

THE IMPORTANCE OF PARTICIPATION IN THE PROMOTION OF CHILDREN'S RIGHTS IN ALTERNATIVE CARE FACILITIES

**Lesson learned and orientation
from the SUPPORTS' experience**



Contents

1. [SUPPORTS - Brief presentation](#) **3**
2. [The national contexts of the SUPPORTS project](#) **4**
3. [Scope of the document](#) **10**
4. [Lesson learned and orientation from the SUPPORTS' experience](#) **11**
 - 4.1. [ENTERING CARE](#) **11**
 - 4.2. [DURATION OF PLACEMENT - LIFE PROJECT AND FOLLOW-UP](#) **16**
 - 4.3. [PREPARING TO LEAVE](#) **23**

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1.

SUPPORTS

Brief presentation

This document was produced in the context of the project SUPPORTS – Supporting children in their delicate phase between adolescence and adulthood while leaving alternative care facilities. The project was co-financed by the European Commission, Directorate-General for Justice and Consumers, through the Rights, Equality and Citizenship Programme and involves 3 partners from 3 different European countries: Pulse Foundation from Bulgaria; Defence for Children Italy from Italy and CESIS – Centre for Studies and Social Intervention from Portugal. The project took place between 2018 and 2021.

The main objectives of the project were to develop professional skills for the practical implementation of the Convention on the Rights of the Child on the alternative care system and to promote the participation of children hosted in residential care facilities regarding decisions about their present and future life.

This document is a result of the observation from the project team in the three national contexts; it includes the compilation of several contributions made by children and young people in care and by the practitioners involved in the training activities of the project.

Through this document the project intends to have continuity beyond its official end. Through this document the project aims to promote a practical application of children's rights, specifically the promotion of a significant participation of children and young people in the different stages of life in care. Simultaneously we hope that this inspire innovative practices of citizenship and dignity in children and young people.

2.

The national contexts of the SUPPORTS project

In Italy, Defence for Children Italy (DCI) has concentrated its main focus of action on unaccompanied and separated children (UASC) as they represent a large portion of children in living in residential care settings. The choice has been made due to DCI's experience on guardianship of unaccompanied foreign children, which represents a privileged observatory for DCI to analyse their permanence during residential care.

In particular, DCI involved in project activities:

- SIPROIMI¹ project of the Social District VII (Savona province, region of Liguria) "Distretto Sociale VII Savonese - Liguria": lead by Savona Municipality. It involves three different residential care facilities - pertaining to three different social cooperatives - in the area of Savona Province. In particular: "Casa della Giovane" (Cooperative Progetto Città) can host 12 unaccompanied children in the centre of Savona city, "Ancora Varazze" (Foundation Ancora Varazze) can host 12 unaccompanied children in the city of Varazze whereas "Ancora Casa" (Cooperative Cooperarci) in Celle Ligure can host up to 6 unaccompanied children. To be noted that both in Varazze and in Celle Ligure, other children are hosted but their projects are not run through the SIPROIMI network, thus potentially leading to discriminatory practices in the same place (see National Assessment on characteristics of the SIPROIMI system).

- "Casa Don Bosco" - Comunità MSNA Genoa Sampierdarena - in the region of Liguria: "Casa Don Bosco" is a second level reception facility for unaccompanied children² run by Salesian congregation which can host up to 18 children directly sent by the social services of the Municipality of Genoa.

During the project implementation, several changes occurred in the direction and coordination of the facility, leading to the decision to close down the service. The training provision for professionals has been affected by these unforeseen changes which led to an interruption in the relation between DCI and the direction of the facility.

After an unsuccessful attempt to involve SOS Children's Villages in Ostuni, Apulia, DCI has signed an agreement with the SIPROIMI system of the Municipality of Ancona, in Marche region for the training of professionals. Given the lockdown between regions, DCI could not consult the children living in these facilities.

Concerning children characteristics, these reflect the statistics already analyzed at national level.

¹ System for the Protection of international protection holders and unaccompanied foreign children, Ministry of Interior and National Association of Italian Municipalities (ANCI). With Law 137/2020 it is now called "SAI" - Integration and Reception System. In theory all unaccompanied children, whatever their status, should be placed in these kind of facilities (<https://www.retesai.it>).

² This type of facilities - set up in agreement with the Municipality - specifically target unaccompanied and separated children, with usually lower educational standards compared to other residential care facilities. In Genoa, these structures can host both children seeking asylum - that in theory should access the SIPROIMI system - and children who found themselves alone on the Italian territory, up to the number of 25. It is noteworthy to mention that, at the end of 2020, these facilities have become part of Genoa Municipality SAI project, thus in theory ending the existence of a discriminatory system set up on double standards in unaccompanied children's residential care.

Most of the children are 17 years old. When DCI has begun with the SUPPORTS project - most of the children in care were of Albanian origin, also as a consequence of the decrease in arrivals from the Mediterranean Sea in relation to the change in migration policies in Italy. However, it should also be considered changes in migration flows due for example to changes in the so-called “Balkan Route”; political instability in Northern Africa countries and to Covid 19 in Italy. In particular, arrivals have decreased and in the last months the most represented nationalities among UASC are those from Bangladesh, Tunisia, Albania, Egypt and Pakistan (Data from December 2020). Furthermore, the pandemic has had a considerable impact on project and services available for children in care and, at least in Genoa and Savona. DCI has observed that many of them are being given the opportunity to remain in shelters after they turn 18 either through the so-called “Proseguo Amministrativo” - an Administrative Prosecution of the time allowed to remain in care - measure or through agreements within the SIPROIMI system. Both phenomena are well reflected in the small groups of children which DCI has managed to involve (a total of 21 children).

In Italy the right of the child to a family is enshrined in the Convention on the Rights of the Child, art.9, ratified by Italy with the Law n.176 of the 27th May 1991, according to which *“States shall monitor in order to avoid that a child being separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.”* Similar statements can be found in art. 24 of the Chart of Fundamental Rights of the European Union and in art 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights).

