a maximum of two officers in the districts the team visited.

65. The officers complained of the workload on them. According to them, they were responsible for activities such as providing services to the disabled, LEAP support distribution, settling family issues, inspecting RHCs and day care centres and attending court cases on behalf of the department.

66. The audit team found through review of inspection files that, the few times DSW officials inspected the activities of the RHCs, they were not accompanied by public health officers. The officials were not able to provide the team proof of their inspection with public health officials. The homes insisted that, on no account of inspection had a public health nurse accompanied DSW.

67. Officials of DSW at the district and regional offices explained that, when they go on inspections, they check the health status of the children as well as the general health and safety conditions in the home while admitting that, a health professional on the team for inspection would have been the best alternative.

68. During our inspection of the sampled homes, we tested the level of compliance of the homes to the National Standards. In health standards, RHCs should have a visiting doctor, a full time nurse and first aid. During the inspection of the 34 sampled RHCs, we found that 13 had visiting doctors, five had full time nurses and 26 had first aid. However, two out of the 26 RHCs had their drugs infested with insects whereas one RHC had all of its drugs expired. The Standard also specifies that each home should have an infirmary or sick bay. Out of 34 homes visited, 28 had been operating without an infirmary or sick bay.

69. We found in the Western Region where a single case of chicken pox spread to all children in the home as well as the care givers and the manager. Information gathered by the team through interviews indicated that, because the home did not have an infirmary, it could not isolate the child, the disease spreading throughout the home as a result.

70. Also, in the area of caring, we found that, out of the 34 private homes visited by the team, 17 homes had caregiver to child ratios far beyond the approved standard. The National Standards for Residential Homes for Orphans and Vulnerable Children in Ghana published in 2010 recommends a ratio of seven or less children to a caregiver to create a family environment for the children to grow and develop in.

71. The team found that, contrary to the standards, these 17 homes had caregiver to child ratios between 11 – 30 children per caregiver. With situations of such nature, there is a risk to supervision of the children and the inability to create the family environment as prescribed by the national standards.

## **Conclusion**

72. DSW has developed the “National standards for residential Homes for Orphans and Vulnerable children in Ghana” to guide them monitor the homes in compliance to the standards, but our audit showed RHCs largely do not meet the standards. DSW district officers do not monitor quarterly the activities of the RHCs to ensure that operating standards are followed.

73. In the team’s opinion, officials of DSW do not acknowledge the importance of inspecting the RHCs with health workers. DSW officers also do not plan for the inspection of RHCs as they do not make provisions for the RHCs in their activity plans. Again, DSW does not have the required number of staff at the districts to do inspection.

## **Recommendations**

74. We recommend that:

- DSW should ensure and insist that their district and regional officers prepare work plans, implement and report on their activities
- DSW should request for all reports due them from the RHCs and sanction RHCs who fail to submit their reports, and
- DSW should assess its staff strength in the districts vis a vis the number of RHCs in the districts with a view of achieving equitable distribution of RHCs among district staff. Where additional human resources are required, DSW should appeal to the National Service Secretariat to post graduates of the School of Social Work to DSW at the various district levels to compliment the staff strength and, by so doing, assist their staff in carrying out inspection of RHCs.

## **Management response**

75. DSW partially agreed with the finding noting that, as a result of their monitoring, RHCs have stopped admitting children as was the practice that we saw at the time of the audit and children are reunited with their families. DSW added that, maintaining standards is very expensive as there has to be changes in infrastructure, staffing, documentation and so on which is a gradual process.

76. DSW indicated that monitoring was carried out by the national monitoring team between the last quarter of 2012 and the first quarter of 2013. This has led to 45 homes either folding up or closed down due to their inability to meet DSW standards.

## **Overall Conclusion**

77. DSW's regulation of RHCs to ensure the care and protection of children within the homes has largely not been achieved. They have not licensed all the homes, kept the required data on their operations as well as the children in the homes and monitor the homes to ensure that they adhere to minimum standards for their operation.

