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PERFORMANCE AUDIT REPORT OF THE AUDITOR-GENERAL

ON THE PROVISION OF ADOPTION SERVICES BY CENTRAL ADOPTION AUTHORITY AND DEPARTMENT OF SOCIAL WELFARE
This report has been prepared in compliance with Article 187(2) of the 1992 Constitution of Ghana and Section 13(e) of the Audit Service Act, 2000 (Act 584) for submission to Parliament in accordance with Section 20 of the Act.

Johnson Akuamoah Asiedu
Acting Auditor-General
Ghana Audit Service
10 June, 2021

The study team comprised:
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**TRANSMITTAL LETTER**

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10 June 2021

Dear Rt. Hon. Speaker,

**PERFORMANCE AUDIT REPORT OF THE AUDITOR-GENERAL ON PROVISION OF ADOPTION SERVICES: CENTRAL ADOPTION AUTHORITY AND DEPARTMENT OF SOCIAL WELFARE**

I have the honour, in accordance with Article 187(2) of the 1992 Constitution of Ghana, Sections 13(e) and 16 of the Audit Service Act, 2000 (Act 584) to submit to you a performance audit report on the provision of adoption services.

2. I commissioned the audit to determine whether CAA and DSW have put in place measures and ensured that eligible and suitable applicants were matched with children, trained, monitored and counselled for the successful care and protection of children placed in adoption. We carried out the audit between July and December 2020.

3. We carried out the audit at the Central Adoption Authority, National DSW (Headquarters, Accra) and four regional DSW offices covering the period 2017 to 2020.

4. We reviewed documents and conducted interviews of officials of CAA and DSW to gather evidence to support our observations.

5. We found that although CAA ensured only eligible and suitable applicants were matched with adopted children, there were delays in the adoption process that were caused by challenges of budgeting, poor records management, and lack of supervision.
6. CAA and DSW as we observed, did not collaborate to ensure that adoption applications were processed within the stipulated time neither did CAA build capacity of their officers in the adoption processes after the amendment of the Children’s Act to equip them with the needed information and skills in adoption.

7. We also noted that DSW needed to plan, budget and develop a training manual. However, that was not done, and as such did not train PAPs to enable them provide adopted children with the needed care.

8. Also, post adoption monitoring was not done on adopted children during the period under review.

9. We concluded that although the Central Adoption Authority (CAA) had in place measures to ensure that eligible and suitable applicants were matched with children, the absence of collaborated efforts between CAA and DSW did not guarantee the wellbeing of adopted children.

10. I have made recommendations to CAA and DSW to assign timelines to their activities to ensure that they both meet the six-week duration specified by the law, prioritise capacity-building programmes and allocate funds annually for its implementation as well as collaborate with National DSW to plan annual training workshops to build the capacity of its staff across the regions.

11. I also recommended for the development of a training manual for PAPs as soon as practicable and subsequently train PAPs whose applications have been cleared to adopt children.

Yours faithfully,

[Signature]

JOHNSON AKUAMOAH ASIEDU
ACTING AUDITOR-GENERAL

THE RT. HON. SPEAKER
OFFICE OF PARLIAMENT
PARLIAMENT HOUSE
ACCRA
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<tr>
<td>AGD</td>
<td>Attorney General’s Department</td>
</tr>
<tr>
<td>CAA</td>
<td>Central Adoption Authority</td>
</tr>
<tr>
<td>CRI</td>
<td>Care Reform Initiative</td>
</tr>
<tr>
<td>CID</td>
<td>Criminal Investigations Department</td>
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<td>DoC</td>
<td>Department of Children</td>
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<td>Department of Social Welfare</td>
</tr>
<tr>
<td>DOCF</td>
<td>Displaced Children and Orphans Fund</td>
</tr>
<tr>
<td>DOVSU</td>
<td>Domestic Violence and Victim Support Unit</td>
</tr>
<tr>
<td>EI</td>
<td>Executive Instrument</td>
</tr>
<tr>
<td>GNA</td>
<td>Ghana News Agency</td>
</tr>
<tr>
<td>GWO</td>
<td>Ghana Without Orphans</td>
</tr>
<tr>
<td>HSR</td>
<td>Home Study Report</td>
</tr>
<tr>
<td>ISS</td>
<td>International Social Service</td>
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<td>INTOSAI</td>
<td>International Organization of Supreme Audit Institutions</td>
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<tr>
<td>JS</td>
<td>Judicial Service</td>
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<tr>
<td>LI</td>
<td>Legislative Instrument</td>
</tr>
<tr>
<td>MOGCSP</td>
<td>Ministry of Gender, Children and Special Protection</td>
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<tr>
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<td>Ministry of Justice</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
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<td>Prospective Adoptive Parent</td>
</tr>
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<td>RGD</td>
<td>Registrar-General’s Department</td>
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<tr>
<td>RHC</td>
<td>Residential Homes for Children</td>
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<tr>
<td>TWG</td>
<td>Technical Working Group</td>
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<tr>
<td>UNICEF</td>
<td>United Nations Children’ Fund</td>
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<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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EXECUTIVE SUMMARY

Background

12. Adoption is the process of legally taking another person’s child and bringing it up as your own where all rights and responsibilities from the biological parents are permanently transferred to the adoptive parents. Adoption provides a home for children in need of care and love because they are either abandoned, orphaned or voluntarily given up for adoption by their biological parents due to poverty.

13. Government in 2007 established the Care Reforms Initiative (CRI) which gave children in need of care and love the opportunity to be fostered or adopted to provide better care for these vulnerable children when their birth parents are unable to do so. At the end of 2016 there were approximately 2,900 Ghanaian children in 95 residential homes for children (RHCs) with approximately 85 percent of them having at least one living parent.

14. As a result, in 2016, the Government set up the Central Adoption Authority (CAA) under the Children’s (Amendment) Act, 2016, (Act 937) to provide for the conduct of all adoptions in the country, ensure better protection for children deprived of parental care and ensuring that adoption takes place in the best interest of the child and with respect for their fundamental rights.

15. The role of DSW under the Children’s (Amendment) Act, 2016, (Act 937) is to receive adoption applications, conduct Home Study on prospective adoptive parents and submit a Home Study Report together with the complete applications to the Central Adoption Authority (CAA).

Purpose of the Audit

16. The audit was carried out to determine whether CAA and DSW have put in place measures and ensured that eligible and suitable applicants were matched with children, trained, monitored and counselled for the successful care and protection of children placed in adoption.

The objectives of the audit were to determine whether:

i. CAA identified eligible and suitable applicants and matched them with children.

ii. CAA built capacity of schedule officers in the adoption process.
iii. DSW provided adequate and timely training for Prospective Adoptive Parents (PAPs) before CAA carried out placement of children; and

iv. DSW carried out monitoring and counselling for adoptive families for the required number of years.

Audit Methodology

17. In conducting the audit, we gathered information from CAA and DSW on all activities related to the provision of adoption services to ascertain whether eligible and suitable applicants were matched with children, trained, monitored and counselled. The auditee response to our observations and recommendations are part of this report.

Key Findings and Recommendations:

i. CAA delayed in the processing and clearance of adoption applications.

ii. CAA did not build capacity of schedule officers to improve their functional roles in the adoption process.

iii. DSW did not train in-country PAPs before placement.

iv. DSW did not carry out Post Adoption Monitoring and Counselling

CAA delayed the processing and clearance of adoption applications

18. Although CAA ensured that only eligible and suitable applicants were matched with adopted children, there were delays in the adoption process that were caused by challenges of budgeting, poor records management, and lack of supervision. CAA and DSW did not collaborate to ensure that adoption applications were processed within the stipulated time.

