

# CREATING A PROTECTIVE ENVIRONMENT FOR CHILDREN



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Child Protection Seminar, 29-30 September, 2003  
For UNICEF representatives – RMT

## **Acknowledgements**

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Anna Nordenmark, Assistant Programme Officer, Child Protection wrote this report. Trine Bolling-Patel helped with the final editing.

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## 1 - Introduction

The Operational Note of UNICEF Medium Term Strategic Plan shifts the focus of child protection from programming based on needs of categories of children towards a more strategic approach, building and strengthening the protective nature of the environment around the child. The aim is to build a protective environment which in itself serves to fulfill the rights of children to protection from discrimination, violence, exploitation, abuse and neglect.

The human rights approach to programming, which was called for in 1998, in the UNICEF Executive Directive 98/04, *Guidelines for Human Rights Programming Approach*, serves as a tool to identify and understand the protective and abusive characteristics of the environment as well as the vulnerability and risk factors which expose certain population groups to higher risk of rights abuses.

### *1.1 Social policy as a response to vulnerability*

In the CEE/CIS region, social policy reforms are being carried out in an environment of economic change. The poverty reduction strategies that are being promoted, namely by the Bretton Woods institutions, will serve as a policy frameworks also for other international assistance and for reordering of public expenditures. In accordance with it's overall mandate, UNICEF is striving to acquire internal capacities for entering into a dialogue at country level on assumptions, processes, instruments and outcomes of poverty reduction strategies and wider social policy frameworks that address social exclusion and to improve of the protective environment for children.

The policy response to address risks and vulnerabilities has been traditionally seen, in UNICEF country programmes, as vested in the State's obligation to guarantee the efficient transaction of personal entitlements. This is true not only for the social protection sector but also across sectors. This means that although social welfare should function as a sector of public administration with specific duties and accountabilities towards children and families at risk, a holistic approach in addressing their needs combined with the imperative need to address social inclusion, calls for complementary inputs from different sectors.

Operationalising policy and legislation has some challenges. In the CEE/CIS-countries, with highly compartmentalized public structures and vested interests of civil servants to keep status quo, new concepts of (de-institutionalized) care and corresponding high threshold for alternative care are making very slow progress. Countries are still suffering the backlog of the socialist inheritance from the past and the relationship between State provided welfare and other channels of welfare is not clear. Financial- and human resources for children deprived of parental care are tied in residential institutions, while family allowances and community based alternatives as low cost alternatives and child friendly solutions do not replace them.

### *1.2 - Why this seminar?*

In this context, the Child Protection section of the RO for CEE/CIS organized a seminar between the 29 and 30 September in connection to the annual Regional Management Team meeting (RMT). The aim was to clarify how one area of child protection concerns in the CEE/CIS region, namely de-institutionalisation of child protection approaches, is linked to a broader agenda of social policy reform. It was argued that social policy reform that is based on the principles of human rights, has a set of components which contribute to building a protective environment for children in the region.

Hence, the seminar was organized with the purpose of enhancing the insight of country representatives into the conceptual and operational challenges of social policy reforms in countries in transition.

With the help of external resource people, the agenda of the seminar addressed issues in selected areas of the State's regulatory frameworks (such as legislation, governance and the allocation of public expenditures) and examined some of the management and planning tools for action. It outlined the most widely used theoretical models and referred to examples of operationalisation and challenges some countries in the region have faced in the reform process. It further focused on components of social services, such as cash benefits and other entitlements for children and families at risk that may be used in the wider context of policy reform to overcome vulnerability.

Three panels were elaborating on different levels of concerns for the reform process:

1. Social welfare in the context of social policy and governance reform;
2. Expanding the legal agenda for fulfillment and protection of the rights of the child;
3. Planning and management processes to enable reform of the system.

### **3 – Social welfare in the context of social policy and governance reforms**

The first panel of the seminar addressed how the Human Right's principles of equity, inclusion, justice and participation, the essential elements of social policy and guidance for service delivery can be operationalized through different regulatory frameworks of the State.

There are several levels in social policy where the adherence to the principles of justice, participation, inclusion and solidarity has to be taken into consideration. Criteria for revenue collection and social spending, are important tools for adherence to human rights principles. Other mechanisms, through which the human rights principles can be mainstreamed, are the legal framework and regulations, social transfers and professional standards.

Finally, it is argued that there should be established methods and means of the State to accommodate participation of non-state actors in the reform process in order to guarantee the highest possible quality of service for the lowest possible cost.<sup>1</sup>

#### ***3.1 Human Rights principles and participation of new stakeholders in the reform process<sup>2</sup>***

Over the last 20 years a number of reports have stressed that there is a severe welfare crisis affecting adolescents and children in the CEE/CIS countries. This is manifested through increasing mortality rates, falling number of births, increase in poverty and faltering social protection and child development programmes. Countries have had varied experiences in addressing this crisis both in terms of successes and approaches. This is even more obvious in 2003, when 10 Eastern European countries are preparing for accession into the European Union in 2004 while a different development is taking place in other CIS countries showing signs of a continued, and in some cases deepened crisis. These countries are getting closer to characteristics of developing countries and might need continued support of international donors, while the EU- and "soon-to-be" EU-countries are taking a lead in development.

In either context, social policy is a means to meet the welfare needs of citizens for countries in development/transition and is a method to maintain the welfare already obtained by countries that have reached a certain level of welfare. Social policy can be seen as a vision of a society that affects citizen's abilities to meet their daily needs through principles of human rights.

##### **3.1.1 The welfare mix**

The state is only one out of many actors who can and is producing social welfare. At the national level the domestic governance, domestic markets, civil society, NGOs and households are active while at the international level international organizations, donors, global markets, NGOs and international household strategies contribute to social welfare. Hence, social policy needs to look beyond statism and involve all potential welfare agents in a useful way. All these actors need to be governed according to the same rules, regulations and understandings towards a positive outcome of social welfare. It involves complex and sometimes contradictory policy networks, linkages and partnerships including actors beyond the national governance.

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<sup>1</sup> External resource persons elaborated upon the topic of this panel. Comments and discussions of the UNICEF representatives and other participants of the seminar have been incorporated in the texts.

<sup>2</sup> A presentation, based on which this text has been elaborated, was presented by Paul Stubbs Associate Senior Research Fellow, Globalism and Social Policy Programme, University of Sheffield, UK

In social welfare, the role of civil society in complementing and pushing the state needs to be defined and regulated. Different tools, such as licensing and accreditation, are available to the state to accommodate non-state actors in service provision. The state also has the obligation to act to enable and empower citizens and civil society to carry out their role as the voices of service users in an organized or non-organized way.

Over the last decade, the approach of development organizations towards social welfare has been rather limited, “projectizing” and “micromizing”, despite the historic fact that social policy reforms and commitments usually evolve from a broader mix of processes and structures. Success stories of social policy reform evolve from a balanced mix of administration, policy and politics, and the demand for services by organized groups in society. Therefore, social policy should include methods and means within the State system to accommodate old and new stakeholders in the reform process.

Traditional partners of UNICEF have been the state, civil society and households. Today, as markets are becoming increasingly globalized, the importance and relevance of the private sector assume greater importance. UNICEF involvement with the private sector benefits from introducing a dialogue on social responsibility and providing strategic and technical guidance for concerns of common interest.

Different international organizations that are partners in reform processes promote different frameworks and approaches for reform. It is essential to analyze different complementary/overlapping roles and potential impact of supported projects and activities. Who the “team leader” is, and what the configuration of international organization and donors look like in a country, will shape the policy discussion and potentially either push or hamper the reform process.

### **3.1.2 Towards welfare justice: inclusion, voice and solidarity**

The aim of the social welfare system is to achieve welfare justice. This is done through provision of services to citizens, following certain rules and regulations, and through redistribution of resources to those in most need. Mainstreaming of human rights principles such as participation, equity, solidarity and innovation will facilitate the achieving of welfare justice. These principles are both the means- and the goal of welfare justice.

The experience of western countries has shown that welfare justice is not a guaranteed outcome of a high GDP. On the contrary, many middle income countries show signs of increasing inequalities and poverty. It may not be seen in national figures but nevertheless it is a reality in those countries. Unless the social welfare system is guided by the principles of inclusion, equity and solidarity, welfare justice may be difficult to achieve.

### **3.1.3 Trust in systems – planning, partnerships and outcome based approaches**

Reform takes place through a process of planning, mapping needs and resources, commissioning of services and reviewing the results in a cyclical and participatory way and through building partnerships between the State, Civil Society and Private Sector. Ultimately, social welfare should be guided by an outcome-based approach, measurable and goal-oriented, making sure that service provision is delegated to those who know best how to provide the service, at minimal cost to the citizen.