Child’s right to live in his-her family of origin is stated in Law n.184 of the 4th May 1983 on adoption and foster care, as modified by Law n. 149 of 28th March 2001 that recognized to every person below 18 years old *“the right to grow up and being educated within own family”* and *“the right of a child to a family”* (Art. 1.1, Law 184/1983). Art. 1.2 of the Law 184/1983 specifies that conditions of material deprivation of parents or of the person holding parental responsibility cannot be an obstacle to the exercise of the child’s right to a family and foresees a set of measures aimed at ensuring that the permanent removal of the child from the family of origin is decided only after confirmation that other temporary measures of sustain to the family have resulted as useless or have been refused by the family itself.

Among temporary measures of sustain to the minor and the family, the Italian legislator foresees child’s placement in a foster care family or, when this is not applicable, in a “family type” residential care facility. Residential care is therefore conceived as a last resort measure.

As for foster care, placement in residential care should not exceed 24 months; the prolongation of the measure is possible only if this is in the best interest of the child.

The main goal of residential care (and foster care) placement of a child is the reinsertion into the family of origin. “Family-type” residential care facilities host also unaccompanied foreign children³. Their placement into an institution is aimed at supporting the child towards his-her autonomy, given also the fact that usually UASC arrive in Italy very close to the coming of age.

Law n.47 of the 7th April 2017 (“Disposizioni in materia di misure di protezione dei minori stranieri

³ Despite the fact that unaccompanied foreign minors are entitled to the same rights of Italians for what concerns their protection, in compliance with the “equal treatment” principle stated in article 1 of the Law 47/2017, from our analysis, unaccompanied foreign minors are not usually placed in “family-type” residential care facilities, but in bigger structures functioning in a slightly different manner from the others.

non accompagnati” – Provisions on unaccompanied foreign children protection – better known as Law “Zampa”) foresees that their placement in residential care should be prescribed only whether, after family investigation, it is acknowledged that there are no family members suitable to take care of the unaccompanied child and that it had not been possible to place the child into a foster care family.

According to legislation, the placement of a child in residential care is disposed in different ways depending on the presence of parents’ or guardian’s consent.

It can be disposed by the administrative authority – local social service – when there is parents’/ guardian’s consent that is then made executive with the Tutelar Judge decree.

When this consent is missing, the placement in residential care system is disposed by provision of the Juvenile Court.

Placement of a child in residential care system can also be a consequence of a provision issued by ordinary court in cases, for example, of separation or divorce (art. 337 bis Civil Code).

Furthermore, in residual cases, it can be disposed with an administrative provision, in compliance with art. 403 Civil Code. In such cases, public authority and in particular police and local social services can place a minor “in a safe place” when the physical and psychological integrity of the child is at stake because of a severe danger.

Placement of children into residential care can also be foreseen in the framework of criminal juvenile justice. In particular, a child can be placed in an residential facility as implementation of a “precautionary measure” in line with art. 22 of the D.P.R. n. 448, 22 September 1988, that prescribes “placements in a facility” as a consequence of violation of other obligations. Placement into residential care can also be foreseen as a consequence of the adherence to probation “*messa alla prova*” project.

Despite the fact that the national legislation foresees a single type of residential care facility, the “family-type”, on the Italian territory there are several types of facilities where children are placed, depending on each region’s specific provisions on residential care.

Legislative Decree 42/2015 and subsequent modifications foresee that all UASC should be placed in facilities part of the SIPROIMI – System for the Protection of international protection holders and unaccompanied foreign children⁴, divided in first level reception (where UASC should be placed for maximum 30 days according to Law 47/2017, but where they are staying for much more time in practice) and second level reception. However, this depends on the availability of places, whose number is identified by each municipality part of the SIPROIMI system.

In Bulgaria, the main group of children who participated in project are children, victims of violence, accommodated in crisis centres and Family-Type Accommodation Centres. The advisory youth group included both children accommodated in residential services and young people - volunteers in the Youth Club “To Be Friends” at PULSE Foundation.

A large part of the children (about 90%) have also suffered from sexual violence, which is an additional specificity of the children participating in the group. Some of the children / were adopted and

⁴ System for the Protection of international protection holders and unaccompanied foreign children, Ministry of Interior and National Association of Italian Municipalities (ANCI). With Law 137/2020 it is now called “SAI” – Integration and Reception System. In theory all unaccompanied children, whatever their status, should be placed in these kind of facilities (<https://www.retesai.it>).

found themselves in crisis centres as a form of punishment by their adoptive parents that also leads to a process of cancellation of the adoption or threat for this. We should note that there is an increase in this phenomenon in Bulgaria. In this specific group of children Pulse Foundation's team of psychologists observes symptoms of generalized anxiety. These are children whose desire is to be noticed and "discovered" and who willingly and eagerly shared their views during the workshops and meetings with project experts. In most children placed in residential services, we also observe abuse and dependence on psycho-active substances, smoking, risky sexual behaviour, risk of trafficking and sexual exploitation...

Another vulnerable group is children and adolescents with mental disorders/conditions and challenging behaviours - they are often discriminated and neglected, not understood and not supported, rejected by family, education and protection system, humiliated and often they are sent to various institutions in different places across the country.