We recommended that:

i. CAA and DSW should collaborate to assign timelines to their activities to ensure that they both meet the six-week duration specified by the law.
ii. DSW should ensure proper storage of adoption records in their custody by creating and keeping soft copies of adoption applications.

iii. DSW should email soft copies of completed applications to CAA to prevent loss of documents.

iv. DSW should plan and budget for adoption services to fund the home studies and other associated cost.

v. MoGCSP should expedite work on the release of the GHC102,859.41 by the Ministry of Finance for the operations of the CAA to facilitate adoptions services and other related costs.

**CAA did not build capacity of schedule officers to improve their functional roles in the adoption process**

19. CAA did not build capacity of all officers in the adoption processes after the amendment of the Children’s Act to equip them with the needed information and skills in adoption because CAA did not plan and budget for capacity building.

**We recommended that;**

i. CAA should prioritise capacity-building programmes and allocate funds annually for its implementation.

ii. CAA should collaborate with National DSW to plan annual training workshops to build the capacity of its staff across the Regions.

**DSW did not train in-country PAPs before placement**

20. DSW did not plan, budget and develop a training manual as such, it did not train PAPs to enable them provide adopted children with the needed care.

**Recommendations**

21. We recommended that the National DSW should develop the training manual for PAPs by end of July 2021 and subsequently train PAPs whose applications have been cleared to adopt children.
DSW did not carry out Post Adoption Monitoring and Counselling

22. DSW did not plan and budget to carry out post adoption monitoring as such, it did not monitor adopted children during the period under review.

Recommendation

23. We recommended that DSW should allocate the needed resources for post adoption monitoring and develop a monitoring schedule which will assign personnel to locations of adoptive families.

Overall Conclusion

24. Although the Central Adoption Authority (CAA) put in place measures to ensure that eligible and suitable applicants were matched with children, the absence of collaborated efforts between CAA and DSW led to delays in the adoption process, absence of training, monitoring and counselling of adoptive parents and children.
CHAPTER ONE

Introduction

25. Adoption is a socio-legal procedure, which transfers the parental responsibilities from the biological parents to adoptive parents. It can also be described as a way of providing a child who needs a family with a new family. There are two types of adoptions practiced in Ghana; Relative Adoption, where the applicant and child have filiation through blood, adoption or marriage, and Non-Relative Adoption, where the applicant and child have no filiation.

26. Adoptions can be done in-country or inter-country. In-country adoptions allow Ghanaian individuals or couples to become legal and permanent parent(s) of a child who has been declared adoptable, whilst Inter country adoption allows Ghanaian children to be internationally adopted. Adoptions cannot be reversed once the adoption order has been granted in court, except in very rare circumstances.

27. In the Ghanaian culture, the extended family plays an influential role in children’s lives and is actively involved in the care and socialisation of children, stepping in to provide care and support when biological parents are unable to do so. Research\(^1\) has found that the extended family network is weakening in some parts of the country due to poverty, migration, and family breakdown. In the absence of the family care, residential care was the main alternative care placement option for children in need of care and protection.

28. According to USAID, at the end of 2016, there were approximately 2,900 Ghanaian children in 95 residential homes for children (RHCs) with approximately 85 percent of them having at least one living parent. This necessitated the introduction of the Care Reform Initiatives by the Government of Ghana in partnership with UNICEF, USAID, and the Non-Governmental Organisation (NGO) OrphanAid Africa to establish a more consistent and stable approach to care for vulnerable children in Ghana. One objective of the care reform is to provide alternatives to residential homes, through adoption or foster care. The Children’s Act was therefore amended to make further provisions in respect of foster care and adoption.

29. According to the Executive Secretary of the Central Adoption Authority (CAA), adoption is now easier than before under the amended Act and Ghana is now able to track and monitor any child that leaves Ghana through adoption. He also mentioned that initially, adoptions were done at the High

Court\textsuperscript{2} at the National level, but now it is also done at the regional level, at the lower courts.

30. Since the establishment of the reforms however, there have been challenges, such as limited capacity of the Department of Social Welfare (DSW) at all levels; limited financial resources to implement reforms; weak legal enforcement of reintegration procedures; and lack of an effective monitoring and evaluation (M&E) system.

31. The Auditor-General in line with Section 13(e) of the Audit Service Act, 2000 (Act 584), commissioned this performance audit on provision of adoption services by CAA and DSW. The audit was preceded by a pre-study on the activities of CAA and DSW in order to identify the risk areas in adoption in Ghana. In line with INTOSAI standards for carrying out performance audit, the Auditor General has approved for an indebt audit into the provision of adoption services by the two entities.

\textbf{Audit standards}

32. The INTOSAI standards require that the audit is planned and performed in order to obtain sufficient and appropriate evidence to provide a reasonable basis for the findings and conclusions based on audit objectives. It is believed that according to the audit objectives, the evidence obtained provides a reasonable basis for the findings and conclusions reached.

\textbf{Purpose of the Audit}

33. To determine whether CAA and DSW have put in place measures and ensured that eligible and suitable applicants were matched with children, trained, monitored and counselled for the successful care and protection of children placed in adoption.

\textbf{Objectives of the audit}

34. The objectives are to determine whether;

\begin{enumerate}
\item CAA identified eligible and suitable applicants and matched them with children.
\end{enumerate}

ii. CAA built capacity of schedule officers in the adoption process.

iii. DSW provided adequate and timely training for Prospective Adoptive Parents (PAPs) before CAA carried out placement of children; and

iv. DSW carried out monitoring and counselling for adoptive families for the required number of years.

Audit Scope

35. Our audit was carried out at the Central Adoption Authority, National DSW (Headquarters, Accra) and four regional DSW offices in Accra, Kumasi, Koforidua and Ho covering the period 2017 to 2020.

36. The Regions selected account for approximately 86% of the sample of 93 in-country adoption applications reviewed by the team at CAA for the audit period. The distribution is: Greater Accra Region, (54.8%), Ashanti Region (24.6%), Central Region (6.5%), Western Region (6.5%), Eastern Region (5.4%), Upper East and Volta Regions (1.1%) each, Brong Ahafo (0%), Northern Region (0%), and Upper West Region (0%).

Methods and Implementation

Interviews

37. We interviewed key persons of CAA, National DSW and Regional DSW in all four regions. The interviews were held to clarify the processes of adoption, identify the causes of setbacks within the adoption processes to conclude on the audit objective and make recommendations to improve the adoption process. Appendix A has the details.

Document Reviews

38. We reviewed documents from CAA and DSW to gather information on all activities related to provision of adoption services and to track the process of applications from the time applicants submitted their completed applications to DSW up to when CAA cleared the applications. Details of each document reviewed and why we reviewed them can be found in Appendix B.
Focus Group Discussion

39. We held a focus group discussion with representatives of the MoGCSP, Technical Committee, National DSW and CAA. The discussion was held to corroborate information gathered on the role of identified groups in the adoption process and their impact on the audit problem. List of persons in the focus group discussion is attached as Appendix C.

Limitation of Scope

40. We did not interview adoptive parents or adopted children as Section 86 C (2) of the Adoption Regulations, 2018 forbids individuals or community members from informing adopted children of their status. For this reason, the team was unable to corroborate any information gathered at CAA and DSW concerning adoptive parents during the audit.
CHAPTER TWO

Historical Background

41. To provide a well-regulated alternative care for children in need of care and protection in Ghana, the Government set up a Technical Working Group (TWG) in 2010 with representatives from the Department of Social Welfare (DSW), the Department of Children (DoC), Ministry of Justice (MJ) and Attorney General’s Department (AGD), Judicial Service (JS), and other key stakeholders. The TWG recommended that Ghana needed to accede to the Hague Convention (1993) on Protection of children and cooperation in respect of Inter-country adoption.

