

UNICEF China
Terms of Reference
For Consultant Recruitment

Job Title of Consultancy: Consultant to conduct a review of good practices on adoption and care, with a focus on children with disabilities, with insights for policy recommendations

Requesting Section: Child Protection

Name of Supervisor and Job Title: Xuemei Chen, Child Protection Specialist

Background of Consultancy Request:

UNICEF China's Child Protection Programme aims to protect all children, especially the most disadvantaged ones, from violence, abuse and neglect. In line with the UNICEF's Global Child Protection Strategy, one of the programme's goal is to strengthen child protection systems and within that the services for care of children who may temporarily or permanently deprived of parental care.

The UN Convention on the Rights of the Child (CRC), in its preamble, stresses the importance of the role of a nurturing and loving family environment in the upbringing of a child and urges State Parties to take all measures to provide alternative community and family-based care for children that are deprived of parental care (article 20).

The UN Guidelines for the Alternative Care of Children¹ provide orientation to the implementation of the CRC on this matter, emphasizing the principles of *necessity* and *suitability* of alternative care, ensuring that an alternative care measure is implemented only when the family of origin is not able to take care of the child and that the most appropriate or suitable measure be implemented in the best interests of the child.

As far as children with disabilities are concerned, article 19 of the UN Convention on the Rights of Persons with Disabilities, states that "*State Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others*", and highlights that children have the same rights as all children and that their best interests should be always kept at the centre.

Backed up by wealth of evidence, countries have engaged in transitioning their care system (care reform) to promotion of prevention of separation and creation of family and community-based solutions. Yet, countries have done so at a different pace and when it comes to children with disabilities, the transition to family and community solutions, may have been slower.²

China is home to nearly 5 million children with disabilities (aged 0-17), a prevalence rate of 1.54 per cent of the total population of children.³ It is estimated that about 1.2 million infants are born prematurely in China annually, who are at risk of being disabled.

¹ [~wtf0C495911.doc \(bettercarenetwork.org\)](#)

² UNICEF Report: Deinstitutionalization for Children with Disabilities: Technical Guidance for UNICEF's Engagement in National Reform Efforts, Helen Jones, 2019

³ The Experts Committee of the Second National Sample Survey of Persons with Disabilities, Ye Qi et al, "The Status Analysis and Strategies Study of Children With Disability in China", 2008.

Although China has made significant progress towards strengthening its child protection and social welfare system, including in the legislative and policy framework, the system and mechanisms to support parents of children with disabilities in their caregiving role, is incipient. While 85% of children with disabilities are looked after by their parents⁴, in practice, cases of abuse, neglect and abandoning the life of children with disabilities has shown that family bears most of the responsibility and pressure. Lack of parenting skills and access to social services, combined with associated stigma and discrimination, place children with disabilities are at greater risks of abuse, neglect and abandonment.

Based on the policy and legal framework, children without parental care are usually taken care of by the next of kin or the extended family. In instances where children are abandoned, he or she will be provided long-term care by the state through child welfare institutions (CWI). Under the administration of the Ministry of Civil Affairs, the CWI makes decisions of care placement for children, that includes adoption, foster care, residential care and other services to meet the needs of the children in their care.

Foster care has been used by some child welfare institutions and is regulated by the Ministry of Civil Affairs 2014 Regulation on Foster Families. According to the Regulation: “Orphans under the age of 18 who are in the custody of local government civil affairs departments at the county-level and above and infants or children whose parents who cannot be found are eligible for foster care. The Measures state that it is not suitable to arrange family foster care for severely disabled children who require specialized professional care, such as long-term medical treatment and rehabilitation and special education”. (Measures, art. 7.)⁵

In the last five years, the number of children who are taken care of in the CWI system has declined dramatically, however, the population in child welfare institutions mainly consists of children who are abandoned, and 98% are with disabilities⁶. While the international trend of minimizing the use of institutional care is pursued, children in CWIs are less likely to be adopted, therefore often remain in an institution.

With the objective of supporting UNICEF’s advocacy on the promotion of family-based care for children without parental care and reforming care systems in China, UNICEF China seeks a consultant to undertake a desk review of international good practices on care reform and adoption, with a focus on children with disabilities, distilling insights that can be used for policy advocacy in the context of China.

Purpose of Activity/Assignment:

To develop a review of good practices on care reform and adoption in select countries, with a focus on children with disability, to provide analytical insights for policy making in the China context.

The document will be based on a desk review and if needed, online interviews with UNICEF staff in China Country Office may be conducted. This assignment is home-based.

The report will be produced in English.

⁴ ‘China Disabled People’s Federation, 2017 Report on the Progress of the Well-being of Disabled People in China’.

⁵ [China: New Measures on Foster Families | Library of Congress \(loc.gov\)](#)

⁶ Press Conference by the Ministry of Civil Affairs (27 January 2019)

The report should include a minimum of 6 and maximum of 9 country profiles, in which there should be a balance between low-income, mid-income and high-income countries, particularly countries engaged in large proportion of children placed in care because of disability and poverty.

Each country's profile should include the following topics:

- Child protection and welfare system (including social security and financial support initiatives for families)
- Profiles of children in state care
- Data of children with disabilities
- Child care reform (efforts related to prevention of family separation, gatekeeping, establishment of alternative care, transition from care) with emphasis on children with disability.
- Promotion of domestic adoption with a focus on children with disabilities, and what formal and informal services are in place to support adoptive family and the child;
- Service guidelines of social workers in supporting a long-term/permanent placement;

Major Tasks, Deliverables & Timeframe:

Time	Main Tasks	Deliverables
November	<ul style="list-style-type: none"> - Development of criteria for selection of good practices - Identify and propose tentative list of countries - Literature review 	Draft inception report
December	<ul style="list-style-type: none"> - Literature review - Preparation of country profiles 	Draft country reports
January	<ul style="list-style-type: none"> - Development of draft report - Final report 	Draft Report
February	<ul style="list-style-type: none"> - Development of final report included comments and revisions by UNICEF 	Final Report

Deliverables and Payment Schedules:

Installation payment, subject to successful delivery of listed deliverables and calculation of working days.

- Draft inception report, including criteria for selection of countries, tentative list of countries 10%
- Draft country reports 30%
- Draft report 40%
- Final report 20%

Methodology & Expected Output:

This consultancy mainly involves desk review and analysis of materials, and developing content as required above. The consultant will be home-based with some required time for online meetings and discussions.

Start Date: 15 November 2023

End Date: 29 February 2024

Total Working Days: 50 days

Consultancy Requirements:

- **Minimum Academic Qualifications required and disciplines:**

Post graduate degree in social sciences, social work, social policy or other relevant discipline.

- **Knowledge/Experience/Expertise/Skills required:**

1. A minimum of eight years of relevant work experience in child protection.
 2. Desired experience of research or work in alternative care and adoption.
 3. Track record of developing child protection materials including research, , desk reviews, or policy documents in child welfare and protection services and related fields backed up by a sample.
 4. Strong analytical and editing skills.
 5. Excellent English language skills
 6. Strong Chinese language skills would be an added advantage.
 7. Ability to work under tight deadlines and independently.
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