For international organizations that are operating in a multi-agency world, results based and outcome based planning and management help to focus many scattered approaches. Widely used tools for planning (such as the logical framework) need to be brought into the policy agenda in order to focus all approaches within one common framework. The current tools of policy reform and planning need to be adapted to become more analytical as to better capture the complex reality.

## **3.2 Decentralization and equity in social policy reform<sup>3</sup>**

Analysis suggests that the institutional framework for social policy in countries in transition has to be transformed to respond to the changes occurring from processes of international economic integration. In particular, the state's power to regulate conditions of economic and labor conditions is diminishing while its role in regulation of social policy depends on profound governance reform. The latter has to provide a framework for civil society as a state partner in the definition of poverty alleviation strategies, in shaping and delivering services and channeling state and other resources.

The equity principle of regulating health, education and social welfare calls for an intersectoral response to groups at risk and it can either be enforced or weakened through processes of decentralization and public spending. The following chapter will elaborate upon these key regulatory mechanisms and provide examples that require central regulation as well as those that depend on increased local responsibilities.

### **3.2.1 Different models of social welfare**

There are a number of different social policy models, which have all emerged from the historical inheritance of its countries of origin. Scholars are talking about the "Germany-, Great Britain-, Scandinavian- and Japanese- models". The post-socialist countries in the CEE/CIS do not have a model yet as it is still emerging. It is a society in transition, still finding its way.

### **3.2.2 The challenges of countries in transition - what to regulate?**

The post-socialist societies coming out from command economy are struggling to develop a regulatory framework for market economy through privatization and incentives for development of medium and small private enterprises. In addition, they have to refrain from non-enforcement of fiscal obligations, maintenance of monopolies in public utilities, "write offs" and similar measures which slow down new developments in economic life but which temporarily contain the political consequences of mass layoffs and unemployment.

Societal strategies such as human resource development, poverty reduction strategies, employment, generation strategies etc. have to bridge the dichotomy between economic and social developments. While at the same time there is a need for intersectoral responses from health, education etc., to address the needs of the number of vulnerable groups at risk in- or outside the labour market. The regulatory scene is therefore rather chaotic and crisis management prevails over long-term planning.

The challenge for countries in transition is to find the balance between on the one hand what needs to happen simultaneously in the reform process, and on the other hand what has to happen in the short, medium and long term.

### **3.2.3 Key regulatory mechanisms - social spending**

With an overall aim to achieve equity, social welfare depends on two key regulatory mechanisms: social spending and decentralization. Public spending should primarily aim at reducing inequalities, stimulate upward social mobility and maintain social cohesion.

It is alarming that many transition countries are short of funds for social spending while they are increasing their military budgets. Also within the budget for social sectors, prioritization of funds remains a challenge. There is a tendency to spend more money on less child friendly social services (such as residential institutions) than on for example inclusive education and alternative care.

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<sup>3</sup> A presentation based on which this text has been elaborated, was presented by Vesna Bosnjak, Advisor to the Minister of Social Welfare, Serbia.

It is part of the European tradition to combine the universality and targeted state allocations of resources and not to use them in exclusion of each other. There are advantages to both approaches. The universality principle may be more expensive as more people would be eligible for social benefits. However, it also makes sure that all citizens have an interest in maintaining high quality of services. Experience has shown that the targeted approach, which benefits only the poorest, may become “poor services for the poor”. This could be linked to the fact that the poor and marginalized generally are non-influential groups in society when pressing for quality services. The targeted approach, on the other hand, is more cost effective and makes sure that those most in need are reached by the benefits.

The current debate on this issue intends to contribute to the reform process in countries in transition. However, it seems to neither address realities in countries with different levels of GDP and budgets nor give prescriptive guidelines for different realms of public spending.

### **3.2.4 Key regulatory mechanisms - decentralization**

Many expectations from the current process of decentralization, based on notions of efficiency, greater transparency, presumed capacity of the local authorities to better respond to local problems has not materialized. Inefficiencies of the present system of social welfare are in many instances resulting from deficient mechanisms for the transfer of resources, lack of accountability and poor information system as well as the quasi-monopoly of public institutions to run the services. These inefficiencies should be tackled in whatever system is designed, centralized or decentralized.

When using decentralization as a regulatory mechanism, it is important to find the fine balance between central and local levels of responsibilities. Some functions should stay at the central level, such as the one assuring entitlements for cash benefits and setting the standards for services, while the local level should have the responsibility to find innovative solutions to solve problems and to use funds efficiently. Changes in taxation, fiscal policy and disposal of state properties should enable local authorities to finance and maintain minimums of provisions guaranteed at central level. Consequently, the central level should guarantee the distribution of funds to regions and municipalities in order to bridge the disparities in their capacity to locally finance and maintain essential services.

Social protection is usually carried out through cash and non-cash assistance to the population, either universally and/or targeted towards vulnerable groups (see earlier discussion). It is also available to the population through statutory and/or non-statutory services. The local level should handle the planning and management of social welfare services and other entitlements within the parameters agreed upon at the central level.

### **3.2.5 Social policy implications**

Social policy should be operationalized as a set of concerns beyond a single sector government program. These concerns should be democratically negotiated in order to strengthen citizenship and human development through effective social transfers, services and other incentives facilitating access to opportunities for development of individual's and households' productive and other potentials.

In the tradition of UNICEF country programmes, much of the policy response to risks and vulnerabilities of children and families is seen as vested in the State's obligation to guarantee the efficient transaction of personal entitlements. This holds true across sectors. It means that although social welfare should function as a sector of public administration, with specific duties and accountabilities towards children and families at risk, a holistic approach in addressing their needs calls for complementary inputs from different sectors.

In practice, UNICEF has paid more attention to the establishment of inter-ministerial working groups to improvements in legislation and to setting-up desirable indicators to measure achievements, than to capacity building for assessing, planning and understanding the governments' management abilities to

finance and reorder social transfers. The expectations to achieve results for children and families without addressing these other weaknesses are unrealistic.

Social policy reforms are now being carried out in an environment of economic change, in which poverty reduction strategies are being promoted, by the World Bank and the IMF, serving to a large extent as a policy frameworks for international assistance and reordering of public expenditures. In accordance with its overall mandate and the above specific concerns, UNICEF needs to strengthen internal capacities for initiating and carrying out a dialogue at country level on assumptions, processes, instruments and outcomes of poverty reduction strategies and wider social policy frameworks.

### ***3.3 The experience of Romania<sup>4</sup>***

The reform process in Romania has been characterised by changes in legislation, public structures and its mandate and financial approaches. The effects of these changes have been both expected and sometimes unexpected. Throughout the years of reform, a number of choices were made to overcome “side effects” or new challenges.

Here follows the experience of Romania pertaining to the reform of the child protection system, challenges and lessons learned in the areas of decentralisation of social welfare and the position of local authorities vis-à-vis central level fiscal sources. The experience in Romania proved the importance of the principles of solidarity and equity in social policy, of eligibility criteria for entitlements and services and of a balanced approach for prevention and intervention. The success of Romania lies in political commitment and enforcement mechanisms facilitating the functioning of multi-sectoral mandates at local and national levels.

#### **3.3.1 The start of the reform in Romania**

The process started in 1990 after intense media coverage on the situation of the institutionalised children. At the time, the responsibility for child welfare issues was divided between several Ministries (Ministry of National Education, Ministry of Health, Ministry of Labour and Social Protection, State Secretariat for Handicapped Persons). Co-ordination between NGOs and local and central authorities on crosscutting pilot projects was difficult. In 1994 the government decided to set up the National Committee for Child Protection, an inter-ministerial agency with the mandate to define a coherent policy and to co-ordinate all child protection activities between the responsible bodies. In 1995 this structure launched the National Plan for Children. However, due to lack of political will and no power to decide, the National Committee for Child Protection failed in implementing the National Action Plan.

#### **3.3.2 The situation as of 1996**

Until the end of 1996, the Romanian Child protection system was almost entirely relying on residential care. The care given to children in most institutions was inadequate and caused disabilities and stunted emotional and physical growth in many children. Lack of support and community resources for families in difficult situations (such as poverty, family breakdown, single parenthood, families with special needs children etc.) and the lack of alternative family care, such as fostering and adoption, coupled with a centralised financing system inherited from the socialist era were the main reasons for the institutionalisation of the children.

Decisions for placing children in institutions were made at the county level by the county council Commission for the Protection of Minors. Once in the system, children were rarely released due to lack of specialised services or alternative solutions. Children were moved from one institution to another. Lack of

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<sup>4</sup> A presentation based on which this text has been elaborated, was presented by Liliana Momeu, Director, Department for European Integration, national Authority for Child Protection and Adoption, Romania.

databases on institutionalised children and lack of adequate monitoring and information systems, made improvement of services difficult. Budgets for each institution depended on the number of children placed in the institutions. Consequently, the county authorities were discouraged from seeking alternatives to institutionalization.