42. The TWG which was also supported by United Nations International Children’s Emergency Fund (UNICEF) and the International Social Service (ISS), proposed amendments to the Children’s Act, 1998 (Act 560). The TWG also recommended to set up a Central Authority on adoption, to be responsible among other things for processing all inter-country adoptions in Ghana.

43. In 2016, the Government set up the Central Adoption Authority under the Children’s (Amendment) Act, 2016, (Act 937) to provide for the conduct of all adoptions in the country, ensure better protection for children deprived of parental care and comply with the requirements of the 1993 Hague convention, which requires that adoption takes place in the best interest of the child and with respect for their fundamental rights.

44. Although, the Department of Social Welfare (DSW) was established in 1946 with sole legal authority to process adoptions in Ghana, its implementation functions and activities were ceded to the Local Government Service in 2011 by the enactment of the Local Government Act, 1993 (Act 462), Local Government Service Act, 2003 and the (L.I. 1961).

45. The role of DSW under the Children’s (Amendment) Act, 2016, (Act 937) is to receive adoption applications, conduct Home Study on prospective adoptive parents and submit a Home Study Report together with the complete applications to the Central Adoption Authority (CAA). DSW also provides psycho-social services and training determined by DSW to adoptable children and eligible prospective parents before and after the child is placed for adoption.
46. Notwithstanding the decentralisation of the Department of Social Welfare, certain national strategic services are still catered for by the National DSW (Headquarters), such as the control and management of the National Social Welfare Training and Specialised Institutes.

**The Central Adoption Authority (CAA)**

47. The Central Adoption Authority was set up under the MoGCSP by the Children’s (Amendment) Act, 2016 (Act 937) to be responsible for processing in-country and inter-country adoptions in Ghana. The Central Adoption Authority (CAA) shall link with the Central Authorities in other Hague countries to ensure that children who are internationally adopted are monitored and assisted for five years to ensure their welfare.

**Structure of CAA**

48. CAA consists of an Adoption Board, a Technical Committee and an Adoption Secretariat. The governing body of the Authority is the Adoption Board which consists of nine members comprising the Director of DSW, a representative from the Judicial Service, Police Service, Civil Society, Ministry of Foreign Affairs, Immigration Service, a woman with knowledge and experience in adoption matters, the Executive Secretary of the Adoption Secretariat and the Chief Director of the Ministry who is also the chairperson of the Board.

49. The Technical Committee (TC) has six members as follows; a clinical psychologist, medical practitioner, social worker, lawyer and a representative of civil society with interest in the welfare of children and the Executive Secretary who is the Chairperson of the Committee. The committee provides technical support to the Board and the Adoptions Secretariat.

50. The Adoption Secretariat is responsible for the day-to-day administration of the Authority. The Secretariat shall have the staff that is necessary for the performance of its functions and other public officers may be seconded to the Secretariat. The secretariat is headed by the Executive Secretary, who is also the overall head of the CAA.
**Objectives**

51. The objectives of CAA are to;

i. provide for the conduct of all adoptions in the country in a manner that promotes the well-being and best interest of the child; and

ii. support efficient and accountable practice in the delivery of adoption services in accordance with Children’s Amendment Act, 2016, (Act 937)

**Functions**

52. The Adoption Board is responsible among other functions to;

i. Recommend polices, programmes and services for the protection of children from adoption related abuses, including exploitation and trafficking;

ii. review rules, regulations and guidelines governing adoptions;

iii. prevent improper practices contrary to the Act and other relevant laws including the 1993 Hague Convention.

53. The Technical Committee shall advice the Board and Adoption Secretariat on matters related to the adoption process in respect of;

i. Decision on adoptability of a child.

ii. Entry of name and particulars of a child declared adoptable in the adoptable children section of the adoption register.

iii. Decision on the eligibility and suitability of an applicant for adoption.

iv. Entry of name and particulars of an applicant declared eligible and suitable in the Adoption Register; and

v. Matching of an adoptable child with an eligible and suitable prospective adoptive parent.

54. The Adoption Secretariat shall perform the following functions;

i. Be responsible for the administration of the Adoption Secretariat.

ii. Implement the decisions made by the Adoption Board and Technical Committee.

iii. Set up an effective monitoring and evaluation system for adoption.
iv. Maintain a database on adoption in the country.

v. Process in-country and intercountry adoption applications in close collaboration with the Department of Social Welfare, at national and regional levels and with the duly authorised adoption agencies; and

vi. Design and undertake capacity building programmes for adoption agencies and other stakeholders related to the adoption process.

**Staffing**

55. CAA had a total staff strength of 4 as at August 2020. This is made up of the Executive Secretary, one Administrative Secretary and 2 National Service Persons.

**Funding for CAA**

56. CAA received funding from UNICEF until November 2016 and then Government of Ghana (GoG) through the National DSW (Headquarters) from 2017 to 2020.

<table>
<thead>
<tr>
<th>Year</th>
<th>Budget (GH₵)</th>
<th>Allocation(GH₵)</th>
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</thead>
<tbody>
<tr>
<td>2017</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>2018</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>2019</td>
<td>184,800.00</td>
<td>45,060.00</td>
</tr>
<tr>
<td>2020</td>
<td>184,800.00</td>
<td>34,347.00</td>
</tr>
<tr>
<td>Total</td>
<td>369,600.00</td>
<td>79,407.00</td>
</tr>
</tbody>
</table>

*Source: Compiled from records at CAA*

57. Table 1 shows that for 2019 and 2020, CAA’s budget totalled GH₵369,600.00. Out of this amount the National DSW (HQ) allocated GH₵79,407.00 representing 21.5% of their total budget to CAA for the period. CAA did not budget for 2017 and 2018.

**Current Development**

58. As at 14th January 2021, the Ministry of Finance had directed the Bank of Ghana to pay a total amount of GH₵102,859.41 being 46% of internally generated funds into the holding account of the Central Adoption Authority for the first quarter of 2021.
Laws and Regulations

59. Laws, Policies and Regulations to guide how child adoptions are carried out in Ghana include the following:

   a) **The Children’s Act of 1998 (Act 560)** was passed to reform and consolidate the law relating to children, to provide for the rights of the child, maintenance and adoption, regulate child labour and apprenticeship, for ancillary matters concerning children generally and to provide for related matters.

   b) **Children’s (Amendment) ACT, 2016 (Act 937)** was amended to make further provisions in respect of foster-care and to provide for related matters.

   c) **Adoption Regulations, 2018 (L.I. 2360)** was passed in exercise of the power conferred on the Minister responsible for Social Welfare by paragraph (a) of Section 123 of the Children’s Act, 1998 (Act 560) and is to be read together with other applicable enactments.

Key Players and their Responsibilities

60. Three entities namely MoGCSP, DSW and CAA have oversight of child adoption processes in Ghana. Their responsibilities can be found in Appendix D.

Process description

Initiation and Psycho-Social Services

61. A person who wishes to adopt a child applies to the DSW in the Region where that person resides and purchases an application form. Before the purchase, DSW provides Psycho-Social services to PAPs. This activity provides information to the PAPs to enable them to decide whether adoption is the best option and understand that adoptive parenthood involves tasks beyond biological parenthood. DSW also advises applicants on required procedures and documentation.
Application and proof of eligibility

62. The form is completed and returned to the Regional DSW with a list of documents required to be submitted with the completed application form. The list of documents is required to prove eligibility of the prospective adoptive parent (PAP). The applicant must be 25 years old but not more than 55 years old at the time of the application.

Home Study and suitability of an applicant

63. On submission of the completed application, DSW conducts a Home Study in respect of the PAP in the community where the applicant resides. The Home Study Report covers an assessment of the capacity of the applicant to parent a child, indicate if members of the applicant’s family are willing to accept the Prospective Adoptive Child (PAC) and information on the applicant such as date of birth, childhood experiences, educational background, accommodation, motivation to adopt, family history and composition, medical history, financial and employment status and the ability to provide and care for the child being adopted.