The legislation of the Republic of Bulgaria governing the rights of children at risk and in particular, the system for care for children leaving residential care houses, is based on the Child Protection Act and its Implementing Regulations, the Domestic Violence Protection Act, the Social Services Act and its Implementing Rules, National Child Protection Programs and Reports on their implementation, National Strategy 'Vision for Deinstitutionalization of Children in the Republic of Bulgaria' and the Updated Action Plan for its implementation, Agreement on cooperation and coordination of the work of child protection authorities at central and local level in cases of children victims of violence or at risk of violence and in crisis situations, and a Coordination mechanism for cooperation when working on cases of children victims of violence or at risk of violence and for interaction in crisis intervention. The legal framework is also consistent with a number of acts of an international nature: the UN Convention on the Rights of the Child, General Comment No. 13 (2011) The right of the child to freedom from all forms of violence, General Comment No. 8 (2006) The right of the child to protection against corporal punishment and other cruel or degrading forms of punishment (Article 19; Article 28, § 2, and Article 37, among others), General Comment No. 14 (2013) The best interests of the child - a paramount consideration, the Guidelines on Alternative Child Care, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Council Strategy for the Rights of the Child (2016- 2021), Concluding Observations on the Consolidated Third, Fourth and Fifth Periodic Reports on Bulgaria and the Recommendations of the Committee on the Rights of the Child, 2016. Analyses on the topic conducted by the United Nations Children's Fund - UNICEF, as well as publications, studies and reports on completed projects and good practices from the non-governmental sector were also taken into account. The legal framework for the settlement of children's rights is based on the principle of the best interests of the child. In practice, however, there is a discrepancy between the rights of the child and their actual enforcement.

The currently enforced legal and administrative framework in Bulgaria shows no significant progress in terms of care for children leaving institutions or alternative care facilities. Several systems - judiciary, administrative and child protection system - have been established, which act in concert and sometimes in parallel, without necessarily guaranteeing the best interest of the child and without meeting the requirements of the international standards in the field of children's rights protection. Despite the efforts put by the state over the last few years towards creating a system for child protection, there is still a lack of a comprehensive approach, which would guarantee the passing of measures for protection of children at risk on the one hand, and would provide real support, reintegration and resocialization on the other.

The social services provided within the community and those of residential type, which constitute an alternative to the institution-based childcare, play a key role in the support of children and families, as well as in the process of deinstitutionalization

The fate of children in the delicate stage between adolescence and adulthood, the period when they leave the alternative care facilities in the Republic of Bulgaria, represents a niche which must be studied urgently and be incorporated in a precise way in all spheres of public, social and economic life. What these children need are special measures for protection and a system of care which guarantees their rights and at the same time provides real support, reintegration and resocialization.

In Portugal, project SUPPORTS was implemented in the municipality of Matosinhos, located in the Oporto district, in the north of Portugal. In 2019, the Matosinhos Comissão de Proteção de Crianças e Jovens (CPCJ) monitored 1 389 situations of children at risk – Matosinhos was the 5^o municipality of the country regarding the numbers of follow-up processes in the CPCJ.

The main reasons for these flags with the CPCJ are: “the child’s exposure to behaviours that may compromise his/her well-being and development” (247 cases), including domestic violence; “the child/young people undertaking behaviours that affect his/her well-being and development and the inexistence of parents or a guardian who may remove him/her from said behaviours” (140 children); physical or psychological ill-treatment (107 children); neglect (105 children); situations where the right to education is at stake (83 children); and sexual abuse (14 children). Bearing in mind the previous year of 2018, the Matosinhos CPCJ implemented 558 measures to promote and protect children, of which 26 refer to residential care.⁵

In Matosinhos, there are four care institutions for children and young people: a Temporary Reception Centre⁶, that was not covered by this project due to the age of the children that fosters; and three Alternative Care Institution for Children and Young People – two for the female population and one for the masculine.

At the beginning of the project the three institutions involved in the project SUPPORTS in Portugal fostered a total of 82 children and young people (39 girls and 43 boys), with a total of 51 members of staff and 11 volunteers. , Regarding the age of the children and young people, the presence of young people over 18 (37,8%) should be pointed out.

The most common motive for institutionalization is negligence, followed by the existence of deviant behaviours, undertaken by young people that the family cannot control. Violence is common place in the lives of children/young people in care, at least before their institutionalization. Another characteristic of the children is the strong presence of those with intellectual disabilities, in particular in one of the institutions. For a part of these young people, leaving care is particularly hard due to the inexistence of support in independent living, for although they may be able to function despite their disability, they need close support.

In Portugal, legal framework concerning child protection is consistent with the UN Convention and with several international acts. In the context of the Portuguese legislation for the protection of chil-

5 Matosinhos CPCJ, Relatório de Atividades da CPCJ de Matosinhos 2018:36. Available at: https://www.cm-matosinhos.pt/cmmatosinhos2020/uploads/writer_file/document/21954/relatorio_de_atividades_2018_cpcj_matosinhos.pdf.

6 A Temporary Reception Centre (TRC) is a facility responsible to receive, temporarily and with urgency, children and young people at risk, for a duration of no more than six months.

dren, alternative care is one of the measures foreseen to protect children and young people in danger under the Article 35 of the Child Protection Act⁷ that guarantees: to protect children and young people from any danger; to provide conditions that protect and promote their safety, health, education, training, well-being and full development; to guarantee complete physical and psychological recovery of children and young people victim of any kind of exploitation or abuse (as provided for in article 34).

Recently, the Decree Law 164/2019⁸ enhanced the important role of alternative care for children and young people not only in protecting, but also promoting their independence, which presupposes qualified and high-quality services.

According to the law, in Portugal, children and young people can remain in care, to ensure promotion and protection, for more than six months. Once they are 18, and as long as the Court has not defined a new measure of protection, the children/young people can leave care, if so they wish. Residential care can be extended up to 21 years of age, if it is in the best interest of the young person. This extension needs a judicial authorization and usually the young person needs to be studying.

7 Law 147/99, de 01/09, Reviewed by Law 26/2018, 05/07. Available at: http://www.pgdlisboa.pt/leis/lei_mos-tra_articulado.php?nid=545&tabela=leis

8 Decree Law 164/2019 which sets the enforcement regime of alternative care, measure of promotion of the rights and of protection of children and young people at risk, Diário da República n.º 206/2019, Série I de 2019-10-25. Available at: <https://dre.pt/application/conteudo/125692191>

3.

Scope of the document

There are millions of children around the world who lack parental care and, as a result, face challenges in life with long-term implications.

In Article 20, the UN Convention on the Rights of the Child sets that children have the right to special protection and assistance provided by the State, when deprived of his or her family environment.