### **3.3.3 Legal reform and decentralization**

Things started to change in 1997, when the Government started to realize the high economic cost of the institutionalised child protection system. The Government started to attach priority to reforming the system. The reform process was based on the following principles:

- Reform of the legal framework governing the protection of children's rights. It aimed at drawing up a coherent legal framework, based on a system of normative documents on protection of children's rights;
- Decentralization of administrative and financial responsibility from the central government to the local level. Decision making power and responsibility for financing the child protection system was transferred to while the central authority was responsible for the methodological coordination;
- Promotion of community based services and of alternatives to the residential care system. This aimed at reinforcing the role of the family and community, preventing abandonment and institutionalization as well as de-institutionalization.

In spite of the fact that the economic conditions in Romania in 1998-99 deteriorated and the number of children in difficult situations increased, the newly developed child protection system was able to respond to this challenge.

### **3.3.4 New financial and decision making mechanisms**

Child welfare activities began to be financed from the county budget at the same time as the responsibility for a large part of the institutions were transferred to the county authorities. The child protection decisions were taken at the county level, by a new decision making structure – The Commission for Child Protection. They started to emphasize prevention (gatekeeping) and alternative services, developed by the specialized public services for child protection and NGOs.

The main source of revenues at county level was the income tax. Under difficult economic conditions, with growing unemployment, the counties were unable to gather enough revenues to ensure enough financial means for public services. In 1997-98, funds were still allocated from the central budget for the county councils, with a special destination for child welfare activities. In addition, most of the transferred institutions brought with them debts accumulated while under the centralised administration. These debts were made the responsibility of the county authorities.

In 1999, a new law on the Local Public Finances introduced changes in the way the local (county) budgets were to be constituted. Out of the county revenues (mainly based on income tax collection) 50% went to the state budget, 30% went to local budgets, 10% were kept for balancing local budgets according to the needs and 10% were kept for the county budget. The central budget was no longer balancing the needs within the child protection system. As a direct consequence, the child protection system was confronted with difficulties due to the incapacity of local public administration authorities to financially sustain the public services for child protection. Institutions still centrally financed, were showing an even more critical situation.

Under these circumstances, the Romanian Government decided to integrate all child care institutions under a unitary system. The National Agency for the Child's Rights Protection was set up, as a single governmental central structure to monitor the promotion and respect of all children's rights.

### **3.3.5 The role of the National Agency for the Child's Rights Protection**

The main roles of the Agency were the following:

Strategic, securing the substantiation, elaboration and administration of the strategy reform program in child welfare and adoption;

Regulatory, securing the elaboration of legal framework needed for the attainment of goals and programs;

Administrative, providing the administration of state public and private property and the management of the child welfare public services;

Representative, supplying internal and external representation in the name of Romania;

State authority, securing the supervision of the application of regulations in its specific field of activity.

### **3.3.6 Financial challenges and need for training, standards etc.**

In addition to the new central structure and its mandate, two other very important changes were included in 1999:

- The transfer of the institutions for children with disabilities, which were still under the responsibility of the Ministry of Education, Ministry of Health and State Secretariat for Handicapped Persons, to the administrative and financial management of the local public services for child protection;
- Designing of a new financial mechanism to support child protection activities, by supplementing the sources of finance and defining the participation modalities of the central and local budget in co-financing the system.

As before, the transfer process proved to be difficult. It led to a short period of stagnation in the reform process as considerable financial and human resources had to be moved to support the transfer process. In less than six months, 193 institutions with 30 555 children were transferred to the responsibility of the specialised public services for child protection. This is a continuing process. It requires new competencies to be defined, new training programmes, redeployment of staff, designing and implementation of basic quality standards of care and a sustainable financing mechanism.

### **3.3.7 Creating incentive mechanisms to prevent institutionalization**

From 2000, local councils were to contribute to the financing of the specialized public services activities in accordance with the number of children from the respective community placed in residential care (placement centers). This constituted an incentive for the local authorities to start working on initiatives to prevent institutionalization and to resolve each situation locally with the participation of the community.

The system is still trying to provide sufficient multiple sources of financing for the child welfare activities in order to ensure proper financing and to provide a back-up mechanism for crisis situations. However, the risk remains that as long as financing is provided from the central level this might become a disincentive for the local authorities to look for more efficient financial solutions. This could affect the de-institutionalization process.

### **3.3.8 Renewed political commitment, 2001-2004**

Year 2001 is another benchmark. The former central structure was reinforced and placed under the direct co-ordination of the Minister for the General Secretariat of the Government. For the first time children in need were considered and treated as a national priority. The main characteristics for the last three years have been a strong and constant political commitment with proper allocation of resources in combination with a coherent approach of the Governmental Strategy for the protection of children in need. In its efforts towards accession to the European Union, Romania now fulfills one of the political criteria from Copenhagen, i.e that of child protection.

At the political level, there are two mechanisms, which proved the political commitment and facilitated the harmonization of efforts. The first one was the High Level Group co-chaired by the Romanian Prime minister and the European Parliament Reporter for Romania. This group proved to be important for a

better understanding of the strategies and policies promoted by the Romanian authorities, but also for a more targeted and efficient intervention and support from donors. The second important mechanism was the “Donor’s Meeting”, chaired by Unicef and attended by technical staff of the international partners. It facilitated harmonization of programmes of different actors.

### **3.3.9 Future challenges: standards, monitoring, eligibility criteria**

At present, the Agency is developing quality standards for all types of services to ensure that all actors, both public and non-governmental, meet basic quality requirements for service provision. Simultaneously, it is working on developing the legal framework for licensing and inspection of service provision, based on these quality standards, and on introducing a countrywide monitoring system for child tracking. The necessity for standards and licensing procedures is growing, matching the increased number and diversification of community services.

The services were developed by the specialised public services for child protection according to local needs, to act as a complement to the services provided by NGOs and to avoid overlapping. NGOs are increasingly working in partnership with the public services for child protection and contribute to national or international funded programmes.

Future challenges include finding a balance between development and diversification of foster care, as an alternative to institutionalisation and support for the natural families to enable them to care for their own children; in other words to avoid foster care as a substitute for natural families.

Another challenge is related to change in the eligibility-criteria for family allowances. The new scheme will include a universal state allowance and a complementary one, granted to the family based on their income, number of children and particular situation. Linked to this, is the challenge to educate families in the use of the allowances for the needs of their children.

### **3.3.10 Lessons learned from 14 years of reform**

Coordination with other sectoral policies to match the speed of reform in other sectors is important since the social welfare reform process is not depending on one sector alone. In Romania, a unitary approach and coherent policy for reform was built up in steps. Priorities were established in answer to emergencies. While solving the basic problems and establishing the foundations for a better future system, a pro-active and planned approach emerged.

During different phases of the process, Romania received confusing advice from partners, sometimes pressure. Solutions offered or induced by a large variety of partners made their mark on the emerging system. Co-ordination mechanisms between all actors were felt to be needed.

Attitudes proved to be one of the most challenging aspects of the reform. Over-paternalism of the state, attitudes of parents and those of staff in institutions proved to be the most challenging aspects of the reform. Lessons learned in Romania have shown the importance of motivating service providers and staff to participate in the reform and provide quality services. Training was deemed necessary as well as planning and communication of plans concerning staff of institutions heading for closure.

## 4 - Expanding the legal agenda for fulfilment and protection of the rights of the child

This chapter looks into the regulatory measures that are available in order to provide better accountability and guidance for services and professionals. It gives practical examples of legislation and mechanisms of law enforcement that can improve the protection of children's rights.<sup>5</sup>

It seems that both advocates and leaders of reform processes have overstated the expected impact on realization of rights of legal reform and procedures. This should in no way undermine the paramount importance of legal action when such a procedure resolves the clients' claim or interest through decisions of the court or guardianship authority. Availability of appeal procedures and/or coercive measures in the case of divorce, custody over children, appointment of a guardian, adoption and the like are indeed important. So are entitlements to cash benefits such as child allowances and pensions. These are statutory obligations of the state. These statutory functions depend on legal action and can be pursued through appeal processes. The non-availability of state funds for these entitlements may jeopardize the realization of rights of individuals.

The same is even more likely to occur in other spheres of preventative, counseling and protection services. These are heavily dependant on regulatory procedures (quality standards, rules of professional conduct, client's participation) and the financial affordability of the system.

The second panel of the seminar concentrated on different types of legislation. These are tools that are available to the States to set a framework for implementation of Child Rights and to operationalise them through the articulation of entitlements and standards for service provision. Interpretation of laws should not be left to the discretion of service providers. This is especially important where values and attitudes of civil servants are not rooted in human rights standards.