Clearance of Adoption Applications

64. DSW assesses the adoption application together with the Home Study Report and makes recommendations on the eligibility of the applicant, then forwards the application and recommendation to CAA. CAA then determines the eligibility of the applicant and communicates its decision through the Regional DSW to the applicant within six weeks of the receipt of the complete application. Where CAA determines that an applicant is eligible for adoption, CAA enters the name of that applicant in the Prospective Adoptive Parent Section of the Adoption Register. If CAA determines an applicant is not eligible for adoption, CAA is to give the applicant reasons why they did not qualify. An applicant who is not satisfied with CAA’s decision may appeal to the Adoption Board within 28 days of receipt of the decision.

3 Medical Report, Police Clearance Report, Birth Certificate, Income Statement or evidence of employment, 2-character references or recommendation letters, pictures of the PAP and family and of the home of the PAP, copy of national ID, consent letter of parent of child in relative adoption, spousal consent by spouses of married applicants and an agreement by an identified guardian who will take responsibility for the child in the absence of the adoptive parent.
Training of PAPS

65. DSW organises training programmes in accordance with its Training Manual for applicants before placement of children. Topics covered during the training include;

   i. adoption, bonding and attachment
   ii. upbringing of child
   iii. child development issues
   iv. prevention of child rights’ violation
   v. child participation in family activities and any other relevant issues.

66. DSW issues certificates to applicants after they complete at least thirty hours of training as a PAPs.

Matching of PAPs with Children

67. For applicants who have been declared eligible and suitable, CAA matches a PAP with an adoptable child based on the needs of the child indicated in the Child Study Report and the Home Study Report on the applicant. CAA then issues a Placement Proposal for consideration and acceptance by the PAP. However, if a PAP does not accept the matching, the PAP provides reasons for declining the match in writing through the Regional DSW to CAA. CAA then re-matches the adoptable child with another PAP and may re-match the PAP who declined the match with another child.

Pre-Adoption Placement

68. Where the PAP accepts the matching, DSW arranges a meeting between the PAP and the child. CAA confirms the matching of a PAP with an eligible child based on the outcome of the meeting between the child and the PAP. Where a matching is confirmed, the child is placed with the PAP for a period not less than one month under the supervision of DSW. An adoptable child is under the supervision of an authorised officer of DSW during the pre-adoption placement period until the adoption process is completed. CAA issues a letter to the applicant to submit to Births and Deaths Department for the post adoption birth certificate
Granting of an Adoption Order

69. DSW prepares a Social Enquiry Report (SER) when it is satisfied that a child is adoptable by a PAP after placement. DSW submits the SER on the child and the PAP to CAA for clearance to apply for an Adoption Order from a Court within the jurisdiction where the applicant or the child resides at the date of the application. DSW submits the CAA clearance, SER and a signed and dated authorisation from the Director of DSW to the court for an Adoption Order. After the Court grants the adoption, the PAP submits a copy of the Adoption Order to CAA.

The Post Adoption Process

70. DSW monitors the adoptive family every six months during the first two years after the adoption order and once a year during the following three years and submits a report on the monitoring to CAA. DSW provides counselling and post adoption services to the adoptive family after adoption. *During the monitoring sessions if necessary*. The adoption application and clearance process can be seen at a glance in Figure 1. See complete process description in Appendix E
Figure 1: Adoption application and Clearance

Source: Adoption Regulations, 2018. L. I. 2360
CHAPTER THREE
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

Introduction

71. Adoption provides a home for children who need care and love because children in residential homes were not receiving the needed care, the government of Ghana introduced the care reforms which gave such children the opportunity to be fostered or adopted. This was to provide better care for vulnerable children, when their birth parents are unable to do so.

72. We applied our audit methodology, to assess the activities of CAA and DSW to ascertain whether eligible and suitable applicants were matched with children, trained, monitored or counselled for the successful care and protection of children placed in adoption.

73. During the audit, we noted that DSW and CAA carried out their functions as directed by the law and had made notable achievements in the area of restructuring the adoption process to align with international standards, however, challenges still exist in training, monitoring, counselling and the time used to process applications for clearance.

74. We present our findings, conclusions, and recommendations in this chapter under the following headings.

   i. CAA delayed in the processing and clearance of adoption applications.

   ii. CAA did not build capacity of schedule officers to improve their functional roles in the adoption process.

   iii. DSW did not train in-country PAPs before placement.

   iv. DSW did not carry out Post Adoption Monitoring and Counselling

CAA delayed the processing and clearance of adoption applications.

75. According to Section 38 (2) of the Adoptions Regulations, 2018, (L.I 2360), CAA shall determine the eligibility of the applicant for in-country adoption and communicate its decision through the Regional Office to the applicant within six weeks of the receipt of the complete application. Before CAA determines the eligibility of the applicant Section 38 (1) (a) and (b) requires DSW to assess an adoption application including the Home Study Report and make recommendations on the eligibility of the PAP for in-country
adoption and forward the applications and recommendations to CAA for processing and clearance.

76. Out of 140 adoption applications, 42 had dates on which applications were received at the Regional DSW and dates on which clearance was given by CAA. This enabled us to determine when the applications were received at DSW and when CAA cleared the applications. Out of the 42 applications, we found that 3 applications were out of our scope. As such we carried out analysis on 39 applications. We noted that CAA cleared six applications within the stipulated six-week period leaving 33 applications which were cleared between 7 to 209 weeks. The remaining 98 applications did not have dates on which they were submitted to DSW or dates on which CAA cleared them. As a result, the team could not calculate the period it took for those applications to be cleared.

77. DSW officials explained that the delay in submitting applications to CAA was due to delay in conducting home study reports. DSW informed the audit team that applicants who wanted to speed up their applications funded the conduct of their home studies. DSW did not place priority on the conduct of home studies and did not budget to carry it out. As such, there were no funds available to carry out home studies at Regional DSWs.

78. In March 2020, CAA introduced the sale of new adoption application forms at all Regional DSWs to generate funds for adoption services. As of September 2020, however, CAA had not utilized the funds as the MoGCSP is still in deliberation with the Bank of Ghana and Ministry of Finance on the percentage to retain after the sale of adoption forms. MoGCSP had also not put alternate funding measures in place for CAA after the funding agreement between the Ministry and UNICEF expired in November 2016.

79. CAA received a total of two hundred and forty-six (246) applications from the Ashanti, Eastern, Greater Accra and Volta DSWs for the audit period and cleared one hundred and sixty (160) applicants eligible for adoption, leaving a total of eighty-six (86). Comparing the list of “Applications Received” and “Applications Cleared” we found that CAA cleared less application than it received every year as it carried a backlog of applications into the ensuing years. See in Table 2 for details.
<table>
<thead>
<tr>
<th>YEAR</th>
<th>RECEIVED</th>
<th>CLEARED</th>
<th>DIFFERENCE</th>
<th>BACKLOG</th>
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</thead>
<tbody>
<tr>
<td>2017</td>
<td>71</td>
<td>33</td>
<td>38</td>
<td>0⁴</td>
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<tr>
<td>2018</td>
<td>56</td>
<td>50</td>
<td>6</td>
<td>38</td>
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<td>2019</td>
<td>65</td>
<td>47</td>
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<td>44</td>
</tr>
<tr>
<td>2020</td>
<td>54</td>
<td>30</td>
<td>24</td>
<td>62</td>
</tr>
<tr>
<td>TOTAL</td>
<td>246</td>
<td>160</td>
<td>86</td>
<td>144</td>
</tr>
</tbody>
</table>

Source: Lists of applications received and cleared at CAA

80. CAA received incomplete applications and referred them to the respective Regional DSW to correct the anomaly before any decision was taken on the application. We noted in our review of TC minutes for the audit period that applications were suspended or placed on hold subject to the provision of adequate and complete information or documents by the applicants. For example, in the minutes of 22 July 2020, eleven out of twenty applications were either suspended or cleared subject to the submission of missing documents or incomplete summary.