In the different countries where SUPPORTS project was developed it can be said that children deprived of parental care represents one of the most vulnerable and risk groups. There is a real risk that this target group may become victims of abuse, including trafficking and exploitation, institutional violence, domestic violence, sexual abuse. There is a real risk that, without a careful preparation for leaving care and without an effective participation of children and young people they could easily, after care, entered in a spiral of social exclusion

In this perspective it is very important the qualification of practitioners and the quality of the work done in general and, in particular, in what concerns child participation. The Committee on the Rights of the Child, in its General Comment No.12 on the right of the child to be heard, highlights that the right to participation is not always taken into account by the State parties. The Committee recommends that “State parties ensure, through legislation, regulation and policy directives, that the child’s views are solicited and considered, including decisions regarding placement in alternative care or homes, development of care plans and their review, and visits with parents and family.”⁹

This document is, therefore, a contribution for better professional practices in alternative care especially in what concerns child participation.

From the experience of the project in three European countries it is possible to highlight some important aspects that can help to create a better understanding of how to implement the right to participation in the residential care system. This document can also be an inspiration for innovative practices of citizenship and dignity in children and young people in residential care settings.

The document is organized according three phases: entering care; during care; preparing for leaving.

⁹ Committee on the Rights of the Child, General Comment No. 12 (2009) The right of the child to be heard. Paragraph 54.

4. Lesson learned and orientation from the SUPPORTS' experience

4.1. ENTERING CARE

Children involved in the project in Bulgaria shared that they strongly feel their voice is not heard and they do not participate when institutions take decisions that affect their lives and future; they also say there is an urgent need to change the attitudes of adults so that they listen to the children voice and respect their opinion; children and young people need to be heard in the court when decisions affecting their future are taken.

“For me, entering care was a very hard moment. They had taken me away from my family and separated my sister and I. That is something that I could not understand. No matter how bad your family is, even if they don't treat you well, it is with them that you want to be. I know it's hard to understand, but that's the way it is.” (Young person from the Advisory Board of the project SUPPORTS - Portugal).

“I remember that they told me it would be for a short time, but I ended up being there for a lifetime.” (Young person from the Advisory Board of the project SUPPORTS- Portugal).

“The first day I arrived here I wanted to escape, I was afraid, I came here with a police officer, there were two children and I didn't know what they were doing here! The first I was too sad, I ate and then sat down, ate and slept...but then slowly slowly I understood how it works here, I felt better as now, I play, I go out, I do my business, then I feel ok.” (Young person involved in the project SUPPORTS - Italy).

“In all residential facilities there should be empathy, listening to, participation... as well as more focus on specific themes as work, house, Italian language, school...” Young person involved in the project SUPPORTS - Italy).

The absence of parents or family in children's life due to orphanhood; separating for lack of parenting skill, abuses and violence or for political or economic reasons (in cause of children on the move) is always a traumatic experience that led to situations that make the child a victim of trafficking and several types of violence and abuse.

Hence, entering care is the culmination (but not necessarily the end) of a suffering path where there was no respect for the rights of the child.

In the United Nations Guidelines for the Alternative Care of Children¹⁰ it is stated that the entrance

¹⁰ Guidelines for the Alternative Care of Children: resolution / adopted by the General Assembly (2009). Available at: <https://digitallibrary.un.org/record/673583/>.

of a child into alternative care should be done with great sensitivity, using “child-friendly” methods involving qualified practitioners in plain-clothes. In the other hand, when entering care, the child is not always aware of the reasons behind his/her new situation; is not always informed about what is about to happen, what is alternative care and how this new home will respect, take care and promote the child’s well-being.

Namely the young people with whom Pulse Foundation has worked strongly feel their voice is not heard and they do not participate when institutions take decisions that affect their lives and future; they also say there is an urgent need to change the attitudes of adults so that they listen to the children voice and respect their opinion; children and young people need to be heard in the court when decisions affecting their future are taken.

According to the project experience in the first period of residing in care it is crucial to:

- LISTEN
- INVOLVE

This is in accordance with the Italian Law No. 47 of 7April 2017

Provisions on Protective Measures for Unaccompanied Foreign Minors and Portuguese the Decree Law 164/2019 that lays down detailed rules for alternative care residencial facilities (Article 14^o).

Listen

Every care institution needs to have the children/young people at the centre of their action. This approach focused on the children/young people means listening to their stories - a fundamental pre-condition to understand their needs and expectations, as an element of diagnosis, essential to define each life project.

Listening to the children/young people in the alternative care context may also constitute an important element in the awareness of their abilities - for these may be fundamental factors for their protection and resilience.

When going through this process of listening to the child, his/her stories (his/her version of the facts), the expression of his/her needs, expectations and dreams, it is important to consider:

Time

It is essential to have the time to listen to the child. Taking the time to be with the child, to make questions, to listen and to reflect with the child and young person should be a management model central in every care home. There has to be time. The moments to listen to the child can be informal, but it is vital to have sessions with the children when managing the teams.

Space

Where you listen to the child should be a well-kept space. Be mindful of its decoration. The space should:

- Look informal and give a sense of security and cosiness.
- Not allow the existence of obstacles between the practitioner and the child/young person that may give a sense of distancing or that enhance the differences in statute and position.
- Guarantee privacy and confidentiality. Try not to be disturbed when listening to a child/young person; Do not allow the entrance of other practitioners.

Attitude

Remember that your attitude (words, gestures, expressions), especially in this early stage, will influence the inclusion of the child/young person in the children's home.

Remember that every practitioner, in the welcoming context, who directly relates with the children and young people will, from then on, become part of their story, with an ability to influence them.

Hence

- Avoid a technical language. Adapt the terms used in accordance to age, level of instruction and cultural background of the child/young person.
- Feel at ease and motivated with your professional activity.
- Do not judge the child's speech.
- Be aware of questions, comments or humiliating observations.
- Take into account that the child may state his/her version of events and relationships that may contradict the facts that sustain her institutionalization. Consider it an element of diagnosis and, eventually, of intervention.
- Be kind and remember that for some abused children, physical contact is unwelcome - pay attention to their reactions.
- Try to unblock the fear that the child/young person feels, even if he/she does not mention it.
- Do not criticise the child/young person or his/her family.
- Appreciate the child/young person.