Experience has shown that even when national laws are aligned with international human rights standards, the accountability of the state authorities is not ensured. This happens because people who are deprived of services, or are treated unfairly by service providers, lack the capacity to claim their entitlements and opportunities for fair representation. The expanded agenda of legal protection needs to include provisions for such accountability and provide for corresponding competencies and standards for helping professionals, managers, planners and social activists.

### 4.1 *Children's rights in practice*<sup>6</sup>

The next chapter will set the framework for the Expanded legislative agenda. It argues for a number of mechanisms that need to be in place to operationalise the CRC. The background is the conceptual breakthrough in Human Rights treaties and its impact on legal reforms related to children. It will mention some international mechanisms for enforcement of the CRC, but mostly elaborate on how the CRC needs to be translated into primary and secondary legislation, and non-legislative instruments, for efficient implementation.

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<sup>5</sup> External resource persons elaborated upon the topics of this panel. Comments and discussions of the UNICEF representatives and other participants of the seminar have been incorporated in the texts.

<sup>6</sup> A presentation, based on which this text has been elaborated, was presented by Yvonne Spencer – University of Essex, Solicitor-Advocate at Children's Legal Center, UK

There will also be an example of the work and practical experience of the Children's Legal Center in establishing mechanisms of law enforcement with prescriptive guidance for civil servants and other service providers in Romania.

#### **4.1.1 The status of international human rights law**

The main legal instrument for children's rights is the UN *Convention on the Rights of the Child* (CRC) but all international human rights conventions apply equally to children and adults. In addition, there are various 'soft laws', resulting from resolutions from international conferences. One example is the Salamanca Recommendations on inclusive education for children with special educational needs. These were put forward by the 300 participants of the UNESCO conference held in Salamanca, Spain in 1994. Resolutions exist in a gray zone between law and politics. States may agree to international resolutions without being accountable for implementing them.

Similarly, at international level, international conventions 'lack teeth' in terms of enforcement. The only exception is *The International Convention on Civil and Political Rights* (ICCPR) which has the Optional Protocol permitting individuals to petition to the Human Rights Committee against the State. As for the CRC, States are obliged to report to the Committee on the Rights of the Child at regular intervals on the progress they have made in implementation. However, the committee lacks power to enforce the implementation of the recommendations and comments made. There is still a long way to go before international law is implemented and recognizable as good practice within the signatory States.

#### **4.1.2 The Convention on the Rights of the Child – a conceptual breakthrough**

The Convention on the Rights of the Child is an outstanding example of international human rights law. By 16<sup>th</sup> May 2003, it had received almost universal ratification by 192 states. No other treaty in history has been ratified so quickly. It contains a wide spectrum of rights or obligations, owed to the child by duty-bearers such as the State, families and primary caregivers.

The convention has two overarching principles, the non-discrimination principle and the principle of the best interest of the child, primary considerations in all actions concerning children, whether taken by private or public bodies. The rights generally fall into three categories; protection rights, provision rights and participation rights. A fourth category, inclusion rights, may be added.

#### **4.1.3 Operationalising the CRC through Primary-, Secondary and Sub-legislative mechanisms**

In some legal systems, the CRC becomes national law automatically through ratification of the convention, with the provision that it cannot go against the constitution of the country. In other legal systems, the CRC articles have to be translated into national legislation before it is legally binding in the country. These countries have, to a larger or smaller extent, initiated and implemented legislative-, policy- and sectoral reforms in accordance with the convention. However, experience in many countries has shown that initial development of a national policy helps to co-ordinate and streamline legislation as a second step. The policy provides and promotes a goal and a vision of the government, while legislation has to pass through the parliament (in the cases of democratic countries).

Different types and hierarchies of legislation include primary legislation (national legislation), and secondary legislation (such as EU-standards). Implementation of secondary legislation often takes a longer time. Accumulated experience has shown that below national legislation and policy, there is a need to put in place adequate mechanisms for the operationalisation of national frameworks. Non-legislative mechanisms such as standards and best practices are required, in combination with monitoring and efficient law enforcement structures, to prevent impunity of violations of child rights. Enforcement mechanisms need to cover individuals, professionals and systems.

Making human rights work in practice requires political will. Because children cannot vote, governments reliant on popular support for re-election do not always see children's rights as being top of their agenda. Instead there may be external triggers that generate a positive governmental response. The pressure of the Concluding Observations of the Committee on the Rights of the Child, or the political wish to accede to a regional international institution such as the European Union, are some examples. Both go into the detail of enforcement mechanisms such as development of standards, monitoring and sanction mechanisms that will operationalise the articles of the CRC. The initiative to carry out and establish these mechanisms, however, rests with the governments.

Operationalising the CRC is a long process, requiring considerable consultation and human rights awareness publicity and training. Domestic legislation, secondary legislation, and good practice manuals need to be developed, once all the State's players have agreed on the policy.

#### **4.1.4 Establishing a monitoring and inspection system in Romania**

Within the framework of social policy reform, and the implementation of the CRC through this reform, Romania has initiated an accreditation and inspection system for all children's services in the country. Such a system requires drawing up of national minimum standards for services, and the establishment of an inspectorate to visit local authority and private service providers to ensure that the minimum standards are being followed. Minimum standards have proven to be an ideal vehicle for upholding child rights and in particular for protecting the rights of the most vulnerable.

The process has been lengthy. Initially, it was inconceivable to many that representatives from the government could enter NGO or local authority premises, inspect their records and documents, and speak to their staff and service users.

The inspections system put in place in Romania is one of many ways to monitor standards and services. It is a costly method for a poor country. The first pilot inspections began in October 2003. The inspectors, made up of government personnel, will inspect the local authorities' and local NGO services, and evaluate the level of compliance with national standards and performance indicators. At the end of the inspections, reports will be available which will include recommendations on how practice can be improved. However, until the Romanian Government passes legislation implementing the regulation and inspection system, the national standards will be unenforceable. Ideally, the legislation should give the inspectorate the power to close services where non-compliance with the standards places children at risk.

#### **4.2 Standards in Child Protection services <sup>7</sup>**

In many cases legislation in accordance with the Convention on the Rights of the Child may exist but is not fully implemented. Although national legislation is the first step towards rights based regulation of services, the quality of services would benefit from the elaboration of specific standards for service delivery and codes of conduct for professionals, applicable to all service providers. Supervision and accountability mechanisms would guarantee their full implementation.

Some other mechanisms for implementation of legislation and operationalisation of the CRC include policy for quality of services; workforce development; standards; monitoring and feedback; corrective and punitive measures.

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<sup>7</sup> A presentation, based on which this text has been elaborated, was presented by Andrew Bilson – Senior Development Consultant, Leeds University, UK

#### **4.2.1 Policy statement**

The implementation of legislation and standards for services require a framework, a policy, which makes sure that the same set of standards are applicable to all public or private service providers. Many countries have an NGO sector that has been particularly active in social work and provision of services. NGOs do not have a duty to provide services, but have given themselves that mandate. When the state starts taking full responsibility for providing services, it can delegate responsibility to NGOs or other practitioners. Only the state, however, is responsible for setting standards applicable to services and that are to be followed by all providers.

Ideally, standards and policy framework should be agreed upon, as a result of a consultative process and, and be clearly communicated to those who are responsible for operating within the framework. The standards should be formulated aiming at protecting the rights of the users of the services. The policy statement also requires an outline of the approach as to what type of standards that are used and what type of monitoring will be required.

#### **4.2.2 Workforce development**

If the service provider is made accountable for the quality of the service, there is also a need to look into the workforce of professionals. It has to be sufficient in numbers and have the experience and qualifications required to meet the needs of the children. It is desirable that a set of codes of conduct for the service provider is elaborated as a guide for the professional. The code will outline the “legal framework” within which the professional will work and provide a reference point for legal action in case it is not followed.

The workforce has to be planned for in numbers and qualifications. It needs to be recruited based on needs of the organization and qualifications of the professional. Vetting of candidates is necessary to make sure that the professional has no history of misconduct. Once the professional is in place, he or she has to be trained and updated on the last developments in the area of work, and on what is expected from him/her as a professional of the organization. The professional codes of conduct should be part of this training.

#### **4.2.3 Standards for services**

The standards for services can differ, as different countries have varying preferences. There are 4 categories, from “Minimum Standards”, which establish the baseline for quality of service to be provided, to “Standards of Excellence”, which provides targets towards which the professional should aspire.

Many countries already have “Standards on the environmental aspects” of the service to be provided, but lacks “Quality of Life Standards”. While the minimum- and excellence standards are adopted exclusive of each other (either or), the environmental and quality of life standards are best used together, to complement each other. Environmental standards set the standards for buildings, interiors, hygiene, clothing, food to be provided etc., while the quality of life standards measure to what extent the service provided guarantee a full development and wellbeing of the child. These standards are slightly more difficult to measure. They can be monitored based on the outcomes of the child in terms of the child’s reactions and wellbeing. There are a number of milestones in the psychological and physical development of the child and the child’s performance in school and in tests, that can serve as measurements of the good or harmful effects, for example of an institution on a child.