81. Although DSW officials explained that copies of missing documents were promptly forwarded to CAA anytime the TC found applications to be incomplete, we attribute the instances of incomplete applications to poor records management by heads of Regional DSW. We found that adoption applications were kept in paper files that did not prevent applications and their attachments from easily falling out. As a result, whilst some attachments of applicants were found in folders belonging to other applicants, others could not be traced during our review of applications at the four Regional DSWs although there is evidence that those applications have been processed. The Head of CAA in a report dated June 2016, also noted poor records keeping as one of the challenges which made access to records and information impossible.

82. Section 86 (X) of Act 937 mandates the TC to meet at least once a month to make decision on the eligibility and suitability of an applicant for Adoption. To clear the backlog of applications the TC met twice a month from 2016 to 2018, however due to the non-payment of sitting allowance, the meetings of the TC became irregular. We found that the TC held 11 meetings in 2018, five in 2019 and seven in 2020.

⁴ The backlog for 2016 was not calculated because it is out of the audit scope
83. Comparing the number of applications carried over to the ensuing year with the number of applications cleared, we noted that as the TC sittings reduced, the number of applications increased causing a backlog of adoption applications at CAA.

84. The risk associated with the delay in clearing PAPs is that children continue to live in Residential Homes for Children (RHC) that do not provide complete care or live with foster parents who have not been cleared by CAA to become adoptive parents. In the case of a child who was sent to a residential home after he was found loitering in the Kumasi Metropolis, the DSW wrote in a social enquiry report.

“The child’s continuous stay in the Residential Home will not inure in his best interest since he is growing and nobody or relation have shown up to identify him. The best care, protection, love as well as socialization in addition to proper growth and development he can get is within the family” dated 10-12-18.

85. The social enquiry report recommended that the child should be placed up for adoption because he was growing and needed the love and care of a family.

Conclusion

86. Although CAA ensured that only eligible and suitable applicants were matched with adopted children, there were delays in the adoption process that were caused by challenges of budgeting, poor records management and lack of supervision. In our opinion, CAA and DSW did not collaborate to ensure that adoptions applications were processed within the stipulated time.

Recommendation

87. We recommended that;

i. CAA and DSW should collaborate to assign timelines to their activities to ensure that they both meet the six-week duration specified by the law;

ii. DSW should ensure proper storage of adoption records in their custody by creating and keeping soft copies of adoption applications.

iii. DSW should email soft copies of completed applications to CAA to prevent loss of documents.
iv. DSW should plan and budget for adoption services to fund the home studies and other associated cost.

v. MoGCSP should expedite work on the release of the GH¢102,859.41 by the Ministry of Finance for the operations of the CAA to facilitate adoptions services and other related costs.

**Management Response**

88. Management acknowledges the above observation and recommendations for prompt implementation.

89. The Ministry of Gender, Children and Social Protection (MOGCSP) has assigned the required staff to CAA to facilitate its work as expected. Current staff strength stands at eight that is the Head of CAA, One Adoption Case Manager, One Caseworker, One Administrator, One Client Services Officer, One Confidential Secretary and two National Service Personnel

90. The Ministry of Finance has given the MOGCSP (CAA) 46% retention from the sale of adoption application forms and other related services.

**CAA did not build capacity of schedule officers to improve their functional roles in the adoption process.**

91. Section 86Z (k) of Children’s (Amendment) Act, 2016 (Act 937) requires CAA to design and undertake capacity building programmes for adoption agencies and other stakeholders related to the adoption process. Adoption agencies in this context refers to DSW.

92. Capacity building enables Adoption/Probation officers to be well-informed on requirements in the adoption process, understand the reasons why specific activities should be carried out and at what time to do so. It also provides Adoption/Probations officers with skills required to elicit needed information from PAPs, families and the environment in which they live during home studies to determine their eligibility and suitability for the safety of adopted children.

93. We expect that, after the amendment of the Children’s Act, CAA would build the capacity for all schedule officers in the adoption process to enhance their skills and equip them with knowledge in the amended laws.
94. CAA’s Capacity Building Report on 25 April 2016 indicated that UNICEF funded a training programme organised by DSW on the new adoption procedures for 40 persons including 25 DSW staff which comprised, five staff from the National DSW and 20 Regional Officers. Other participants included three officers from CAA and 11 from Births and Deaths Registry.

95. We noted from the list of 40 participants that, DSW Directors of Greater Accra and Volta Regions were attendees of the training, however the Greater Accra Regional Director was the only one at post during our audit. Whilst, DSW Regional Directors of Ashanti, Eastern and Volta Regions had not received training, Eastern and Volta Regional offices did not have Adoption/Probation officers. Adoption services were being carried out by Programme Officers for Justice Administration or Community Care. The officers at post had not received training on adoption processes or amendments made to the Children’s Act and explained they were carrying out adoptions based on their experiences from the department.

96. Although, CAA planned and budgeted to develop an Adoption training Manual by June 2020 and train Regional and District DSW schedule officers for adoption in the preparation of Home Study and Child Study Reports by July 2020, we found that CAA had not carried out the training because the Manual had not been developed. The Chief Director explained that the quarterly releases from Ministry of Finance (MoF) were not enough to undertake all planned activities.

97. The absence of capacity building by CAA for the rest of the Schedule Officers who did not attend the initial workshop contributed to challenges encountered in the adoption process, one of which was DSW forwarding incomplete and inadequate documents to CAA for processing. This was also reported by CAA in its 2016 Annual Report that most of the applications submitted by DSW were not supported by adequate information for processing.

**Conclusion**

98. CAA did not build capacity of all officers in the adoption processes after the amendment of the Children’s Act to equip them with the needed information and skills in adoption, because capacity building ranked least among CAA’s priorities. As a result, CAA did not plan and budget for capacity building until 2020, five years after the first capacity building workshop funded by UNICEF.
Recommendation

99. We recommend that;

i. CAA should prioritise to capacity-building programmes and allocate funds annually for its implementation.

ii. CAA should collaborate with National DSW to plan annual training workshops to build the capacity of its staff across the Regions.

Management Response

100. Management has taken note of the observation made and would immediately comply accordingly.

DSW did not train in-country PAPs before placement.

101. Section 37 (1) of the Adoption Regulations, 2018 (L.I. 2360), requires DSW to organise training programmes in accordance with the Training Manual prepared for applicants before placement. Matters to be covered during the training include adoption, bonding and attachment; upbringing of a child; child development issues; prevention of child rights violations; child participation in family activities; and any other matter that the Department may consider relevant. DSW or a person authorised shall issue the applicant with a certificate upon completion of the training.

102. For all 140 adoption application files reviewed, we noted that in-country PAPs did not receive training before children were placed with them. Inter-country applications were accompanied by proof of training from accredited adoption agencies to show that applicants had received training on subjects such as managing emotions of adopted children, attachment and bonding, parenting adopted children, child development and post adoption services among other subjects. In addition to training, Inter-country PAPs were given Parent Adoption Handbooks to guide them after adoption and certificated after the training before the adoption agency forwarded the applications to CAA for clearance. In the case of in-country adoptions, DSW did not train and certify PAPs before CAA cleared their applications.