Involve

Involving the child in the life of the children's home is essential for his/her psychological and emotional well-being and to establish positive relationships.

In our view, involving entails:

i) Make the child/young person feel welcome.

- Support the child/young person in the transition, facilitating individual moments to listen and to appreciate them.
- Arrange a Welcoming Committee with the children/young people living in the children's home.
- Make a special meal to mark the entrance of a new resident.
- Take special care in preparing the room. Leave a small gift or message.
- Guarantee that the child/young person has his/her own space and that the children's home provides him/her with a sense of individuality and control over his/her things.
- Allow the child/young person to change (a part of) the décor of his/her room in accordance to his/her liking and compromising with his/her roommates.
- Present every member of the team to the child, including the person who will be his/her person of reference.

ii) inform

- Inform the children/young people about their rights as citizens and residents in the children's home.
- Explain the circumstances that led to the separation of his/her family and his/her background;
- Explain how the care institution operates: timetables, rules and routines and, whenever possible, ensure continuity of the relationship with his/her family and other figures of reference.
- Frequently review the rules of the institution and discuss said rules with the children/young people.
- Take the child/young person on a tour surrounding the children's home so that he/she can become acquainted with the school, pharmacy, Health Centre, culture and sport venues, Employment Centre, the access to public transportation and the social security office.
- Be sensitive to culture differences and to children from non-European contexts. Please consider the possibility of intercultural mediation.

Note:

- Use the information resources of the project SUPPORTS. Available at:
- The existence of a Welcoming Programme could be interesting

In order to structure the procedures of the welcoming phase and guarantee that every staff member of the institution is guided by the same principles and objectives, it could be an asset the existence of a Welcoming Programme explaining the role of each practitioner (even those with no technical function) in:

- Identifying and organising the space of the newcomer;
- Familiarizing the child/young person with the collective spaces of the institution;
- Familiarizing the child/young person with his/her peers;
- Familiarizing the child/young person with the entire team of practitioners;
- Acknowledging/reviewing the rules and operating mode;
- Informing the child/young person on his/her rights.

Remember to:

- Inform the children/young people about the existing mechanisms of reporting abuse, asking for support or information on his/her rights.

4.2.

DURATION OF PLACEMENT - LIFE PROJECT AND FOLLOW-UP

“I believe that every child has the right to feel good. To feel secure and to have what they need. Thus, they will grow-up and they will be able to make their choices and changes necessary throughout their lives” (young person interviewed - Portugal).

The young people with whom PULSE Foundation has worked share that those in alternative care think their participation in decision affecting them and the sense of influence they have on their life is dependent on the preparation of social workers and to what extent staff is involving them

“We are always worried about the future, if you do not have a family you’re afraid for the future, I do not think only about future, where will I go once I get out of here? I want to work now to keep calm when I’ll leave...” (young person involved in the project - Italy).

“One of the goals of residential care is the one related to autonomy. It is important to stimulate children in having friends, hobbies, sport...small islands where to start from when you are 18, this for all children, especially unaccompanied ones.” (young person involved in the project - Italy).

“In my opinion facility’s project and child life project goes hand in hand, of course with differences. We should have the main role, we should decide what we would like to do, how to contribute...but of course being in shelters we need educators not because we are not able but because being adults they should have a more concrete vision on future and maybe they can help us in avoiding mistakes or other things, so yes the idea should stem from us and be developed with professionals.” (young person involved in the project - Italy).

“The child should be centralized in education path because it is his/her life, it is true that the others prepare the project but it HIS/HER life, the more you grow up, the more you are aware. I’d wanted to do another school for example...”(young person involved in the project - Italy).

According to the project experience it is recommend that the work done throughout the duration of placement of a child/young person in alternative care should consider the following fundamental aspects:

- **Orientation / building his/her life plans**
- **Establishing positive relationships that can be used as reference**
- **Promoting participation**

Orientation/Building his/her life plans

By orientation we mean that the institutions should guide their practices according to the Principles envisaged by the UN Convention on the Rights of the Child (UNCRC).

- Non-discrimination (Article 2), which means that no child should be discriminated irrespective of the child's sex, ethnic origin, nationality, disability, social origin, property, or other reason. The State (and the organisations responsible for ensuring alternative care for children, like Alternative Care Homes) shall take appropriate measures to protect the child/young person against all forms of discrimination and to ensure that his/her rights are protected.
- Best interest of the child (Article 3) - In all actions concerning children, the best interest of the child shall be a primary consideration. "The full application of the concept of the child's best interests requires the development of a rights-based approach, engaging all actors, to ensure the holistic physical, psychological, moral and spiritual integrity of the child and promote his or her human dignity." ¹¹ The child's best interest should also reflect his/her opinion about his/her well-being.
- Participation (Article 12) - The child has the right to express his/her views freely in all matters affecting the child and have his/her opinion taken into account. As stated previously, in the welcoming context, the right to participate should include: the involvement and participation in the decision of depriving the child of his/her family environment, in plans for his/her future, but also the assessment of the Alternative Care Home. Thus, children enjoy the right to participate in decisions affecting them individually, but also as a group. The assessments can be done in a formal way (ex. an annual survey designed for the children/young people living in the children's home about the quality of the services provided and their experiences) or in an informal way (ex. through weekly talks, where young people and practitioners discuss different types of positive and negative situations that may have happened during the week and propose their improvement).
- Life, survival and development (Article 6) - Every child had the inherent right to life and State Parties shall ensure the survival and development of the child. The development of the child should be considered in a holistic way, reflecting the physical, emotional, psychological and spiritual well-being of the child or young person.

The right to life entails the protection of the child/young person against elements that may endanger his/her existence. Alternative care can be viewed as a measure that protects and guarantees the right to life. In the other hand, when listening to practitioners of Care Homes, you will realize how important is to guarantee basic needs such as accommodation, food and health.