## Appendix A

### List of sampled regions, districts and RHCs

No.	Sampled Region	Sampled MMDAs	RHCs
1	Greater Accra	<ul style="list-style-type: none"> <li>• AMA</li> <li>• Ga East</li> <li>• Ga West</li> <li>• Ga South</li> <li>• Dangme East</li> <li>• Dangme West</li> <li>• Adenta</li> <li>• Ledzokuku Krowor</li> <li>• Ashaiman</li> <li>• Tema</li> </ul>	<ul style="list-style-type: none"> <li>• Osu Childrens Home</li> <li>• New life orphanage home</li> <li>• Kinder paradise</li> <li>• Heart of the fathers</li> <li>• Chance for children</li> <li>• Haven of hope</li> <li>• Agape missions</li> <li>• Orphanaid Africa</li> <li>• Handi vangelism</li> <li>• Save them young</li> <li>• Teshie orphanage</li> </ul>
2	Western	<ul style="list-style-type: none"> <li>• Ahanta West</li> <li>• STMA</li> <li>• Amenfi west</li> <li>• Nzema East</li> <li>• Wassa West</li> </ul>	<ul style="list-style-type: none"> <li>• Egyam orphanage home</li> <li>• Fathers home care ministries</li> <li>• Angels of hope</li> </ul>
3	Northern	<ul style="list-style-type: none"> <li>• Tamale Metropolitan</li> <li>• West Mamprusi</li> <li>• West Gonja</li> </ul>	<ul style="list-style-type: none"> <li>• Tamale Children's Home</li> <li>• Anfaani motherless babies home</li> <li>• Mercy childrens home</li> <li>• Kpawomo chlidrens home</li> <li>• Nasia childrens home</li> <li>• Nabari Child care home</li> <li>• Wuntoma orphanage foundation missions</li> <li>• Silinga child care home</li> <li>• Guabuliga orphanage</li> <li>• Redemption childrens home</li> <li>• Tinguri Miracle life orphanage</li> </ul>



			<ul style="list-style-type: none"> <li>• New life orphanage home</li> </ul>
4	Ashanti	<ul style="list-style-type: none"> <li>• Kumasi Metro</li> <li>• Obuasi</li> <li>• Adansi North</li> <li>• Bekwai</li> <li>• Bosomtwi</li> <li>• Mampong</li> <li>• Kwabre</li> </ul>	<ul style="list-style-type: none"> <li>• Kumasi Children's Home</li> <li>• Mampong Babies Home</li> <li>• Hamashia Aldersgate Residential home</li> <li>• Columbus home</li> <li>• Nana Deborah</li> <li>• Missionaries of Mercy</li> <li>• Adullam children's home</li> <li>• Remar</li> <li>• Cherubs home</li> <li>• Save our lives</li> <li>• Patmos childrens' home</li> <li>• Grace and hope foundation</li> </ul>
5	Central		<ul style="list-style-type: none"> <li>• Royal seed</li> <li>• Good shepherd</li> <li>• Bojwasi orphanage</li> </ul>

**List of persons interviewed**

<b>Key personnel</b>	<b>Reasons for interviewing</b>
Regional Accountants	To find out the income and expenditure patterns of their regions over the audit period, their sources of funds and challenges with funding.
Budget officer	To find out what goes into budgeting of DSW's activities
Deputy Director, Community Care programme	To find out how the programme manages and regulates the public and private RHCs respectively, to find out the requirement for licensing as well as the status of all the RHCs in the country.
Deputy Director, child rights promotion and protection	To find out how child right issues are handled in the department and how related they are to the Community Care programme in the management of RHCs
Deputy Director, NGO desk	To find out requirement for NGO registration and their relations with community care programme in the management of RHCs.
Regional and District directors	To find out their role in regulation of private RHCs and in the management of public RHCs.
Managers of private homes (see table 4)	To find out the performance of DSW as far as monitoring of the private RHCs was concerned.

