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## Foster care backlog amongst social workers in the Capricorn District, Limpopo Province, South Africa

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### ABSTRACT

*A relational foster care in South Africa is perceived to be the best and most widely applied form of alternative care for children in need of care and protection. It involves an out-of-home arrangement for full-time care by relatives such as grandparents or uncles and aunts, or tribe members, godparents, or others who are not a child's parent but have a family relationship with the child. It is aimed to protect and nurture foster children by providing a safe, caring, and healthy environment with positive support. The most concerning issue about foster care in South Africa is backlog. The Department of Social Development has been battling with foster care backlog resulting to families' quality of life being affected and compromised. Therefore, this study was aimed to explore factors contributing to foster care backlog amongst social workers in the Capricorn District of the Limpopo Province in South Africa. Qualitative and case study designs were employed using a convenient sampling technique to select twelve social workers who participated in this study. Semi-structured interviews guided by an interview schedule were used to collect data which was analysed thematically through the Nvivo software. Findings revealed factors such as personnel capacity and non-specialisation, operational system of the children's courts, shortage of working resources or tools of trade, lack of cooperation from clients and screening process as contributing to foster care backlog. Foster care in general requires collaborative efforts of all role players so as to mitigate its backlog within social work offices.*

**KEY TERMS:** foster care backlog, foster child, foster care placement, relative foster care, social worker, South Africa

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## INTRODUCTION

The discourse of child protection is debated by practitioners, academics and scholars across disciplines such as social work, sociology, political science, education and psychology just to mention few. Every child has a right to be cared for and protected from any kind of maltreatment worldwide in that s/he should be provided with a safe and secure environment which South Africa is obliged to value, respect and protect. Amongst many other factors, HIV/AIDS pandemic greatly contributed the increased statistics of orphans and vulnerable children worldwide. Due to the high number of children in South Africa affected by HIV/AIDS and other social problems such as violence and substance abuse within families, there is a continued need for substitute care for children who require protection, in the context of this paper is relational foster care placement of children in the absence of their biological parents. Foster care is one of the services in the communities which is in overwhelming demand. Due to death of children's parents, their remaining caregivers approach social work offices within the Department of Social Development to apply for foster care placement. The backlog in foster care applications has been a serious issue within the Department of Social Development, resulting in foster care placement applications accumulating. Social workers in South Africa are inundated with high caseloads and foster care applications could take up to a year or longer before they are processed and finalised at the Children's Court. It is from this background that the researchers scientifically explored factors contributing to foster care backlog amongst social workers within the Capricorn District of the Limpopo Province in South Africa which are presented in this paper. To pursue the aim of this study, researchers followed a qualitative research approach which was exploratory in nature wherein the Department of Social Development in the Limpopo province of South Africa was used as a case study.

## BACKGROUND

The HIV/AIDS pandemic has orphaned many children and escalated the demand for foster care in South Africa. This has led to a backlog in the processing of foster care applications which negatively impact the quality of life of children in need of care and protection (Dhludhlu, 2015). Despite a strategic plan by the Department of Social Development to address foster care backlog, the latter is still growing (Ngwenya, 2011). Social workers are battling with a number of foster care cases within their offices wherein some are not finalized within the children's court whereas some are pending reviews.

The Department of Social Development's (2017) progress report highlighted that 478 158 children were receiving foster care services. According to this report, in the year 2017, foster care backlog in the entire nine (Limpopo, Mpumalanga, Gauteng, Northwest, Free State, KwaZulu Natal, Northern Cape, Eastern Cape and Western Cape) in South Africa was standing at 39 102. This number had to be eradicated by November 2017 and be reported to the North Gauteng high court by December 2017. It was difficult to eradicate these foster care backlog, because new extension orders lapsed every month due to the two years' order cycle for each child. Apart from the backlog, there was 49 534 foster care orders that had to be extended before December 2017 and another overwhelming 30 232 that would lapse between January and March 2018. According to the said report, Gauteng and Limpopo Province had the risk of not being able to meet the deadline and the two provinces had the highest number of children in foster care.