But a full implementation of Article 6 of the UNCRC requires not only the consideration of children's physical well-being, but also the responsibility to repair any psychological or emotional damage and to develop intellectual and cognitive abilities and the child's full potential. In order to achieve the promotion of the child's emotional and psychological well-being, all necessary elements should be considered.

To fulfil these objectives, the tool concerning the Life Project is fundamental.

Note: To conceive the life project, use the methodology and tools created in the context of the project SUPPORTS.

¹¹ Committee on the Rights of the Child General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1) Paragraph 5

Life project - an orientation to children, young people and practitioners

What is a LIFE PROJECT?

A life project is an orientation tool for the child/young person; it is also a central tool for the work carried out by practitioners who interact with the children/young people in a children's home.

A life project helps the child/young person to focus on the achievement of the objectives that he/she established with the team of practitioners. The existence of a life project can motivate children/young people and practitioners for a joint work aiming at fulfilling the established objectives.

A life project is based on a diagnosis, as detailed as possible, on the situation of the child/young person in several areas. Some of this information can be enclosed in documents (project of promotion and protection) provided during the process of institutionalization of a child. However, it is important to remember that conceiving a life project is a fundamental tool to apply other rights of the child/young person, for example, the right to express the child's views in matters affecting him/her - right to participate. The life project should be reviewed during the entire residence of a child or young person in a children's home.

Thus, in order to make the most comprehensive and holistic life project, it is vital, once again to:

- **Listen to the child** - listen to the child's views on his/her story, complementing with the diagnosis elements already gathered.

- **Involve** the child in setting the objectives and respective activities.
- **Involve** the child in a continuous assessment of the plan drawn in fulfilling his/her life project making him/her conscious, and appreciative, of the successes already achieved, but also of the steps still needed.

Remember¹²:

- All life projects aim to develop the skills required for an independent and responsible life in society, when the young person leaves care.
- Based on the best interest of the child, life projects should be comprehensive and consider areas such as housing, health, education, vocational training and integration into the labour market, reflecting the holistic well-being and the dimension of the rights of the child.
- Based on the best interest of the child, life projects should contribute to minimize emotional damage resulting from the exposure of the child/young person to danger.
- Life projects should promote the establishment of safe and stable bonds, essential for the structure and the personality development of the child/young person.
- The life project should include a plan where all objectives and intervention/actions programmes are defined in order to fulfil said objectives.

Establishing positive relationships that can be used as reference

As stated previously, life projects should promote the establishment of safe and stable bonds, essential for the structure and the personality development of the child/young person.

Regardless of what may be established as an objective of the life project, the teams working in the institutions should be aware of the situations that led to the institutionalization of the child/young person and their consequences.

Some of the impacts are:

- Sleep disturbance;
- Aggression;
- Shame, fear and sense of guilt;
- Insecurity and low self-esteem;
- Reactions of avoidance;
- Effective dependence;
- Distrust and difficulty in establishing relations.

Impacts of violence / ill-treatment situations lived before institutionalization

¹² Observations based on the Recommendations of the Committee of Ministers of the Council of Europe on Life Projects for unaccompanied Children (reference)

A good observation (including psychological interviews) of the child/young person should be done in order to identify/diagnose the existence of impacts of negligence/violence/abuse situations - that occurred prior to institutionalization - on children and young people. In cases of sexual violence, forensic interviews should be organized by forensic experts. Furthermore, children have the right to be heard as witnesses in the processes and in compensation. The institutions should provide support to children in this regard.

In any case, specific programmes of intervention should be implemented and adapted to each situation in order to allow the children/young people to overcome the identified problems. Work with children/young people, in the framework of said programmes, can be essential to the pursuit of the objective of promoting independence and preventing revictimization or cycles of violence.

Maintaining positive relationships that can be used as reference is pivotal in the life of any child. And in the life of children in care these are even more important. Hence:

- Help the child/young person to keep in touch with his/her family and/or his/her social origin, according to his/her best interest and the rules of confidentiality inherent to his/her process.

- Promote and encourage the maintenance of a “Life Book/Box”¹³ where the child/young person can record or keep memories of his/her most significant moments.

- Create moments of positive interaction between peers. Organize specific moments of joint work / discussion or groups of thematic work where a feeling of belonging can be strengthened:

- i) Promote the organisation of a bi-monthly “Dessert Club” where each member of small groups of children/young people take responsibility to make a dessert, explaining its origin and why they chose it.

- li) Promote the creation of a small on-line newspaper with rotating responsibilities.

- ii) Promote the existence of mentors between peers.

- Promote new relationships:

- lii) Allow visits from other children/young people, if complying with the wishes of the child/young person in care.

- lv) Stimulate the participation of children and young people in sport, recreational or cultural activities in the community.

¹³ In the Guidelines, it is mentioned that a life story book of the child should be maintained with the child's participation.

Besides the aspects already mentioned, no practitioner of a Care Home can ignore the role he/she has in developing the ability to establish positive relationships that leads us, yet again, to the dimension of the attitude of the practitioners.

NOTE

Remember Attitude:

- All practitioners should be able to establish relations of empathy, support and trust with the child/young person. It is vital that the child/young person recollects his/her care experience as positive in the context of his/her life, so tragic at times. The relationships established with the adults in care can be restorative and a motive of regained trust in other people and in life.

- Be a significant person in the life of children/young people.

- Be able to establish a relationship without resorting to the power that your position as practitioner gives you.

- Help the child/young person to develop social and negotiation skills and to acquire knowledge on human nature, which may be essential to identify eventual sources of risk, intrinsic to human relations.

- Preserve the dignity of the child and guarantee private moments and spaces.

- Promote and encourage the child/young person to express his/her opinion and to be heard in other contexts other than the Care Home, considering his/her age and development skills.