103. At the time of audit in November 2020, DSW had not carried out training of PAPs prior to placement of adopted children because they had not developed the training manual. We noted that CAA also planned to develop the manual by July 2020 but could not do so because their budgetary allocations for 2020 were not met.
104. Training PAPs for adoption prepares them mentally and emotionally to nurture adopted children. The absence of training denied PAPs the required knowledge and skills needed to bring up adopted children considering their mental, psychological and social well-being. DSWs inability to train PAPs puts adopted children at risk of mistreatment as the adoptive parents lack the skills to nurture adopted children in their best interest. Because of the lack of training, PAPs were not prepared enough to nurture adopted children.

In a case example cited by the Programme Head, Justice Administration and Welfare in Greater Accra Region, an abandoned baby was found and brought to the DSW. DSW called on one of the applicants whose request was for a baby to keep the abandoned baby until investigations were completed on the baby. DSW reports that, the applicant in whose care the baby was placed had challenges overnight and had to call on DSW officials for assistance in soothing the baby who was crying persistently all night.

105. Although the above case example is not about mistreating the adopted child, it is an example of why PAPs should be trained before adoption is completed.

Conclusion

106. DSW did not train PAPs to provide the needed care for adopted children because the department did not plan, budget, and develop the manual to train PAPs.

Recommendations

107. We recommended that the National DSW should develop the training manual for PAPs by end of July 2021 and subsequently train PAPs whose applications have been cleared to adopt children. This will prepare them adequately to nurture children they have adopted.

Management Response

108. The Central Adoption Authority and the National Office of the Department of Social Welfare will develop a training manual for PAPs by the end of July 2021 and subsequently train them before they are placed with children.
DSW did not carry out Post Adoption Monitoring and Counselling

109. Section 44(1a & b) of the Adoption Regulations, 2018 (L.I. 2360) requires DSW to monitor the adoptive family; Every six months during the first two years after the adoption order and once a year during the following three years and submit a report on the outcome of the monitoring to the Authority.

110. Post placement monitoring is key in child adoption as it provides information on how the adopted child and the adoptive parent are adjusting after placement and serves as a check on the adoptive parent to ensure that the adopted child is being nurtured as expected. A post adoption report is to be issued on monitoring carried out on adoptive parents and children. The post adoption report provides information on the adopted child as it gives up to date status on the child’s location, condition, developmental progress and adjustments after adoption. This helps to monitor the child and save the child from any danger he or she might be in after placement.

111. DSW officials explained to the team that post adoption monitoring and counselling is to be carried out at the home of the adoptive parent and child to observe how the child is adjusting in the new family setting after placement.

112. We found that DSW did not carry out post adoption monitoring and counselling as required by the law. We attribute this to the absence of a schedule for monitoring to help plan and budget for monitoring and counselling of adopted children and their adoptive families.

113. DSW did not plan and budget for post adoption services, as such did not have funds allocated to carry out monitoring of adopted children.

114. In the absence of post adoption monitoring and reporting, it is difficult to determine the actual living conditions of adopted children and whether the conditions are to their best interest.

Conclusion

115. DSW did not carry out post adoption monitoring because they did not plan and budget for it.
Recommendation

116. We recommended that DSW should develop a schedule for monitoring in order to assign personnel to locations of adoptive families and allocate the needed resources for post adoption monitoring.

Management Response

117. The Regional Office of the Department of Social Welfare will develop a schedule for monitoring, assign personnel to adoptive families and allocate the needed resources for post adoption monitoring every six months during the first two years after the adoption order and once a year during the following three years and submit a report on the monitoring to CAA.

Overall Conclusion

118. CAA put in place measures to ensure that eligible and suitable applicants were matched with children, however, the absence of collaborated efforts between CAA and DSW led to delays in the adoption process, absence of training, monitoring and counselling of adoptive parents and children. CAA and DSW did not measure their performance for the period under review because the two entities did not set targets and indicators to assess the impact of their activities in providing adoptions services.

Management Response

119. Henceforth, the Central Adoption Authority will collaborate with the Department of Social Welfare at the District, Regional and National levels in facilitating the adoption process, ensure that PAPs are trained before the children are placed with them and monitored.

120. Secondly, the Central Adoption Authority and the Regional Office of the Department of Social Welfare will subsequently set targets and indicators to assess the impact of our activities in providing adoption services in conformity with the Children’s (Amendment) Act, 2016 (Act 937) and the Adoption Regulations, 2018 (L.I. 2360)
## APPENDIX ‘A’

### PERSONS INTERVIEWED AND REASONS

<table>
<thead>
<tr>
<th>No.</th>
<th>Designation of Person</th>
<th>Reasons for interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>HEAD, CENTRAL ADOPTION AUTHORITY</td>
<td>To understand how CAA processes adoption applications and the current system in place between CAA, DSW and other key players to ensure that adoptions are carried out in the best interest of the child.</td>
</tr>
<tr>
<td>2.</td>
<td>HEAD, GREATER ACCRA REGIONAL DSW</td>
<td>To understand how regional department of social welfare operates and coordinates adoption across the country to ensure that adoptions are carried out as required</td>
</tr>
<tr>
<td>3.</td>
<td>PROGRAMME HEAD, JUSTICE ADMINISTRATION/WELFARE (E/R)</td>
<td>To understand how PAPs who apply for adoption are thoroughly assessed before vulnerable children are matched to eligible PAPs.</td>
</tr>
<tr>
<td>4.</td>
<td>HEAD, ASHANTI REGIONAL DSW</td>
<td>To understand how adoptions are carried out by DSW in Ashanti region</td>
</tr>
<tr>
<td>5.</td>
<td>PROGRAMME HEAD, COMMUNITY CARE, EASTERN REGION</td>
<td>To understand the relationship between the other programmes and adoption.</td>
</tr>
<tr>
<td>6.</td>
<td>SOCIAL DEVELOPMENT OFFICER, KOFORIDUA</td>
<td>To understand how adoption process is facilitated in the region and how the region ensures that adoption, monitoring and counselling are carried out as required</td>
</tr>
<tr>
<td>7.</td>
<td>PROGRAMME HEAD, CHILD RIGHTS PROTECTION AND PROMOTION, KOFORIDUA</td>
<td>To understand the relationship between the other programmes and adoption.</td>
</tr>
<tr>
<td>8.</td>
<td>ACTING REGIONAL DIRECTOR DSW, EASTERN REGION</td>
<td>To understand how adoptions are carried out by DSW in Eastern Region</td>
</tr>
<tr>
<td>9.</td>
<td>REGIONAL DIRECTOR DSW, HO</td>
<td>To understand how adoptions are carried out by DSW in Ho</td>
</tr>
<tr>
<td>10.</td>
<td>FINANCE OFFICERS OF KUMASI, HO, KOFORIDUA, AND ACCRA DSW</td>
<td>To find out how DSW funds adoption services in the regions</td>
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## APPENDIX ‘B’