It is extremely difficult for social workers managing high caseloads to have all documents and attachments to reports for extending orders ready for courts on due dates (October 2017). It is therefore inevitable for orders to lapse. Social workers are obliged to investigate and assess each case by visiting each family. From each family visit they need to write reports, take report for canalization, approach the children's court for appointments and later present them and this result to a turnover time for foster care placements of up to 18 months. After the court approved the placement, social workers still have to supervise the foster care placement in terms of section 46(f) of the Children's Act No. 38 of 2005 as amended (SA, 2005), thereafter write reports on the child's development and justify any extension beyond two years (October, 2017). Previous studies investigated foster care service challenges within the Gauteng province of South Africa which was identified as having a large number of foster care cases (Ngwabi, 2014; Dhludhlu, & Lombard, 2017). The researchers argue that the operational systems in terms of foster care placements in South Africa differ according to provinces. Thus, what is found to be a challenge in one province might not be the same within the other province. Therefore, this study aimed to explore factors contributing to foster care backlog amongst social workers within the Capricorn district of the Limpopo province in South Africa.

## RESEARCH METHODOLOGY

This study was qualitative in nature wherein the Department of Social Development in the Capricorn district of the Limpopo province in South Africa was used as a case study to explore factors contributing to foster care backlog amongst social workers. A case study was appropriate in this study to enable the researchers to gain more insight and understanding of the phenomenon under the investigation from social workers in various service points

in the Capricorn district of the Limpopo Province. To select twelve social workers who participated in this study a convenient sampling technique was used. The researchers selected social workers in the Department of Social Development of the Capricorn district of the Limpopo province in South Africa who were available to participate in this study project. Only registered Social Workers with the South African Council for Social Services Profession (SACSSP) who are employed by the Department of Social Development within the Capricorn District of the Limpopo Province with a minimum of two years' experience of providing foster care services participated in this study. Semi-structured face-to-face interviews guided by an interview schedule were used to collect data. And helped the researchers to obtain a detailed picture of the participant's beliefs, perceptions or accounts of foster care backlog within their sub-district offices. Audio tape recording device and field notes were also used to help validate data which was analysed thematically using the NVivo Software.

### **Ethical consideration**

Ethical clearance was obtained from Turfloop Research Ethics Committee. The Limpopo Department of Social Development gave a permission for this study to be conducted at their premises. Participants signed consent forms which explained the purpose of the study and assured the participants of anonymity and confidentiality. To ensure anonymity in this study, participants were given pseudo names. Participants were also informed that participation in the study was completely voluntary and that they could withdraw from the study at any stage.

### **FINDINGS AND DISCUSSION**

This paper presents factors which were found to have an impact on foster care backlog within social work offices in the Department of Social Development in the Limpopo province of South Africa, namely personnel capacity and non-specialisation, operational system of the children's courts, shortage of resources or tools of trade and lack of cooperation from clients and the screening process. Before presenting the empirical findings of the study, demographical details of participants are discussed below.

#### **Demographic details of participants**

A total number of twelve social workers participated wherein eight were females and four were males. The age groups of the participants ranged from twenty-one to fifty years. All the participants completed their Bachelor of Art degree in Social Work and had an experience of providing foster care services to children in need of care and protection.

#### **Factors contributing to foster care backlog**

The following factors which are presented thematically were found from this study:

##### *Personnel Capacity and non-specialisation*

Participants reported shortage of social workers in their offices as a factor resulting to high volume of foster care backlog. These participants indicated that if they had more social workers as well as auxiliary social workers at their sub-district they could render effective and efficient service that could help minimize or perhaps stop foster care backlog. Maria echoed that:

*We as social workers do not have enough social workers in the department. My caseload deserves two more social workers, alone I cannot deal with it.*

In the same breath, Matome stated that:

*We need more auxiliary social workers to help us with the caseload, the caseload we have is too much and I think we are the municipality with many backlogs.*

Even though findings do not generalize the whole Limpopo province of South Africa, it can be deduced from this study that foster care backlog is real and that some social workers who are in the field battle with high caseloads as they are under-staffed. The researchers are of the view that due to the status quo of HIV pandemic and of course other factors which were empirically validated to result with high volume of children in need of care and protection, the Department of Social Development should review its recruitment strategy to employ more social workers so as to mitigate foster care backlog in the Limpopo province. It can be emphasized from the findings of this study that there has not been enough change in terms of what was found previously pertaining to shortage of social workers in South Africa (Chibba, 2011). These findings are not indifferent from those of Boning and

Ferreira (2013) who found that the social work profession, which is mainly responsible for safeguarding children, is under pressure because of a shortage of human resources in particular social workers and their assistants. As a result, the quality of foster care services become hampered and foster care backlog is inevitable. Some participants have mentioned that they do not have enough supervisors in their respective offices and that such contributes to foster care backlog because before they can open the children's court inquiry, supervisors should have canalised their reports. Participants have highlighted that one supervisor in their offices supervises many social workers which ultimately results in delays to process the foster care application further. Mosima avowed that:

*You will find one supervisor having more than ten supervisees and this delays our progress especially when the supervisor has to canalize our foster care cases, I feel demoralised when I wait for files for a long time.*

The other participants have indicated that the proximity of offices between social workers and supervisors is a challenge as far as canalisation is concerned, particularly that there are not enough cars to drive to where the supervisors are located at. This is what Joseph echoed:

*Our supervisors stay far from our offices and they come to us after a while, when we need clarity is either we wait for them to come to our respective offices or to call them.*

In the same wavelength, the other participants echoed that:

*We have almost six social workstations and we are supervised by only two supervisors (Patricia).*

*My foster care files take time with my supervisors for canalization and only when they visit our office, they bring them back (Thapelo).*

It was evident from the study that the supervisors are unable to properly fulfil their monitoring and evaluation tasks as required since they are allocated a lot of social workers to supervise. As stated in the framework for Social Welfare Services (2012), supervision of social service practitioners aims to ensure the delivery of quality services to beneficiaries, whilst supporting and building the capacity of the practitioner. This framework points out that one supervisor may supervise not more than ten supervisees (social workers, student social workers, social auxiliary workers and learners) if that is his/her only key performance area. The ratio of social workers on structured supervision framework states 1:10 provided it is the only key performance area and 1:6 if the supervisor has other duties.

Findings indicate that social workers do not get adequate supervision they need, which results in poor quality of work and adds to the foster care backlog. Moaisi (2003) emphasises that support for social workers is essential in rendering social services. Engelbrecht (2014) points out that supervision of social workers in South Africa should be guided by the Social Services Professions Act, 110 of 1978 as amended, and the Policy Guidelines for the Course of Conduct, the Code of Ethics and the Rules for Social Workers (SACSSP, 2007). However, some studies did not only reveal lack of supervision as contributing to foster care backlog, but also reflect a gap in adequate guidance of social workers by supervisors in rendering developmental social services (Chiwara, 2015; Ntjana, 2015). Continuous professional training in the developmental approach has been recommended in studies by Dhludhlu (2015) and Chiwara (2015) for both social workers and supervisors. This statement finds support in Maloma (2013) that social workers are given files to work on without proper supervision and training. Maloma (2013) recommends that management should keep regular contact with social workers to assist them with their daily challenges which among other include foster care. According to Mbau (2005) the aim of supervision is to promote the psychological well-being of the social workers by preventing the development of stress and tension, as well as to help the worker cope with emotionally demanding situations. There is a high possibility of job satisfaction regardless of the challenges at work if supervisors are supportive. The supportive function of supervision provides clear boundaries and directions for supervisees, and there is a set of tasks to complete, easy to understand and implement (Hess, Kanak & Atkins, 2009).

Whilst under-staffing of social workers and lack of supervision were found to be issues of concern in as far as foster care backlog is concerned, some participants mentioned non-specialisation within the Department of Social Development in the Limpopo province as contributing to foster care backlog. Participants mentioned that they render generic social work services (focus on several fields of practice in social works such as substance abuse, family preservation and reunification, foster care cases, services to the aged and disabled, and community work) despite their shortage in the sub-district office. Tukisho made the following assertion:

*I have high caseload and am not focusing only on foster care, but I focus on substance abuse cases and family preservation and community campaigns. As such, I am unable to manage all my cases alone, hence a high number of unattended applications for foster care and lapsed orders”.*

In the same wavelength, the Maria stated that:

*I think being a generic social worker contributes to backlog because I have many cases from different focus area, I need to give each case reasonable time it deserves.*

Whilst under-staffing and non-specialisation are concerning amongst social workers, others reported unequal distribution of work by supervisors due to demarcation of areas of operation as creating a workload for them that they end up with foster care backlog. This is what Tebogo stated:

*My area of operation is very active and I have many files which I am unable to manage alone compared to what other colleagues have been allocated.*

The findings of this study co-relate with previous studies where it was found that high caseloads, and the unequal distribution of cases to the area social workers contribute to the high volume of foster care backlog amongst social workers in the Department of Social Development in South Africa (Ngwenya, 2011; Sibanda & Lombard, 2015; Mosimege, 2017). Specialisation, particularly in as far as foster care services is concerned should be considered from the sub-district level within the Department of Social Development so as to mitigate foster care backlog. In as far as the unequal distribution of files to area social workers, such contradicts the Code of Conduct for the Public Service (Public Service Commission, 2002), that the supervisor should guard against unequal work distribution and should monitor the work of the subordinates to ensure quality service delivery. Unfortunately, cases are unevenly distributed amongst social workers and therefore, other officers end up with more cases than others. This contributes to high volume of foster care backlog within social work offices.