#### **4.2.4 Different types of monitoring systems**

Standards of services need to be accompanied by a relevant monitoring system. There are different types of systems to chose between, depending on the resources available. Ideally, all monitoring systems should provide some kind of feedback. This is to facilitate improvements and installing of sanction mechanisms if, and when needed.

- Inspections may be a costly alternative for poor countries, but can be effective to monitor the compliance to standards. The inspectors need to have certain powers; to enter premises, to interview staff and service takers, seize evidence and/or have access to written records.
- Self-assessment is an internal exercise, aiming at improving the performance. The advantage of this system is, that the process is “owned” by those who are providing the service. It can be an empowering exercise, but it requires a certain level of discipline. No sanctions would be attached to such system.
- Performance and measurement indicators help translating the standards into measurable indicators. Forms are to be filled in (at regular intervals) by the service provider, and are analyzed, at the level where the service is provided, or more commonly, at a higher level. Sometimes forms are considered time consuming to fill in and discipline and maybe even training in how to fill in the forms correctly is required for this system to function efficiently. The sharing of the findings with the service providers, would be the challenge of the higher level in the hierarchy.
- A Complaints system monitors on exception and only indicates what is not functioning in the system. Similarly, action can be taken to improve it, only when there is a complaint. When choosing this system, it has to be considered that all problems may not be expressed or translated into a complaint. In particular, vulnerable groups may not be in position to raise their concerns. For this system to function well, the mechanisms for complaint have to be transparent and easily accessible to the service users.
- Ombudsmen and advocates are another well-known system, where a person is mandated to be the link between the service users and the service providers. Ombudsman means “a person who is mandated to represent another”. It is a system with roots in the Scandinavian countries. The person who is chosen as ombudsman has to have clear terms of reference and codes of conduct. Neutrality and high respectability are two of the criteria for selection.
- Management and supervision is maybe the most common system. Managers are supervising and monitoring the performance of staff, and at regular intervals hold discussions with staff, to provide feedback and identify areas for improvement.

#### 4.2.5 The regulatory system for services and workforce

Regulatory systems are needed for both services and professionals (the workforce). The system (service providers) may need a license. A license is based on a set of regulations and standards for the services, which are legally binding. If an assessment or inspection finds that these are not fulfilled, action can be taken against the service provider.

A service provider can also have an accreditation to carry out a service. Standards are set for the service, and an accreditation agency monitors the standards.

For professionals (the workforce), the individual worker may need a license allowing him/her to carry out the tasks needed to complete the work. An example of this is the license a doctor must have in order to perform health services, or the driver’s license a taxi driver must have to be allowed to drive the car. To obtain a license, there will be a code of practice that the professional agrees to follow, such as regularized training and registration. A standards council is responsible for licensing.

The second category of regulatory system for professionals is certification. To obtain a certificate, there are criteria on qualifications and training of the individual. An association or an agency is responsible and mandated to certify individuals.

#### **4.2.6 Feedback on monitoring, corrective and punitive measures**

Feedback is an important and non-negligible aspect of monitoring. The law and regulations should ensure that the findings are shared with service users and parents, the public, providers and those who are responsible for the service, such as purchasers and local and national policy makers.

Corrective measures need to be defined and written into legislation. Concerns as to how laws and regulations provide measures for enforcing corrections need empowering. This would include not to register, to de-register, to place conditions on the providers, to fine, punish or require compensation. The process of correction needs to be transparent and fair, and to have clear dispute procedures and appeals.

#### **4.2.7 Improving standards**

Standards can and should be elaborated, based on the principles of the CRC. Experience has shown that awareness alone is the reason for non-implementation of the CRC, legislation or standards. There are many factors, which influence behavior of individuals. Each organization and working place may require different mechanisms to change behavior.

The mechanisms that may improve the performance of professionals and service providers up to the required level, involve incentives (i.e. mandatory, legal, financial, prestige within the organization and/or commercial advantage), commitment, and shared understanding of the problem and solutions, leadership, management and supervision. It also involves sanction mechanisms, training, continual development, ethical practice, quality management tools and involvement of the provider of child care.

### ***4.3 Implementing the CRC - the experience and challenge of Tajikistan***<sup>8</sup>

This chapter provides a real life example of the challenges that many countries are facing when initiating a reform process for full implementation of the CRC. Experience from all around the world has accumulated evidence that ratification of the CRC, legislative- and policy reform is only the beginning of the process. The experiences of the reform process in Tajikistan outlines some challenges that the expanded agenda of legal protection represents.

It elaborates on the composition and mandates of the inter-ministerial National Commission on Child Protection (NCCP) and the experience of the NCCP with regard to attitudes and practices of civil servants and helping professions with regard to respecting the rights of a child. Reference is also made to the pressing need for further capacity development of public servants and social welfare service providers to ensure compliance with- and respect of human rights, especially with regard to vulnerable social groups.

Being a model in civil society participation in the monitoring of the implementation of the CRC, it gives an example of the potential role civil society initiatives have in promotion and defense of rights of children and the organization of children for participation in policy discussions.

#### **4.3.1 Background to the reform process**

The Republic of Tajikistan is an independent state since September 1991 with a population of 6.1 million people. It is predominantly a rural country, with ¾ of the population living in the rural areas. Families are big averaging 6 children per family. As much as 55% of the population, is in the age group 0-19.

The civil war (1992-97) left the country in a state of poverty with a detriment of economics of USD 7 billion, 1/3 of the schools destroyed, a shattered state machinery and a non-existent social welfare and

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<sup>8</sup> A presentation, based on which this text has been elaborated, was presented by Munira Inoyatova- Director of Advanced Training Institute, Tajikistan

protection system. Since the first years of independence were marked by internal conflict, the legal base was one of an outdated Soviet style. Soon after the end of the war, the Majlisy Oly (parliament) ratified a number of international pacts, among others the Convention on the Rights of the Child. This was a first step towards reform.

#### **4.3.2 The National Commission on Child Protection**

A special national body, the National Commission on Child Protection, was set up to look into the coordination and implementation of the CRC and to initiate activities of groups of experts. It is an inter-ministerial working group composed of all deputy ministers and headed by the Deputy Prime Minister.

Its secretariat exists under constitutional guarantees in a department placed in the presidential apparatus. It is the body in charge of organizational matters linked to the CRC implementation. The CRC implementation is also linked to a working group, with senior specialists from the ministries. This group is the information gathering body and prepares the files for the secretariat.

More independent of these state structures, but very important for the CRC implementation, are the groups of experts, both governmental and non-governmental, that examine policy proposals and elaborate programs and plans of action. There is also a Child Right's Monitoring Center, set up by NGO and media representatives, to regulate efforts and provide a bridge between the NGOs and government in relation to securing and promoting Child Rights.

#### **4.3.3 Child participation in the policy issues of the CRC**

The child's right to freedom of expression and thought, and the state's obligation to support children to participate and express their view in policy decisions affecting their lives, have been taken into account through guaranteed participation of children (at present 40) in NCCP matters.

In addition to fulfilling its obligation to children, the objectives of child participation were also to strengthen and build the capacity of children from different communicates to articulate and advocate for their rights. This group of children is especially involved in developing child friendly versions of the documents of the NCCP, to disseminate the CRC and the plan of action to peers, to collect children's views, to spread information of the group of children in media and to participate in the NCCP sessions as representatives of the voices of children.

Despite this encouraging step to voice the demand of children, there are a number of challenges to overcome. Some of them are linked to the capacity of children to lead the activities they are given the mandate to lead. There is also a hesitation within the government as to the productiveness of children in policy decisions. Finally, there are a number of children in rural areas that have not been given the opportunity to be trained and to represent their peers.

#### **4.3.4 Challenges to the implementation of the CRC**

The establishment and mandate of the NCCP with active participation of children, is a first and encouraging step towards the implementation of the CRC. Still there is a long way to go.

Tajikistan is a living example of how, despite the fact that conventions are ratified and legislation and policies have been adopted, the implementation level of the CRC is not sufficient. The challenges faced today are mostly linked to changing the centralized mentality of the system, the poor co-ordination between government ministries and civil society organizations. The capacity of civil servants to provide child friendly services, has to be developed, as there is both lack of a national curriculum and textbooks for the education of the civil servant. What is available today are Russian books and curricula based on a centralized and socialist approach. The lack of national standards in child protection exacerbates the problem.

The challenges lie in taking the reform process one step further and changing the mentality of civil servants through capacity development in terms of training, development of codes of conduct for professionals, standards for services, monitoring and incentive and sanction structures encouraging change. Including the civil servants themselves in this process seems to be the best way to go.

