

**Situation of Ukrainian refugee children in need of foster care:
Overview of the key challenges, gaps, and ways forward in
Poland**

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Insight to situation in Poland

Statistics

- ▶ Boarder crossing since Feb. 24, 2022 (as of date: August 29, 2022)
 - ▶ 5 797 748 from Ukraine to Poland
 - ▶ 3 834 530 to Ukraine
- ▶ **1 274 130 persons registered in the register of citizens of Ukraine and members of their families (as date of August 29, 2022)**
- ▶ **182 245 Ukrainian children enrolled to PL schools (as date of June 27, 2022).**

Laws/policies

- ▶ UN Convention (1951) and protocol (1967) relating to the status of refugees
- ▶ UNHCR Policy on Adoption of Refugee Children
- ▶ EU temporary protection for refugees from Ukraine

National laws and policies

- ▶ Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland
- ▶ Agreement of May 24, 1993 between the Republic of Poland and Ukraine on legal assistance and legal relations in civil and criminal matters given in Kiev
- ▶ **Act of 12 March 2022 on Assistance for Ukrainian Citizens in connection with the armed conflict on the territory of the country**
- ▶ Act of 9 June 2011 on family strengthening and alternative care system

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- ▶ Immediate response (hub in Stalowa Wola for UASC and children from out of home care)
- ▶ Brief introduction to PL alternative care system
- ▶ A temporary guardianship
- ▶ The Register for minors
- ▶ The alternative care standards in regard of needs of UA children
- ▶ Challenges

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Act of 9 June 2011 on family strengthening and alternative care system

Number of children in alternative care in Poland - 72 300 (as date of Dec. 31, 2021, Statistics Poland)

FAMILY FOSTER CARE (number of children 56 357)

- ▶ Kin-ship foster family
- ▶ Non- professional foster family
- ▶ Professional foster family (up to 3 children) - different types
- ▶ Multi-children foster family (rodzinny dom dziecka) up to 8 children

INSTITUTIONAL CARE (number of children 15 931)

- ▶ Different types of residential facilities up to 14 children
- ▶ Institution for new-borns and infants up to 20 children (pre-adoptive centre)
- ▶ Institution for children with special needs up to 45 children (regional care-therapeutic institution)

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- ▶ In March 2022 was opened a hub in Stalowa Wola in Podkarpackie Province for UA children fleeing to PL from UA who were cared of by any type of alternative care and institutional care (operates according to the needs)
- ▶ Two operational centers launched by Ministry of Family and Social Policy
 - ▶ Child Evacuation Staff (logistics and transport)
 - ▶ Accommodation data base for children from alternative care and other institution for children
- ▶ Number of local authorities as well as CSOs have been provided support

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Act of 12 March 2022 on Assistance for Ukrainian Citizens in connection with the armed conflict on the territory of the country

- ▶ **UA children who enter Poland without UA legal guardian**
-- > **Temporary guardianship** -- > UA citizen, who enters Poland has to apply for the temporary guardianship. The guardianship is established by a court for families and minors (for example relatives of a child, but also a PL citizen may be established as a temporary guardian);
- ▶ **25 168** UA children in Poland are under care of temporary guardians (data as of June 12, 2022)

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Act of 12 March 2022 on Assistance for Ukrainian Citizens in connection with the armed conflict on the territory of the country

▶ Temporary guardianship - challenges:

- ▶ no limits on number of children per temporary guardian (mainly related to out-of-home care);
- ▶ danger of randomly selected temporary guardians;
- ▶ lack of tools for PL social services to recommend candidates for temporary guardians outside the PL social services, and care & education system
- ▶ flaw of official circulation of due documents in case of resignation from being a guardian, or of termination of temporary guardianship by court

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- ▶ Act of 12 March 2022 on Assistance for Ukrainian Citizens in connection with the armed conflict on the territory of the country stipulates a **register of UA minors of following groups**:
 - ▶ UASC
 - ▶ UA children placed in out of home care: alternative care or cared by other institutions for children,
 - ▶ children who are in PL without legal guardians in accordance with the law in force in the Republic of Poland (children cared of by a temporary guardian).
- ▶ **Challenges**:
 - ▶ Delay in launching the register (software), possible shortage of staff of Polish social services to fill in the register;
 - ▶ weak communication flow (court - social services - temporary guardian);

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Statistics of UA children from out of home care:

- ▶ 2004 UA children from out of home care hosted in Poland (as of date June 2022);
- ▶ 74 UA children placed in PL alternative care, out of which:
 - ▶ 71 children placed in residential care;
 - ▶ 3 children placed in foster families

LEGISLATION

Act of 9 June 2011

Act of 12 March 2022 - art.27 of the Act refers to alternative care standards in regard of needs of UA children

- ▶ Easing standards of alternative care in Poland (already operating)
 - ▶ Number of children per institution (no limits)
 - ▶ Age of children placed to institutional care (no limits)
 - ▶ Educational standards of staff (care givers/foster parents from UA)
- ▶ Easing standards of alternative care facilities dedicated to children from Ukrainian institutions and Ukrainian foster parents

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- ▶ Who can be a foster parent for UA child:
 - ▶ UA or PL citizens according to the Act on family support and alternative care and Act of 12 March 2022 on Assistance for Ukrainian Citizens in connection with the armed conflict on the territory of the country
- ▶ Which children are available to be placed in foster care?
 - ▶ General criteria as for PL children (however priority for infants and minor under 3 year-old to be placed in foster families, whereas for PL children priority for children under 10 year-old to be placed in foster families);
- ▶ Legal basis and process for placement
 - ▶ UA foster families who come to PL with children under their care (based on UA legislation)
 - ▶ PL court for families and minors orders placement children in alternative care

Challenges

- ▶ Two standards of quality care: PL citizens and UA refugee children in PL, and re-l vs de-l;
- ▶ Efficient system of screening of UA alternative care staff to be hired in PL for UA refugee children;
- ▶ Quality standards and monitoring and evaluation
- ▶ Premises for big group from UA institutions
- ▶ Culture differences
- ▶ War trauma and its effects
- ▶ Middle/long term perspective
- ▶ Relocation to other countries and ensuring quality and safe
- ▶ No previous experiences in refugees crisis support

Thank you !

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