### ***Operational system of the children’s courts***

Most participants highlighted that the Children’s courts operation contributes largely to foster care backlog. They mentioned that children’s court secures the children’s court dates which are far from the date of the children’s court enquiry and that it becomes a challenge, particularly on orders which are due for review. Piet stated that:

*The dates which the court gives us are far and they take time to give dates, normally we go to court once in a month that is not fair to the vulnerable children.*

It can be deduced from the findings that dates given by the children’s courts play an enormous challenge in as far as foster care backlog is concerned. It is very much imperative that the children’s courts and the Department of Social Development together with other stakeholders work closely and collaboratively to mitigate this disturbing phenomenon of foster care backlog. The actual waiting period for the finalization of foster care placement is ninety (90) days according to section 155(2) of the Children’s Act 38 of 2005 as amended. This period is convenient to enable the designated social worker to investigate the circumstances of a child and screen suitable foster parent before court proceedings. Therefore, it is equally helpful for social workers to ensure that they submit the reports for children’s court enquiry on dates which will also allow courts to be accommodated within the expiry date of 90 days. In the same wavelength, some participants indicated that some presiding officers’ recommendations are sometimes not fair enough for the finalization of the foster care placement which also contribute to foster care backlog as they require lot of unnecessary information. This is what Johanna echoed:

*The magistrate recommendations are too much, sometimes the court need form 30 results, sometime the court does not view the child as orphan as the social workers do, so this is a challenge for us. If both parents are deceased when the child is living with their maternal family, the court needs consent about child placement from the paternal family and if the families are not in good terms there is no way in which one could get consent.*

The presiding officers’ recommendations often contradict those of social workers during court proceedings and results in foster care backlog in the offices of social workers. Manukuza (2013) substantiates this finding that the presiding officers at the children’s court frequently reject the recommendations made by statutory social workers in as far as foster care placement is concerned. Loffell (2011) also found the same that courts sometimes require voluminous documents to be attached to section 159 (extension of orders) reports. As a result, this puts overwhelming pressure on social workers who are already suffering from high caseloads. Social workers find it

difficult to have all the attachment to the report ready by the court date. It is therefore unavoidable for orders to lapse. On the same breath, the other participants mentioned that the clerks of the children's court are neither well organized nor competent about foster care. They mentioned that many a times files get lost in their possession and as a result cases lapse. Here are some responses from the participants:

*Clerks of the children court are not well organized, more often they fill in names of foster children a time before the court inquiry starts, misplacing files and sometimes writing wrong names on the court orders, later the social worker will pick this up and the cases should go back to court to rectify the errors. That is time costly (Tebogo).*

*I believe clerks of the children court are not competent, files get missing and the supervisors blame us, when we submit files to court we clip the files together as one, but the clerks will unclip them to check if the files are complete and that's how they get lost (Mohau).*

It can therefore be deduced from these findings that the deficiencies within the children's court, namely the period to finalise foster care placement or review of court orders, disorganized and incompetent clerks of the children's court, and unfair recommendations contribute to foster care backlog.

#### ***Shortage of working resources/tools of trade***

Participants cited shortage of working resources or tools of trade as contributing to foster care backlog in their sub-district offices. They mentioned tools such as insufficient of offices, stationery, vehicles, computers, printers and cartridge and telephone and fax facilities. The researchers observed that almost all offices in the sub-district have the same challenge of tools of trade. During the interviews with participants in this study, the researchers observed frustrations and anger amongst them when they spoke about the lack of the said tools because it hinders their potentials to deliver quality services to the clients. Some participants echoed that:

*We don't have enough printers and cartridge and as such I cannot be able to print reports, sometimes I go to hospital next door to ask them to print for me, this is not good because this file is confidential (Ralph).*

*I struggle when I need a car for home visits, clients think I do not take them serious, this is because we schedule for appointment and fail to go and see them. I need to wait until the car is available (Matome).*

In the same wavelength, Mosima stated that:

*Because of lack of phone in my office I sometimes go to switchboard to make calls then I must tell clients to go out of office meanwhile I am making calls and when I came back I call them again so that we continue with session.*