### DOCUMENTS REVIEWED

<table>
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<tr>
<th>NO</th>
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<th>REASON</th>
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<tbody>
<tr>
<td>1</td>
<td>Report on 2019 performance and outlook for 2020</td>
<td>To identify planned activities of CAA for 2019 and achievements for 2020</td>
</tr>
<tr>
<td>2</td>
<td>Capacity needs analysis and capacity building plan for adoption stakeholders 2015 to 2016</td>
<td>To find out what challenges were in the adoption process, capacity needs that were identified for the period and strategies outlined to meet the needs</td>
</tr>
<tr>
<td>3</td>
<td>Report on capacity building for officers to introduce the new adoption procedures 2015</td>
<td>To identify the various stakeholders in the adoption process and determine what kind of capacity building is relevant for them. Their challenges and whether the capacity building workshop identified and resolved the challenges</td>
</tr>
<tr>
<td>4</td>
<td>Operationalisation of the central adoption authority (Jan-June 2016)</td>
<td>To identify the administration and management of CAA and what was done regarding the legal and regulatory reforms, cooperation and collaboration with stakeholders, development of guidance materials, institution of systems for the operationalization of care reform by CAA</td>
</tr>
<tr>
<td>5</td>
<td>Operationalisation of the central adoption authority (June-August 2017)</td>
<td>To identify the administration and management of CAA and what was done regarding the legal and regulatory reforms, cooperation and collaboration with stakeholders, development of guidance materials, institution of systems for the operationalization of care reform by CAA</td>
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<td>6</td>
<td>Report on a meeting with prospective adoptive parents in August 2017</td>
<td>To identify activities taken by the Ministry during the period of the moratorium</td>
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<tr>
<td>7</td>
<td>Assessment of adoption applications by the technical committee of CAA (June 2018)</td>
<td>To identify what the CAA did with the backlog of applications for adoption from the Regions that were required to be reviewed</td>
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<tr>
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<td>Assessment of adoption applications by the technical committee of CAA (June 2019)</td>
<td>To identify what the CAA did with the backlog of applications for adoption from the Regions that were required to be reviewed</td>
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<tr>
<td>8</td>
<td>Annual report on adoption reforms (no date)</td>
<td>To find out what activities CAA had carried out during the year under review.</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Purpose</td>
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<tr>
<td>---</td>
<td>-------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9</td>
<td>List of applications received and cleared</td>
<td>To find out the number of applications received and cleared during the years under review</td>
</tr>
<tr>
<td>10</td>
<td>Annual Report on Adoption Reforms</td>
<td>To find out what measures are in place to align Ghana’s legal and regulatory frameworks to be Hague Convention (1993) compliant.</td>
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<tr>
<td>11</td>
<td>140 adoption files at CAA</td>
<td>To identify whether application and documents presented to CAA for adoption were complete and presented in the required manner</td>
</tr>
<tr>
<td>12</td>
<td>54 adoption files at District</td>
<td>To identify whether application and documents presented to DSW from the District for adoption were complete and presented in the required manner</td>
</tr>
<tr>
<td>13</td>
<td>Minutes of meetings held by the Technical Committee</td>
<td>To find out whether the committee was meeting to carry put its mandates as required by the law</td>
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</table>
## APPENDIX ‘C’

### FOCUSED GROUP

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<thead>
<tr>
<th>NO</th>
<th>NAME</th>
<th>DESIGNATION OF PERSON</th>
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<tbody>
<tr>
<td>1.</td>
<td>DANIEL NONAH</td>
<td>ACTING DIRECTOR</td>
</tr>
<tr>
<td>2.</td>
<td>RICHMOND APPIAH</td>
<td>MOGCSP REPRESENTATIVE</td>
</tr>
<tr>
<td>3.</td>
<td>NAA ADJOKOR MOHEN</td>
<td>GHANA COUNTRY DIRECTOR (TECHNICAL COMMITTEE)</td>
</tr>
<tr>
<td>4.</td>
<td>STEPHEN TIKAI DOMBO</td>
<td>HEAD, CENTRAL ADOPTION AUTHORITY</td>
</tr>
</tbody>
</table>
KEY PLAYERS AND THEIR RESPONSIBILITIES

Ministry of Gender, Children and Social Protection (MoGCSP)
The Ministry of Gender, Children and Social Protection (MoGCSP) is responsible for policy formulation, coordination, monitoring and evaluation of Gender, Children and Social Protection issues within the context of the national development agenda.

Functions of MoGCSP
i. Formulate gender, child development and social protection policy.
ii. Co-ordinate gender, child and social protection related programmes and activities at all levels of development.
iii. Ensure compliance with international protocols, conventions and treaties in relation to children, gender and social protection.
iv. Monitor and evaluate programmes and projects on gender, children, the vulnerable, excluded and persons with disabilities.

Department of Social Welfare (DSW)
The Department of Social Welfare is a department under the Ministry of Gender, Children and Social Protection. The mandate of the department is to take the lead in integrating the disadvantaged, vulnerable, persons with disabilities and excluded into mainstream society.

Functions of DSW
i. Promote access to social welfare services for the disadvantaged, vulnerable and excluded groups and individuals
ii. Provide homes for the homeless, orphaned and abandoned children, and assisting in finding fit persons and foster parents to care for children whose mothers are seriously ill, hospitalised, mentally unstable and incarcerated in prisons.
iii. Facilitate the adoption of children.
iv. Promote social, economic and emotional stability in families.
APPENDIX E

PROCESS DESCRIPTION

The Adoption Process

2. There are two types of adoptions practiced in Ghana namely, In-Country and Inter-Country adoption. Adoptions are either by relatives or non-relatives of the adopted child. The focus of the audit is on In-Country adoption.

Initiation of Adoption

3. The starting point for adoption is the child, the decision relating to adoption shall be in the best interest of the child. The financial and material poverty of a family shall not be a justification for placing a child in adoption but shall be a signal to the DSW to provide appropriate support to the family. The adoption process is initiated where a child has been abandoned and is in need of care and protection or parents or relatives of a child have relinquished the rights and obligations towards the child. A care order is granted with respect to the child and adoption has been identified as the best option of care for the child.

4. A person who suspects that a child is abandoned is to report to the nearest police station or to DSW. Where it is determined that a child has been abandoned or surrendered to the State, a social worker authorised by DSW shall;

   a. Arrange for medical screening of the child
   b. Temporarily place the child with an identified family member of that child or a fit person
   c. Prepare a Child Study Report and Care Plan in respect of that child
   d. Apply for a care order for the child
   e. Liaise with the Police and take steps to locate the parent, guardian or relative of the child and
   f. Record in the file of the child and in the Child, Study Report the efforts made to locate the parents, guardian or relatives of that child.

Protection of the Child in Need

5. The Social Worker shall assess the possibility of reuniting the child with the parent, guardian or relative of the child or where necessary a family member of that child. The DSW shall make reasonable efforts to locate the parent, guardian or relative of an abandoned child before the name of that child is entered in the Adoption Register. Where the parent, guardian or relative of a child in need of care and protection cannot be located within a period of six months from the time the DSW assumes responsibility for the child, the DSW shall present the name of the child and the circumstances of
abandonment to the CAA for determination of adoptability of the child. The CAA shall
refer the matter to the Technical Committee which shall within 20 days advise the CAA
on the adoptability of a child in accordance with regulation 31.

**Voluntary Relinquishment**

6. A child is voluntarily relinquished when the parents or guardians of a child
willing forgoes or surrenders the rights and responsibilities of that child to the State or
offers consent for the adoption of the child by a relative. The relinquishment shall be
by both parents of the child except where one parent cannot be located or is incapable
of giving consent. In the case of a guardian voluntarily relinquishing parental rights and
responsibilities towards a child, the child must be orphaned or parents of that child must
be incapable of giving consent.

7. An authorised social worker from the DSW is to conduct background
investigations on both the parents or guardians and family of the child and the
circumstances leading to the decision to relinquish the child to the State and prepare a
Social Enquiry Report (SER). The Social Worker files an application for a Care Order
to place the child in the custody of DSW specifying the conditions of the Care Order
and must recommend to CAA that the child is adoptable.

**Child Adoptability**

8. The Technical Committee (TC) of CAA is to determine the adoptability of a
child before the initiation of the adoption proceedings in respect of any child. A child
is adoptable if the child is in need of an adoptive family and where the parent, guardian
or DSW has consented to adoption of that child. Where the parents of guardians are
unknown, the Regional Director of the DSW where the child habitually resides consents
to the adoption of the child. A child is in need of an adoptive family if the child in under
a Care Order and the child cannot be kept in or reunited with his/her family.