### Questions for managers of Residential Homes for Children (RHCS)

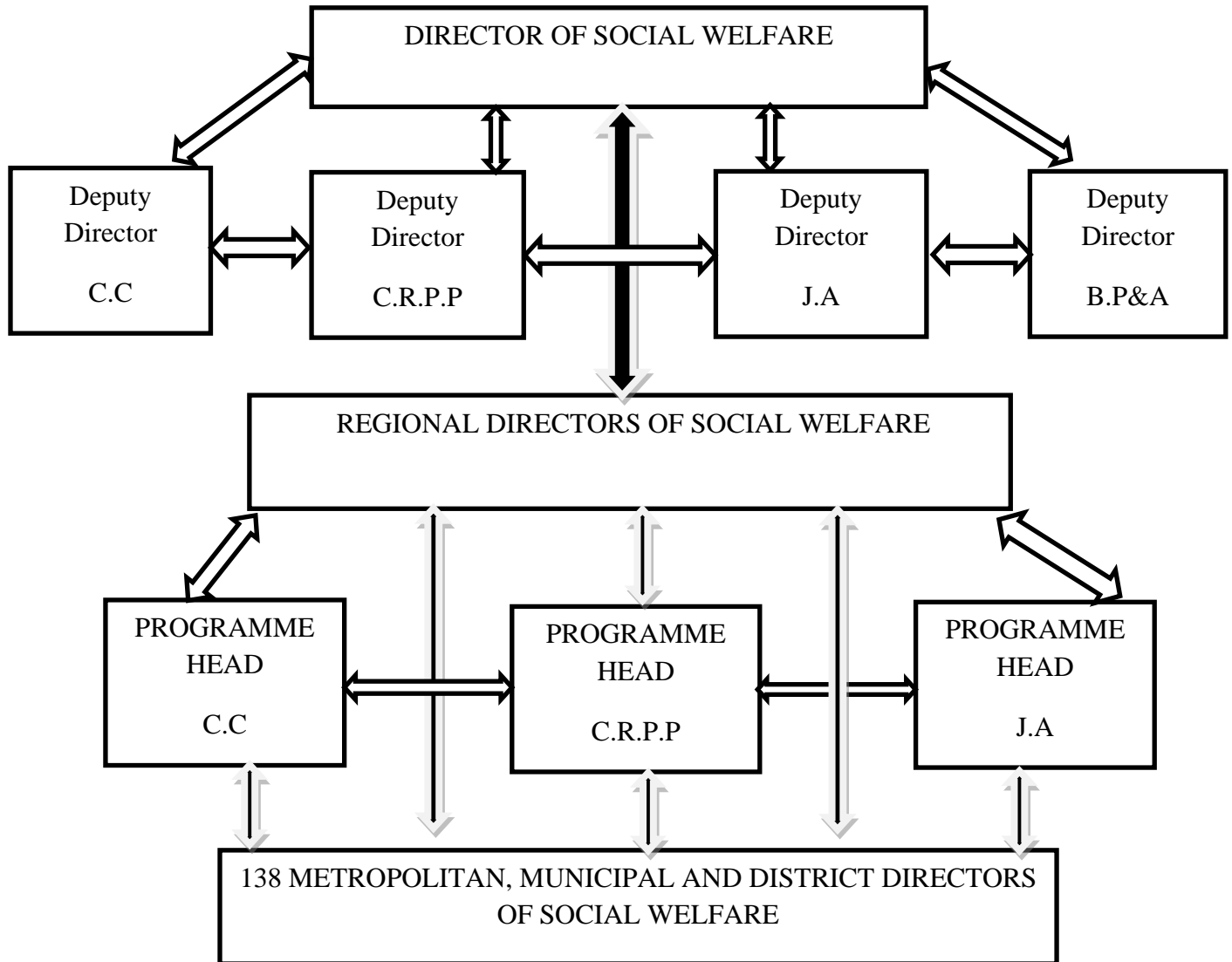
1. How long have you been operating as an RHCs?
2. Is your RHCs licensed?   **Yes** [ ]/**No** [ ]
  - a. If no, why?
  - b. If yes, when did you apply for the license?
  - c. What date did you obtain the license to operate? (please add copy of your license)
  - d. What is the last date of renewal?
3. Do you have guidelines by which you carry out your operations?   **Yes** [ ]/**No** [ ]
  - a. If yes, are the guidelines from DSW                                 **Yes** [ ]/**No** [ ]
  - b. If no, by what means do you carry out your operations
4. Are your operations monitored by the DSW?   **Yes** [ ]/**No** [ ]
5. How often are your operations monitored by DSW  
**Monthly** [ ]   **Quarterly** [ ]   **Semi Annually** [ ]   **Annually** [ ]  
**Others (please specify).....**
6. How often do you report on your operations to DSW?  
**Monthly** [ ]   **Quarterly** [ ]   **Semi Annually** [ ]   **Annually** [ ]  
**Others (please specify).....**
7. Do you receive feedback on your operations from DSW?   **Yes** [ ]/**No** [ ]
  - a. How often do you receive feedback?  
**Monthly** [ ]   **Quarterly** [ ]   **Semi Annually** [ ]   **Annually** [ ]  
**Others (please specify).....**
8. What role does DSW play in your day to day activities?
9. What are the challenges you face with DSW?
10. In what ways do you expect DSW to assist in the management of RHCs?
11. What are the challenges you face in your operations?
12. What recommendations would you propose to remedy the situation?

**Questions for DSW District /Regional officers**

1. Have you been able to identify all RHCs in your district? YES /NO
2. How many RHCs were you able to identify in your district in the following years?  
2007 (    ); 2008 (    ); 2009 (    ); 2010 (    ); 2011 (    )
3. How do you identify new RHCs?
4. What are the challenges you face in identifying new RHCs?
5. How many RHCs are in your district?
6. Did you inspect the RHCs facilities before they began operations? YES / NO
  - a. If no, why?
  - b. If yes, attach evidence of inspections carried out.
7. Have all the RHCs in your district applied for licenses? Yes / No
8. If no, how many have applied?
9. List the RHCs that have received license to operate?
10. Why are the others not licensed?
11. What steps are being taken to license the unlicensed ones?
12. Do you monitor the operations of both the licensed and unlicensed RHCs?  
Yes [    ]/ No [    ]
  - a. If no, which one(s) don't you monitor and why?