Some incentive mechanisms that would encourage and stimulate a reform process may be money and prestige for the workers, job security (knowing that they do not risk losing their jobs in the reform process), investments in infrastructures, and salaries.

For partners, the challenge is to dovetail their assistance with the political agenda of the government and encouraging and advocating for the agenda of children's rights to become a political priority in election campaigns.

#### **4.3.5 Recommendation for the future**

The advantage of Tajikistan's path in the reform process lies in the strength of coordinating sectors within the government and the NGOs. The NGO-report to the CRC is a proof of this, and is showing how a report can be fully absorbed by Governments. Recognition in the media for this good practice could be a good incentive to stimulate reform.

Establishing a civil servants' institute based on the new curriculum, through which new professionals will graduate, as well as establishing a fund for social innovation facilitating the piloting of new models within the reform process, may be of advantage for the reform process.



## 5 - Planning and management processes to enable the system reform

System reform can only be achieved through a multilevel non-linear processes, which should be planned and put in practice in a short-, medium- and long term. Participatory planning methods, negotiation procedures and protocols of understanding among different stakeholders must be used simultaneously with assessment of constraints and incentives for desired outcome. An informed social demand accompanied with accountability structures and specific guidance for service providers can either be a complement or constitute pressure on decision-makers.

In the area of Child Protection, some of the desired outcomes of system reform, include de-institutionalisation of child protection measures, plurality of service providers, accountability and changed roles of service providers and, finally, empowerment of clients and their representatives. Ultimately, entitlements and services for children at risk, provide a structure for the fulfillment of child rights. Some necessary elements for achieving such structure include selective temporary deregulation of the system, delegation of authority to new stakeholders and incentives for organizational learning and innovation.

The first part of this chapter provides an overview of the planning and management processes relevant for the system reform. The second half gives examples of practical examples of applied knowledge and tools which are currently being considered for use in the system reform.<sup>9</sup>

### *5.1 Short and medium term challenges of social system reform in Serbia*<sup>10</sup>

This text will elaborate on some short and medium term challenges in social system reform and how they were addressed in the case of Serbia. It will share the experience of some innovative mechanisms that may facilitate or hamper the process of reform. It will refer to the poverty reduction strategy (PRSP), social welfare entitlements and social services, and elaborate on the Social Innovation Fund – one among other regulatory efforts contributing to the necessary changes in service provision at local level.

#### **5.1.1 Background to the reform process**

The Ministry of social affairs in Serbia is responsible for social assistance, child- and social protection (such as child-parent relationship, adoption, fostering, residential care, the elderly and disabled persons), pension insurance and war veterans.

At the time the reform process was initiated in 2001, there were a number of inherited problems to deal with. The country was impoverished and vulnerable groups in particular, such as disabled, the Roma, children and the elderly, were facing a worsening situation. War and armed conflict had given rise to new vulnerable groups such as refugees and internally displaced persons, as well as combatants and civilian war invalids. Large external debt further exacerbated the problem as social assistance to these groups had as much as 26 to 32 months of arrears. The economic situation affected the condition of institutions, their employees and the motivation of staff. Social welfare facilities and equipment were obsolete or ruined.

At the conceptual level, the state struggled with problems such as a general decline of quality of services in the system and the prevalent implementation of institutional forms of protection instead of support to families and family-like protection. There was an absence of protection forms and methods for support to children and families in their natural environment. In addition, the service provision in the government and non-government sectors were not complementary. Services were generally guided by conservative and rigid attitudes towards the beneficiaries of the system, and training of staff was inadequate. The

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<sup>9</sup> External resource persons elaborated upon the topic of this panel. Comments and discussions of the UNICEF representatives and other participants of the seminar have been incorporated in the texts.

<sup>10</sup> A presentation, based on which this text has been elaborated, was presented by Ms Gordana Matkovic, Minister of Social Welfare, Serbia

system did not provide any mechanisms to detect and react to threats and discrimination against individuals.

### 5.1.2 Policy reforms

The still ongoing reform process started by addressing the most acute and necessary short term objectives. A *financially sustainable social transfer policy*, aiming at providing support to the most vulnerable groups is being set up. It is designed to target the most vulnerable groups in society, based on the definition of poverty line, and determines the minimum level of social protection that should be provided for these vulnerable groups.

The social transfer policy defines the central and local responsibilities. Temporary social protection mechanisms are put in place to overcome “transition shocks”. Within the same policy, provision is also given to special protection of women aiming at harmonizing maternity and employment, to single parents and parents of children with special needs.

Short term reforms have provided a base for further reforms and implementation have included a reform of the *social services policy*, placing the beneficiaries and their needs at the center of the social protection system. It includes de-institutionalisation and development of alternative forms of protection and a decentralization of services, linking and integrating social protection at the local level. Special provisions have been made to eliminate discrimination of certain groups of beneficiaries. To overcome gaps of enforcement and improve quality of services, professional standards, procedures, protocols and norms have been developed and a permanent education for professionals has been included as a principle in the system. During the time of war and sanctions against the country, the international community channeled its aid through the non-governmental sector. As a consequence, this sector grew and became active agents in the social service sector. At the end of the sanction-period the NGO-sector was in a better position to provide quality of services than the governmental sector. Building on what was already established, the social service policy opened up for the non-governmental sector through partnerships with the governmental sector in order to give beneficiaries a choice between service providers, and to provide complementarity of services. At the same time space was provided to include the private sector into the social services.

### 5.1.3 Legislative reforms

Two policy reforms have been coupled with changes in legislation. A new *law on financial support of families with children* was adopted. It provides a division of social- and population policy measures, abolishes regional differences in eligibility criteria, and provides a better targeting of poor families with children, including additional criteria for families owning property. It provides for higher levels of rights support to children with special needs and children with only one parent.

The *law on social protection* has also been amended, introducing a unified poverty line at the republic level and defining the level of absolute poverty. In this new law, increased amounts of allowances for the carer of a child and cost reimbursement for foster families have also been established. An institution of professional fostering has been introduced for the first time and finally, provision has been made for inclusion of beneficiaries of services in the executive boards of social welfare institutions.

The new *family code* has been harmonized with the Convention on the Rights of the Child, including the right of children to participation in decision making processes. The parental rights and responsibilities have been defined and the best interest of the child has been defined as being of primary importance in foster care and adoption cases. It includes protection of victims of violence and abuse. As for the service providers, the new code creates an environment for multiple services (including the NGO- and private sector) and gives a greater role to courts and establishment of specialized councils.

The legislative reforms have proved to be a challenge. The composition and political constellations in the parliament has made constant lobbying and advocacy necessary so that the necessary legislative process and amendments of laws to take place. The full legislative reform will take at least two years.

#### **5.1.4 Mechanisms for poverty alleviation**

Mechanisms for poverty alleviation, seen as a short-term objective and need, have had to be established. It includes regular payments of social assistance and a so-called “on-off fund” targeting the most vulnerable families. A pilot project on Family Material Support has been initiated to evaluate the impact of the legislative reform. Criteria for providing assistance has been established in partnership with international humanitarian organizations.

#### **5.1.5 Reform in social services**

The social services are the delivering end of social welfare policy and legislative reforms. The real reform in social services started as reform oriented projects to demonstrate integrative approaches in social protection at local level. Residential care institutions have begun to be transformed at the same time as alternative forms of care have been developed and improved. In particular fostercare and adoption were in need of improvements in order to become valid alternatives of care if and when a child cannot stay with the biological family. Standards for new care services have also been established.

Staff in residential institutions has been involved from the beginning in the management and planning of the transformation process. This has proven to be efficient to overcome resistance among staff who was at risk of losing their jobs. The organization of new alternative forms of care has been taking the future of the staff from institutions into consideration, building on their previous childcare experience.

#### **5.1.6 Social innovation fund**

The reform in Serbia established a transition management mechanism, which has turned out to facilitate the process significantly. The social innovation fund has been an operational instrument for change in social services. It funded innovative initiatives that would otherwise not have been possible to fund from the regular budget. It has an inbuilt flexibility and provides a framework for investment in alternative forms of social protection and new services, contributing to the reform in social welfare with inbuilt sustainability mechanisms in the funding of activities. One time costs are carried by the fund, while local budgets and beneficiaries cover ongoing costs.

It is also a strategy to interface between the myriad of actors; government, international donors, local social welfare, NGO-activities and private sector. As mentioned, the post-war and sanction period in Serbia had seen a mushrooming of NGOs providing social services. This sector, compared to the government sector was 10 times more profitable and provided a serious challenge to the government sector. As the salaries for government service providers were much lower, the quality of these services were also affected. The social innovation fund has had the objective to create partnerships with these other actors and to bridge the financial gaps between them. It gives priority to joint projects between the governmental and non-governmental sectors.