9. An assessment of the child by the Technical Committee establishes that the child
will benefit from family environment and adoption is the preferred option of care. After
the TC declares a child adoptable, the TC issues a certificate declaring the child
adoptable. The CAA enters the name and particulars of that child in the Adoption
Register. The DSW prepares a Child Study Report in respect of each child declared
adoptable. The Child Study Report assists the TC in matching a child with a Prospective
Adoptive Parent (PAP). The Regional Director of the DSW where the child resides
approves, dates and signs the Child Study Report and submits it to the CAA.

**Applying to Adopt a Child**

10. A person who wishes to adopt a child shall apply to the DSW in the Region
where that person resides and purchases an application form which comes with a list of
documents required to be submitted with the completed application form. On submission of the application and all relevant documents to show eligibility for adoption, DSW conducts a Home Study in respect of the applicant in the community in which the applicant resides. The Home Study Report covers an assessment of the capacity of the applicant to parent a child, indicate if members of the applicant’s family are willing to accept the Prospective Adoptive Child and information on the applicant such as date of birth, childhood experiences, educational background, accommodation, motivation to adopt family history and composition, medical history, financial and employment status and the ability to provide and care for the child being adopted.

Clearance of Adoption Applications

11. DSW assess an adoption application including the Home Study Report and makes recommendations on the eligibility of the applicant and then forwards the application and recommendation to CAA. CAA then determines the eligibility of the applicant and communicates its decision through the Regional Office to the applicant within six weeks of the receipt of the complete application. Where CAA determines that an applicant is eligible for adoption, CAA enters the name of that applicant in the Prospective Adoptive Parent Section of the Adoption Register. If CAA determines an applicant is not eligible for adoption, CAA is to give the applicants reasons why they did not qualify. An applicant who is not satisfied with CAA’s decision may appeal to the Adoption Board within 28 days of receipt of the decision.

Psycho-Social Services and Training of PAPs

12. The DSW provides Psycho-Social services to a PAP to enable the PAP decide whether adoption is the best option for him or her and understand that adoptive parenthood involves tasks beyond biological parenthood. DSW advises applicants on required procedures and documentation and organises training programmes in accordance with its Training Manual for applicants before placement. Topics covered during the training include;

a. adoption, bonding and attachment
b. Upbringing of child
c. Child development issues
d. prevention of child rights violations
e. child participation in family activities and any other relevant issues.

5 Medical Report, Police Clearance Report, Birth Certificate, Income Statement or evidence of employment, 2-character references or recommendation letters, pictures of the PAP and family and of the home of the PAP, copy of national ID, consent letter of parent of child in relative adoption and spousal consent by spouses of married applicants
13. DSW issues certificates to applicants after they complete at least thirty hours of training as a PAPs.

**Matching of PAPs with Children**

14. For applicants who have been declared eligible and suitable, CAA matches a PAP with an adoptable child based on the needs of the child indicated in the Child Study Report and the Home Study Report on the applicant and CAA then issues a Placement Proposal for consideration and acceptance by the PAP. However, if a PAP does not accept the matching, the PAP provides reasons for declining the match in writing through the Regional Office to CAA.

15. CAA then re-matches the adoptable child with another PAP and CAA may re-match the PAP who refused the match with another adoptive child. Where the PAP accepts the matching, DSW arranges a meeting between the PAP and the child. CAA confirms the matching of a prospective adoptive parent with an eligible child based on the outcome of the meeting between the child and the PAP. Where a matching is confirmed, the child is placed with the PAP for a period not less than one month under the supervision of the Department. An adoptable child is under the supervision of an authorised officer of DSW during the pre-adoption placement period until the adoption process is completed.

**Granting of an Adoption Order**

16. DSW prepares a social enquiry report when it is satisfied that a child is adoptable by a PAP after placement and submits the Social Enquiry Report on the child and the PAP to CAA for clearance to apply for an Adoption Order from the Court.

17. DSW prepares a Social Enquiry Report (SER) when it is satisfied that a child is adoptable by a PAP after placement and submits the SER on the child and PAP to support the application for Adoption Order and attaches a signed and dated authorisation from the Director of DSW. After the Court grants the adoption, the PAP submits a copy of the Adoption Order to CAA and obtains a new birth certificate for the child.

**The Post Adoption Process**

DSW monitors the adoptive family every six month during the first two years after the adoption order and once a year during the following three years and submits a report on the monitoring to CAA. DSW provides counselling and post adoption services to the adoptive family after adoption.
CENTRAL ADOPTION AUTHORITY
MINISTRY OF GENDER, CHILDREN AND SOCIAL PROTECTION
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REPUBLIC OF GHANA

THE DEPUTY AUDITOR - GENERAL (PSAD)
GHANA AUDIT SERVICE
MINISTRIES – ACCRA.

RE: PERFORMANCE AUDIT OF THE AUDITOR GENERAL ON THE PROVISION OF ADOPTION SERVICES

Reference to letter number PSAD/PAU/PROJ/A/06 dated 26th April, 2021. I forward herewith management response on the provision of Adoption services in the Country.

I also want to take this opportunity to thank the Audit team for the good work done.

DR. AFISAH ZAKARIAH
CHIEF DIRECTOR/CHAIRPERSON,
ADOPTION BOARD
For: MINISTER

Ce: The Director Department of Social Welfare
The Regional Directors
Department of Social Welfare:
Greater Accra Region
Ashanti Region
Eastern Region
Volta Region
RE: MANAGEMENT LETTER

PERFORMANCE AUDIT OF THE AUDITOR GENERAL ON THE PROVISION OF ADOPTION SERVICES

REFERENCE NO. 50 - 62

SUBJECT: Central Adoption Authority (CAA) Delayed the Processing and Clearance of Adoption Applications

RESPONSE: 1. Management acknowledges the above observation and recommendations for prompt implementation.

2. The Ministry of Gender, Children and Social Protection (MOGCSP) has assigned the required staff to CAA to facilitate its work as expected. Current staff strength stands at eight that is the Head of CAA, One Adoption Case Manager, One Caseworker, One Administrator, One Client Services Officer, One Confidential Secretary and two National Service Personnel.

3. The Ministry of Finance has given the MOGCSP (CAA) 46% retention from the sale of adoption application forms and other related services.

REFERENCE NO. 63-71

SUBJECT: CAA did not build capacity of schedule officers to improve their functional roles in the adoption process.

RESPONSE: Management has taken note of the observation made and would immediately comply accordingly.

REFERENCE NO. 72-78

SUBJECT: The Department of Social Welfare did not train in-country Prospective Adoptive Parents (PAPs) before placement.

RESPONSE: The Central Adoption Authority and the National Office of the Department of Social Welfare will develop a training manual for PAPs by end of July 2021 and subsequently train them before they are placed with children.
REFERENCE NO. 79 - 86

SUBJECT: The Department of Social Welfare did not carry out Post Adoption Monitoring and Counselling.

RESPONSE: The Regional Office of the Department of Social Welfare will develop a schedule for monitoring, assign personnel to adoptive families and allocate the needed resources for post adoption monitoring every six months during the first two years after the adoption order and once a year during the following three years and submit a report on the monitoring to CAA.

REFERENCE NO. 87

SUBJECT: Overall Conclusion

RESPONSE: Henceforth, the Central Adoption Authority will collaborate with the Department of Social Welfare at the District, Regional and National levels in facilitating the adoption process, ensure that PAPs are trained before children are placed with them and monitored.

Secondly, the Central Adoption Authority and the Regional office of the Department of Social Welfare will subsequently set targets and indicators to assess the impact of our activities in providing adoption services in conformity with the Children Amendment Act 2016 (Act 937) and the Adoption Regulations 2018 (L.1.2360)
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