Working with children and young people entails permanent attention and personal development. Thus, the practitioners should have space and opportunities to reflect about their practices and attitudes, but also to receive training on child development and other relevant areas. The practitioners should be acknowledged and their work environment should lead to positive and constructive relationships with the children and young people and other adults with whom they share responsibilities.

Promote participation

As previously mentioned, participation is a fundamental right and, simultaneously, a guiding principle of practices of practitioners and organisations.

Throughout this document, there has been several references to the child's/young person's right to participate and to participation as a guiding principle of the organisations. Several suggestions have also been made in order to promote a dynamic participation of children and young people in defining their life project.

The methodology used in the conception of the life project and the tool to report created in the framework of the project SUPPORTS are oriented by the participation principle.

Benefits of children's/young people's participation

- Participation develops skills for life.
- More opportunities to participate in decisions affecting them, means that their opinions will become more competent and informed.
- While participating, children and young people have the opportunity to elaborate their opinion and develop their own skills to control their lives. These children become less vulnerable to abuse and more capable of protecting themselves
- Children and young people who have the opportunity to participate, namely in the life of the organisations, develop skills of communication and negotiation.
- While participating, children and young people learn the importance of listening to other opinions and to respect the decisions made, even if they do not meet their expectations.

NOTE

To promote an active participation of children and young people, see the methodology of the project SUPPORTS regarding:

- Stimulation of the information / debate sessions about the rights of children and young people
- Children and young people's assessment of the Care Home operating mode.

4.3. PREPARING TO LEAVE

The young people with whom Pulse Foundation has worked share that they are concerned of how violence against children is widespread. They want to be heard. They want to be part of and lead the change towards a future without violence with collective support of adults, peers, and organizations. They believe, as young people who had experienced violence, they could be the strongest advocates to prevent and stop interpersonal and violence against children. “We, the young people who have experienced violence, we can bring the change to stop it, and prevent it happening in the next generation” (young person involved in the project SUPPORTS - Bulgaria)-

“I do think that the first days will be a mixture of feelings, between happiness and sadness (...) I’ve been planning the moment to leave for a long time now, but before I do I have to finish my studies, I have to guarantee a stable job and a wage that pays for a room or a house” (young person of the Advisory Board of the project SUPPORTS - Portugal).

“Professionals should prepare you, because you are worried, you do not know what it will happen, is very important to be clear and prepare children on what it will come both in care and towards transition, explain and involve the child so to feel calmer, to have a plan in mind.” (young person of the Advisory Board of the project SUPPORTS - Italy).

“All children who turn 18 should get time to finish school and find a place...it is fair, it should be done this way.” (young person of the Advisory Board of the project SUPPORTS - Italy).

“You’d have somebody helping you in making decisions... you always need an advice, only a word maybe, to decide.” (young person of the Advisory Board of the project SUPPORTS - Italy).

“...I advise children to have clear goals, to have a clear track, do their best. I’ve always thought step by step and slowly slowly you reach also the tallest mountain.” (young person of the Advisory Board of the project SUPPORTS - Italy).

Leaving care should not be considered as a moment, but as a process that begins when the child enters the institution.

Leaving care does not represent solely the end of the State’s legal responsibility for that citizen. In fact, to many young people leaving care it is a process of transition from a life with constant support to a self-sufficient life where support and follow-up are not guaranteed.

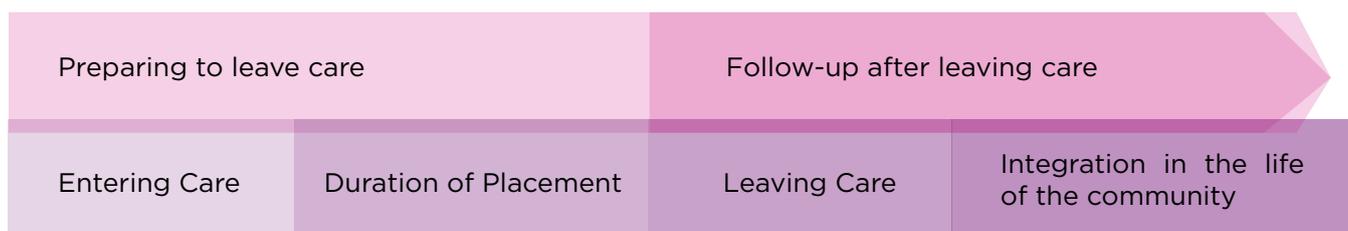
Studies made at an international level ¹⁴ have showed that young people who leave the alternative care system face more difficulties in the access to employment, training, housing and other development conditions. As stated by the young person in the above citation, studies also show the mixture of feelings present when leaving care: happiness and the expectation of freedom and independence combined with loneliness, anxiety and fear. It should be enhanced that for some young people leaving

¹⁴ SOS Children’s Villages International and CELCIS, Centre for Excellence for Looked After Children in Scotland, University of Strathclyde, 2017, Prepare for Leaving Care – Practice Guidance, Austria.

care is an automatic step into adulthood, into a self-sufficient life, made without much preparation and planning.

Young people involved in the project SUPPORTS frequently mention the “bubble” they are in when they live in an alternative care home. Leaving care involves a passage to an environment where many young people face freedom for the first time. This means that if there is no period of adaptation - and no abilities developed with this aim - this can be a period of disorientation.

When considering leaving care as a process, the preparation for this moment is made through a continuous work which, ideally, will go beyond leaving care (even if different phases that intertwine can be observed, as showed by the diagram bellow).



The preparation to leave care requires attention to the following:¹⁵

- Developing skills
- Setting the project for independent living
- Inter institutional cooperation

Developing skills

As previously mentioned, being deprived of parental care and his/her family environment is psychologically and emotionally perturbing for a child. And in addition there are also the seriousness of the motives that led the child to the alternative care system.

Along the same lines, preparing to leave should involve the implementation of continuous programmes to develop personal and social skills. These programmes should be adapted to the needs and features of the child/young person and the development of resilience should be primary.

It should not be disregarded that each skill relates to the life experiences of the child, which means that all the work done by the practitioners of alternative care homes can be oriented to a development of different skills (and said orientation should be expressed in the life project of each child/young person).