13. How do you monitor the activities of RHCs under your jurisdiction?
- a. How often is monitoring done?
- ☐ **Daily**                      ☐ **Weekly**                      ☐ **Monthly**                      ☐ **Quarterly**
- ☐ **Others** **Please specify**
14. Why are the unlicensed RHCs in operation?
15. How many have been closed down in the last five years?
16. What are the challenges you face in carrying out your monitoring activities?
17. Do you write monitoring reports?
18. Do you give the RHCs copies of the monitoring reports? **Yes** ☐ / **No** ☐
19. Who do you report to?
20. What reports are you required to issue apart from monitoring reports?
21. How often are you supposed to report on your general activities?
22. How often do you report on your general activities?
23. Do you receive feedback on your reports?
- a. How is feedback taken on board?
24. What are your sources of funds?
- a. How are the funds used?
25. Do you raise Internally Generated Funds? **Yes** ☐ / **No** ☐
- a. If yes, what are the sources?
- b. How is the IGF treated?
26. Any recommendations in your opinion that can help resolve some of the challenges?

**Organizational structure of DSW**



**LEGEND**

CC	-	COMMUNITY CARE
CRPP	-	CHILD RIGHTS PROMOTION AND PROTECTION
J.A	-	JUSTICE ADMINISTRATION
BP&A	-	BUDGET PLANNING AND ADMINISTRATION.

## Appendix E

### Response on the management of Residential Homes for Children (Orphanages) by the Department of Social Welfare

Audit finding	Audit recommendation	DSW response	Auditor's remarks
<b>Para 40 - 42</b> <b>DSW has not licensed 96% of RHCs operating in the four sampled regions</b>	<ul style="list-style-type: none"> <li>• DSW should ensure that all RHCs operating without license are made to apply and screened to ensure they meet the requirements.</li> <li>• DSW should carry out periodic educational campaigns to sensitize prospective home operators on the need to obtain proper approval before operating.</li> <li>• DSW should train their staff on customer service practices to ensure their staff at the district and regional levels deal effectively with their clients.</li> </ul>	<p>Not all residential homes for children are operating legally. Though they are not legal, they are under surveillance until the children are reunified with families.</p> <p>These homes are being supervised and have received training in child development so as to be able to handle the children better until they are reunified.</p>	<p>DSW agrees with the finding.</p>
<b>Para 52 - 55</b> <b>DSW does not have the required data on all the sampled homes</b>	<ul style="list-style-type: none"> <li>• DSW should assess the capabilities of management staff of the RHCs to ensure they are managed by people with the</li> </ul>	<p>DSW has data on all Residential homes in the Regions. However, occasionally, a home may be discovered in a remote village but because of sensitization</p>	<p>DSW has not addressed the entire issue of this finding.</p>

	<p>necessary skills and experience who can provide DSW with the necessary information required for monitoring the RHCs.</p> <ul style="list-style-type: none"> <li>• DSW should educate all identified homes on the need to provide relevant data on the homes and children to them.</li> <li>• DSW should identify a period within the year when the annual progress report should be submitted by the RHCs and prompt the RHCs prior to the period of their obligation to provide the report.</li> </ul>	<p>programs, eventually someone reports to DSW for follow up.</p>	
<p><b>Para 67 - 76</b></p> <p><b>DSW is not inspecting to ensure that RHCs operate within standards.</b></p>	<ul style="list-style-type: none"> <li>• DSW should ensure and insist that their district and regional officers prepare work plans, implement and report on their activities.</li> </ul>	<p>DSW agreed to an extent with the finding. As a result of monitoring RHC do not go round admitting children as was the practice earlier on.</p>	<p>DSW agrees with the finding and comments on how their activities have improved.</p>



	<ul style="list-style-type: none"> <li>• DSW should request for all reports due them from the RHCs and sanction RHCs who fail to submit their reports.</li> <li>• DSW should study their staff strength in the districts vis a vis the number of RHCs in the districts with a view of achieving equitable distribution of RHCs among district staff. Where additional human resources are required, DSW should appeal to the National Service Secretariat to post graduates of the School of Social Work to DSW at the various district levels to compliment the staff strength and by so doing, assist their staff in carrying out inspection of RHCs.</li> </ul>	<p>Maintaining standards is very expensive as there has to be changes in infrastructure, staff, and documentation and so on, so it is a gradual process.</p>	<p>They also talk about maintaining standards being expensive – An excuse for the homes not to maintain the standards set for them but continue to operate.</p>
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# **Mission Statement**

The Ghana Audit Service exists

## **To promote**

good governance in the areas of transparency,  
accountability and probity in the public financial  
management system of Ghana

## **By auditing**

to recognized international auditing standards the  
management of public resources

## **And**

reporting to Parliament