The social innovation fund is furthermore a demand driven mechanism that ensures decentralization as it supports local level projects for alternative services, as well as transformation of existing services, covering their transition costs. Since it does not prescribe themes for all projects in advance, it gives scope for innovations. Learning, education and transmission of good practices are important outputs of the projects supported by this fund. Since it applies the same criteria to government and donor programmes, it is also functioning as a coordinating mechanism.

The priorities of the fund for 2003 are to upgrade the foster care scheme, transformation of institutions, and innovative projects where the themes are not prescribed, such as disability, the Roma, victims of violence, the elderly and pensioners.

#### **5.1.7 PRSP (2004-2006) in the social sector**

While the reform process was taking place, Serbia also initiated the drafting of a Poverty Reduction Strategy (PRSP). This is the framework for cooperation between Serbia and the Bretton Woods institutions. As this cooperation is financially heavy, it has been particularly important to build it around the reform process. Although in other countries the PRSP is often coordinated within the Budget ministry, in Serbia, the Ministry of Social Affairs is the lead ministry. The process leading up to an agreement was long and tricky with many interests to be taken into account. However, it provided a tool for rethinking reform in each sector, and served as a link between individual strategies. The PRSP specifies special programmes for the most vulnerable, and addresses budget constraints.

In the social sector, the PRSP addresses employment through improved skills of the unemployed, and the development of small and medium enterprises. The social sector also addresses protection aspects of socially vulnerable groups and aims at widening the choice and quality of social protection services. Other sectors addressed in the PRSP are health and education, which both have specific focus on vulnerable groups.

#### **5.1.8 Challenges and lessons learned**

To overcome some of the envisaged constraints of reform, the process was initiated by 4-6 big conferences to develop a framework for reform. A wide participation in the planning process made sure that everyone shared the same vision. This turned out to be a successful strategy.

Since the situation in Serbia was quite good 10 years ago, before the war, people's expectations are high. To balance this, the Ministry of Social Affairs has taken time to explain and justify changes and reforms. Still, much remains a challenge. The situation today, as compared to the pre-war situation is different.

Difficulties have also been linked to internal relationships between government ministries and parliament. The political constellation of the Parliament has made the legislative reform a difficult and time-consuming process. Several times, the Ministry of Social Affairs has lobbied and pushed big and important clusters of reform. In the reform process, there are always some sectors that are moving more slowly than others. Slower reform in economy, governance, taxation and fiscal policies may reduce the speed of progress of the social welfare reform in general.

### ***5.2 De-institutionalisation of child protection from a systems perspective*** <sup>11</sup>

De-institutionalization of child protection is one of the outcomes of social system reform. This chapter will describe different entry points for the process of de-institutionalization of residential services with an emphasis on how to balance the demand and supply of services and strategies for staff deployment. It will also look at deregulation and transitory regulations at central level, supportive to institutional transformation.

#### **5.2.1 Why de-institutionalisation?**

After more than a decade of independence and transition from a socialist system to that of a market oriented one, the reform of social welfare system is widely acknowledged. De-institutionalisation of child protection approaches are taking place in a number of countries in former socialist states with the aim to

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<sup>11</sup> A presentation, based on which this text has been elaborated, was presented by Vesna Bosnjak - Advisor to the Minister of Social Welfare, Serbia

strengthen family, and to protect the rights of the child. Despite this, many children are still at risk of being separated from their families and being placed in institutional care.

The main reason for de-institutionalisation is to protect the rights of the child to remain in a family or family like environment, as this has proved to be the best model to ensure childhood development and introduction to- and inclusion in society as a whole. The de-institutionalisation process is necessary from this perspective, as it replaces deficit and medical models of care, which are discriminatory to some children and are depriving others of parental care. It also replaces repressive practices that were often in place in big child-care institutions. The care that is being provided in alternative forms of care has proved to be better for the child's overall wellbeing and development.

### **5.2.2 The measurable results of the reform process**

The reform process has some measurable results such as increased number of family support and alternative care arrangements, a change in ration between residential care and family substitute care and a decrease in the absolute number of children in institutions. Many of the children in institutions would not have needed to be there, if the families had received support to prevent this from happening.

The reform process will also result in standards for services and service providers, systemic gate keeping and accountability of decision making. As a result of the reform, the costs of the state will be lower, and the benefits, in terms of child development, fulfillment and protection of rights, will be higher. Although the process as such may be difficult, the end result of the reform process is a win-win situation.

### **5.2.3 Possible entry points for reform**

There are three possible entry points to the de-institutionalisation. The first one is through *transformation of residential institutions*. It is sustainable only if seen as a first step input and thereafter is complemented by national schemes and alternative services for continuum of services to those in need. Pilot projects should be "protected" as experiment sites for institutional learning and potential scale up when the time is right. Selective deregulation is necessary and has to be negotiated as to provide exception from national regulations during the piloting period. Special incentives to other institutions to follow the same path, may be useful. Beneficiaries will be the present users and providers of the service. Users will receive better care and providers will get opportunities for career development. The current residential institution as such, will get a new vision and options for change made available. The overall system gains experience and elements for planning the reform process further.

The second entry point is through *synchronizing de-institutionalization and development of alternative care* at national and local level. The children are simply transferred to other types of care, such as foster care or smaller specialized homes. Existing staff is included into the planning process of deployment, recruitment and training for future new services. The mandate of the present institution has to be redefined, and norms, standards and financial flows will need adjustment.

The third entry point is through a *wider system reform*, restructuring family benefits and decentralizing services. Planning needs to include a comprehensive assessment of demand for services by citizens and the capacity of local stakeholders to provide the services. Protocols of understanding between social and other public services need to be established on issues of common responsibility. In order to accommodate new service providers, accreditation criteria need to be established to make sure that all providers are fulfilling the necessary standards.

### **5.2.4 The vision - future system and it's functions**

The new de-institutional system needs to find a balance between cash benefits and supports to families (prevention) and statutory services for care in family like environment (residential institutions, foster care and alike). As much as 70% of the services and benefits should be available at local level where there is no

need for huge residential institutions. Each locality would instead be able to plan for the specific needs of children living there. Compared to the previous system when the funding for residential institutions came from the central level to large institutions, the new local system would not only provide more family like and child friendly services. In most cases, the child would not have to be removed from his community when in need of alternative care. Locally funded care would be more evenly distributed geographically. Parents with newborn children with disabilities would be given special coaching and services. Only a few, very specialized services would have to be funded and managed by the central level, as there would only be a very small number of children in each locality in need of this specialized service.

Residential care institutions, which in the old system were financed from the central level, should be given a chance to perform following new standards. Those that improve and meet the standards may have role to play in the future system. Those that do not improve should be closed down.

The reform process has to take into account that there may be need for training of family members to take care of children who have been placed in institutions because of their special needs. Parents of newborn children with disability should be given special medical advice, and other services as to enable them to take care of the children on their own.

The de-institutionalisation process will lead to an increased demand for alternative services in case the child is unable to return to the biological family. Campaigns to recruit foster parents, combined with relevant incentives, should be properly planned to introduce the new concept and increase the motivation to become fostercare parents. Since not everyone is a good foster parent, criteria for eligibility of fostercare parents need to be established. In countries where there is a tradition of extended family care the same criteria and monitoring should be valid as for other foster parents. In Serbia, staff from former residential institutions are also considered and recruited as foster parents. In this sense, the reform process does not become a threat, neither to the child that receives better care, nor to the professional who is given an opportunity for career development.

### ***5.3 Tools for system reform – An introduction<sup>12</sup>***

Based on the experience of the joint UNICEF and World Bank project “Changing Minds, Policies and Lives”, the second half of the Panel 3 introduced the rationale for development of tools in support of managing and planning child care system reform processes, which include, “redirecting resources”, “developing standards” and “gate-keeping”.

#### **5.3.1 Background to the project**

In the CEE/CIS region, the lack of tools for operationalising policy and legislation and tailoring services for children and families at risk gave rise to a joint UNICEF-World Bank project on quality standards, gate keeping and financial flows as they relate to the processes of transforming residential institutional care and developing community and family based alternatives. The results of this project are now part of the “know-how” which should contribute to the institutional capacity of guaranteeing that personal entitlements to services are carried out to the maximum extent of a country’s capacities and potential resources.

The project addresses two important strategic concerns of both organizations. For the World Bank the concern is about the support to child and family welfare system change as one of the cornerstones of social protection strategy in Eastern Europe and Central Asia (ECA). For UNICEF it is about promotion, fulfillment and protection of human rights of children. The main aim of the project was to support

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<sup>12</sup> A presentation, based on which this text has been elaborated, was presented by Dita Reichenberg – Regional Advisor, Child Protection, UNICEF and also extracts from the publications “Changing Minds, Policies and Lives”

governments and other actors involved in the reform process to reduce over-dependence on institutional solutions in child protection.