Resilience - “The bamboo that bends is stronger than the oak that resists” (Japanese proverb)

Resilience is a complex interaction between internal and external factors and can be defined as:

¹⁵ What is stated bellow does not disregard what was stated before.

- The strength of a person, family or community to handle pressure
- The ability of a person, family or community to cope with a destructive change.
- The ability of a person, family or community to preserve positive features in spite of diversity.
- The ability to survive when faced by adversities.

Not all children/young people react the same way to traumatic events that may happen in their lives. In the other hand, it is important to stress that resilience does not depend solely and exclusively on the features of every child/young person, but also on the kind of environment surrounding the child/young person. Besides structured programmes that may develop resilience in each child/young person, it is important to create an environment of protection, trust and love in the care homes where the child is stimulated to take certain responsibilities and to solve problems with levels of demand suited for his/her age and maturity. This kind of work is not possible if is not underlined by a strong and consistent participation and involvement of the child/young person.

Project for independent living

As previously stated, the life project is an orientation tool for the child/young person. It also a central tool for the developing work done by practitioners that interact with the child /young person in the Alternative Care Home.

Reviewing and updating the life project of a child/young person should be an on-going concern in the Alternative Care Home.

Before leaving care, the person responsible for the child/young person should guarantee that the life project meets the needs necessary for independent living. Among other issues, particular attention should be given to the biggest concerns expressed by the young people involved in the project SUPPORTS:

Preparing to leave care means that young people before leaving care know the following:

- How to take care of themselves and know how to face the upcoming challenges, including the possibility of loneliness.
- How to relate with other and create meaningful relationships.
- How to cook, take care of the house and do the laundry.
- How to use/manage money, pay bills, use an ATM, be aware of his/her budget.
- How to access quality housing at affordable prices according to their finances. In fact, no young person should leave care without having a house guaranteed.
- How to continue to study, if that is his/her individual project.
- How to access health care and family planning when in need.
- How to look for a job or look for support in finding a job.

When reviewing / updating the life project, in the last stage of residence in care, it is important to understand how the young person stands with his family of origin (nuclear or extended).

It is common for young people to get closer to their family when they are about to leave care. For some, this is a positive option; for others, however, it can bring up the pain of the past and lead to new problems. For others, it can be a mixture of both.

A young person involved in the project SUPPORTS mentioned how lonely he was once he left care where he had lived for several years without having a relationship with his mother who had several health problems. Because he had no one else, once he left care, he looked for his mother. His mother - who lived in a situation of grave dependence - was his salvation, for it were his necessary abilities and his energy to care that opened up his path to a professional and social integration.

The team of practitioners should be aware of the possibility of “returning to their families” and that the life projects should contemplate this dimension and prepare the way to a possible re-establishment of relations with their family, or develop the ability to face/solve the traumas that the past may still bring.

The life project, in its final stage (the period of time regarding this stage depends on the situation of each young person) should contemplate measures that can continue after the young person leaves care, thus encouraging the commitment of following up.

In this moment, more than ever, the participation of young people is pivotal. The project should be conceived between the practitioner and the young person and their responsibilities in the fulfilment of the measures or activities should be explicit and clear. The life project should be comprehensive and understandable and, in this stage, should include support from the local partner organisations.

Institutional cooperation

The problems that most young people present after leaving care are complex and multidimensional and require measures in different areas and sectors.

This means that, from the get-go, a work between alternative care homes and relevant local organisations should be done to assure the success of independent living.

As the saying goes, it takes a village to raise a child. In other words, a work done collectively between institutions is necessary to guarantee that all the needs of these young people leaving care and transitioning to adulthood are met.

This inter-institutional work requires a plan of follow-up after leaving care based on the needs and expectations of the young people. The plan must contain measures/actions which are the answers to the needs of integration of young people, and where the responsibilities of the young people, the alternative care home and each organisation are explicit. The plan should clarify that the practitioner is the responsible party for the follow-up - with the informed consent of the young person - and for making contact with the young person once he/she leaves care.

In the context of this cooperative work - young person, alternative care home, local organisations - is fundamental to:

- Help the young person developing the idea of the future based on a realistic plan.
- Explore different possibilities in terms of training or continuing with their studies.
- Motivate and encourage young people to pursue education.
- Offer support when there are low levels of literacy and/or numeracy.
- Present different perspectives about the entrance in the labour market, so that the young person can make informed and conscious choices.
- Develop additional support in the development of skills needed to look for employment and to answer job offers in an informed manner.
- Work with the young person on the management of his/her budget.
- Guarantee the access to information on risk behaviours, or respective care, if needed.
- Guarantee the access to information on sexual health.
- Guarantee the access to funds and economic support, when necessary.
- Stimulate the integration in sport, recreational or cultural activities or others that may avoid their isolation and social exclusion.
- Raise awareness to other resources and local organisations more relevant and encourage the contact with practitioners from those organisations.
- Provide information on measures of housing support.
- Guarantee that the young person does not leave care without finding a new home.
- Guarantee that the young person knows the area where he/she is residing, but also its surroundings.

Note:

Use the resources of support when leaving care of the project SUPPORTS.

SUPPORTS

SUPPORTS - “Supporting Children in the Delicate Phase between Adolescence and Adulthood while Leaving Alternative Care Facilities”, funded by the European Commission.



PULSE Foundation



DEFENSE FOR CHILDREN
INTERNATIONAL
ITALY



The project is coordinated by PULSE Foundation, Bulgaria in partnership with CESIS, Portugal and Defense for Children Italy, which unite in the direction of creating comprehensive care for children leaving residential care facilities.

The main objectives that SUPPORTS has set are:

- To enhance the competences and skills of professionals working in residential care settings;
- To create an instrument for training and work based on a child-based and dynamic multidisciplinary approach;
- To promote the participation of children hosted in residential care facilities regarding decisions about their actual and future conditions ;
- To promote the exchange of good practices in each country and among European partner.



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