These findings are validated by Ngwenya and Botha (2012) that it is imperative to have the necessary tools to execute one's duties as it is impossible to function effectively in an environment that lacks proper resources. It is therefore crucial that the Department of Social Development provides adequate resources and infrastructure to satellite offices to allow social workers to work in a user-friendly environment. A lack of resources is not only a challenge for statutory social workers, but research conducted by Alpaslan and Schenk (2012) also found that there is a need for infrastructure in governmental and non-governmental organisations as office space is limited and social workers share offices. From their study, Alpaslan and Schenk found that within most of these institutions there are no telephones, computers or even fax machines and that officers have shortage of vehicles, and there is no access to facilities such as waiting areas, toilets and electricity. Therefore, the employer, in this study, the Department of Social Development has an enormous role to play in making the work easy for social workers who do foster care placement by making the working tools available always. This will help eradicate and/or prevent a high volume of lapsed orders and foster care backlog in general.

#### ***Lack of cooperation from clients and the screening process***

Some of participants stated that clients do not cooperate in providing necessary documents to finalise foster care placement or renew the court order. Some have indicated that other clients do not honour the appointments with social workers to assist during the process of foster care application or renewal. The other participants echoed that:

*Clients relocate to other areas without informing the social worker, I will go several times to check them and I will never find them until I ask from neighbours, looking for them delays the progress of the case because nothing will be done without them (Maria).*

*Clients do not want to bring outstanding documents, when you call them using office phone they do not answer; they answer when you use personal cellphone (Ralph).*

In the same wavelength, Tebogo echoed that:

*Clients will tell you lies every time they come to office, they normally come to office when they want to withdraw money because they need social worker to assist them with a letter of withdrawal to post office.*

The findings reveal that lack of cooperation from clients during the screening process is a serious problem because nothing can be done without them and such contributes to foster care backlog in their offices. This supports Ngwenya (2011) who found that clients are not honest and cooperative and that they give false information and they do not notify social workers when they relocate to other places. Maloma (2013) concurs that clients lie about their addresses and location wherein social workers find it difficult to locate the address given by the clients. Maloma further avow that clients do not bring outstanding documents such as death certificates of parents and school reports in time and such conduct contributes to backlog. Whilst Meintjies, Budlender, Giese and Johnson (2003) argue that the clients give false information, the social worker needs to double check everything so as to establish whether the foster parent is staying with the child because the researchers has noticed from their practice that most foster children are not actually staying with the foster parent in the same household and this is totally not advisable for the upbringing of the future adults.

## RECOMMENDATIONS

Based on the empirical findings and conclusion of this study, the following recommendations are made:

- It is important for foster care to be declared a speciality for social workers.
- The Department of Social Development should be strict in auditing foster care files to check if they comply with the requirements of the children's Act 38 of 2005 as amended.
- It will be of the utmost best for the Department of Social Development to allocate statutory social workers with enough necessary resources they need to fulfil their duties.
- The Department of Social Development should recruit more social workers and social auxiliary workers to increase the manpower in the fight against foster care backlog.
- It is important for the Department of Social Development to adopt a computerised system to remind social workers and supervisors when files are due for review to avoid lapsing.
- It is imperative for role players in foster care to create an effective and good working relationship as this will help promote effective service delivery to the clients.
- It is of paramount importance to have policies that will protect social workers who from time to time use their own resources to execute their official duties.
- Department of Justice and Constitutional Development through the children's court should come up a schedule of court dates to avoid confusion and this will allow social workers to go to court prepared.

## CONCLUSION

Child protection services in South Africa are of a great concern. One of the intervention strategies to mitigate such is foster care placement for children in need of care and protection. Despite this intervention strategy there are still internal challenges such as foster care backlog which requires stakeholders to work collaboratively so as to address it. It is unfortunately deemed to be the responsibility of social workers solely when there is high foster care backlog. The study found that a number of factors such as personnel capacity and non-specialisation, operational system of the children's courts, shortage of resources or tools of trade and lack of cooperation from clients and the screening process prevent social workers from finalising and/or mitigating foster care cases or lapsed orders resulting in foster care backlogs in their offices. Because of these factors, social workers end up frustrated and trapped in high foster care caseloads which they encounter in their offices. It is therefore crucial that the Department of Social Development and other stakeholders that are key in foster care collaborate their services more efficiently and effectively to mitigate foster care backlog stability in social work offices. The Department of Social Development should ensure that it makes all the necessary resources available and other possible ways to minimise foster care backlogs in offices of social workers. Lastly, the government must come with a strategy to put all stakeholders accountable when such kind of cases prevail.

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