### 5.3.2 The challenges of reform

Although there is a growing understanding and willingness among child welfare policy makers in the region to establish alternatives to institutionalisation, initiatives are scattered across the region and not framed within a coherent policy. Discrepancy between policies to reduce the placement in residential care and the existing practice, lack of coherent reform framework, fragmented co-ordination and isolated innovative initiatives are some of the challenges that ongoing reform processes are facing.

The old system was characterized by deficient information systems, a lack of data on referral patterns and on profiles of needs for particular groups. This exacerbated the problem of designing quality services for each individual child in need of care. The previous system did not use data and information to feed into local decision making, policy and practice for improved services. As a result, there is an absence of systematic care plan for each child in public care endorsed in law, policy and practice.

The public monopoly on financing of services, inherited from the socialist system, resulted in a supply driven care system in spite of governance and fiscal decentralization. There was little incentive to tailor the services to clients' needs and to keep the number of children in institutions to a minimum number as the budget structure favored residential care and did not encourage mixed options. Hence, few choices of available care options were and are still offered to clients. The deficient regulatory framework to enable decentralization of service provision within defined care standards remains a challenge.

### 5.3.3 The result

The methods used for this project were to build a network of people who are supportive of change and to articulate system components in need of reform. It was argued that this would facilitate the targeting of the reform. The product, a three-volume publication, containing concept papers and tools addressing essential components of the system reform, focuses on three crucial elements of reform: a) *the gatekeeping system*, b) *redirecting resources* into preventive and family based services and standards of care and c) *developing standards* for services. The toolkit has been tested in Bulgaria, Romania and Latvia and adapted to address important challenges in the child welfare reform. Below are some key highlights of the three elements of reform:

- Standards (as discussed in panel 2) are accepted and understood criteria and indicators to measure and monitor management, provision and quality of services from a perspective of outcomes of the clients. Without this, legislation and policy risk remaining as frameworks without proper enforcements;
- Re-directing of resources to help to reorient the financial flows towards families, support services and family-based care instead of favoring residential care institutions. It aims at overcoming the inherited centralized system of financing and creating a financial environment that encourages and facilitates reform;
- Gate-keeping is a control function of the system that guides decision making towards an optimal solution for the user, while taking into account available resources.

## 5.4 Tools for system reform – Management of financial and budgetary resources<sup>13</sup>

This text proposes a framework for the reform of financing of the child and family welfare system that suggests ways of ensuring that the needs of the welfare "client" are met in an appropriate and efficient way. It suggests ways to redirect resources to community-based services by changing financing flows

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<sup>13</sup> A presentation, based on which this text was elaborated, was presented by Ragnar Goetestam – former Deputy Director General, National Board of Health and Welfare in Sweden. Some parts are also taken from the Changing Minds Policies and Lives toolkit.

towards support to families at risk. Family-based care alternatives prevent institutionalisation and are less expensive.

#### **5.4.1 Three models of financing systems**

A good financing framework ensures that demand is met and the highest possible quality of care is delivered to those who need it most. It therefore needs inbuilt incentive mechanisms for providers to supply a high quality of services. A good financing model ensures that the cost for care does not exceed what the country can afford. Residential care for children carries a cost for a service to each child, every day until the child reaches 18 years of age. Other care models may cost more money per day, but are provided during less time and to fewer children, only those who are in absolute need. The final result is higher quality of care to a lower total cost for the system.

There are three models of financing systems, each with its own advantages and disadvantages. These are pure private systems, pure public systems (which is the present model of most CEE/CIS countries) and a mix of both, the Purchaser – provider system.

#### **5.4.2 The purchaser-provider model**

The purchaser-provider model is a mix of private and public service providers. As there is no monopoly, it reflects the real cost of a service. All providers should be subject to licensing which means that the same criteria and standards for services are valid for all service providers. Monitoring and evaluation of services are inbuilt in the licensing system. As the system opens up for a competition between providers it creates transparency and accountability. Furthermore it gives the user a better choice and keeps the supply and demand of services in balance.

This financing framework is one of the key public policy tools to ensure access, cost-effectiveness and quality in the social services. The purchaser-provider framework has proven well suited to a decentralized government structure, if the roles of different levels of governance are assigned properly. Making the transition to a new financing system will be demanding for all stakeholders. Countries seeking to change the financing structure to a purchaser-provider model need to develop a sound project plan.

#### **5.4.3 Changing financial flows - Step 1 – Setting up the purchaser organization**

The first step towards a new system is to set up a “purchaser organization” that assesses people’s needs and to find the appropriate care and service for them. The same organization manages the budget for the care it purchases which leads to a better transparency and costing of a service. The purchaser organization must be informed about the care market and the costs, in order to match client needs with the best care option available, residential or alternative care.

The needs of the client may not be the same as the services requested by the client. Hence assessment of what the clients need is a professional procedure of converting client needs into appropriate and affordable interventions. It results in a care plan identifying the client’s weaknesses but also his/her capacity to contribute. In this case, the given need of the client is the best interest of the child and hence aiming at finding a solution without moving the child out of his/her natural environment. Referrals to residential or alternative are always an option if the natural environment is harmful to the child. This is regulated in the gate keeping function of the purchaser organization.

#### **5.4.4 Changing financial flows - Step 2 – Budget reform**

The second step in changing financial flows is to reform the budget. The current input based budget system is a legacy from the command economy and it does not promote the behavior and performance that is encouraged among care providers, as input budgets do not sufficiently focus on results of care. In the old system, budgets were based on the number of children in a residential institution. As a result, there was an interest in keeping the institutions full, to avoid budget cuts.

The new financing system has two basic elements: (a) the person or agency who refers a child to care should pay the (publicly-financed) fees for this care, and (b) the fee should be related to what services the care provides (output based budgeting). This system gives the purchaser an incentive to buy best care at best price.

New budgeting procedures may also include a guideline on the amount that should be spent for a certain type of client, to control costs. These guidelines will assist purchasers in designing affordable care plans, and clarify expectations on what services are available. Output-based budgets may also imply that some revenues have to be taken away from central government and be given to local government or purchasers of care.

#### **5.4.5 Changing financial flows - Step 3 - Market reforms**

Purchasing and budget reforms need to be complemented by defining the financial relationship between the purchaser and provider. There needs to be an agreement on the costs for care. This allows an economically sound institution to be financially sustainable by making sure that its revenues cover all costs. In the new market system the price for care and service provision are not determined beforehand. Bidding for services and making contracts with providers will result in a price structure that is affordable and transparent.

Licensing sets the ground rules for who can provide a service making sure that the same standards apply to all providers. Standards help provide guidance for training of staff and management, and provide the basis for monitoring of performance.

The challenge in a market oriented system, is to obtain the fine balance between cost and quality. In public care, all cases may cost differently. Choosing one option or another is really case specific and specific to the needs of that particular child.

#### **5.4.6 Changing financial flows - Step 4 -Reforming the provider**

If countries adapt the principle of setting up contracts between the purchaser and provider, it should include those that will remain of the current residential institutions. As already discussed the reform of the provider will not occur in itself, it has to be stimulated and supported at start and barriers to change have to be removed. There will be a need to support the private and NGO sector to take on the challenge to develop community-based care and recruitment of foster parents will need to take place. Changing the financial rules of the game is not enough to ensure better use of public and private resources toward better outcomes. It should be dealt with in the overall reform strategy.

### ***5.5 Tools for system reform - Gatekeeping mechanisms<sup>14</sup>***

Gate-keeping is the system of decision making that guides effective and efficient targeting of services aiming to ensure that services are provided only to those who meet tightly specified eligibility criteria. It focuses primarily on the needs of the child. Efficient gate keeping has one agency responsible for co-ordination of the assessment of the child's situation. A range of services to support children and families need to be made available in the community to prevent institutionalization. At the same time there must be a set of alternatives to institutional forms of substitute care including foster care and adoption. Efficient information systems to monitor and review decisions and their outcomes need to be in place.

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<sup>14</sup> A presentation, based on which this text was elaborated, was presented by Andy Bilson, Senior Development Consultant, Leeds University, UK. The Changing Minds Policies and Lives toolkit were also used as a base.

Gatekeeping is a must in systems reform, to make sure that the reform process does not result only in de-institutionalisation and alternative care forms, such as fostering and guardianship. If this is the only result of reform, the absolute number of children in care does not necessarily decrease. Gatekeeping will make sure that only those in most need and meeting tightly specified eligibility criteria are provided intensive care, and that there are non-discriminatory practices in place for decision making on placements and care.

### **5.5.1 Basic requirements for Gatekeeping**

There are some basic requirements for gatekeeping. The first one is that there should be an agency responsible for co-ordinating the assessment of the child's situation. That requires an organizational structure to employ staff to carry out assessments; to provide or purchase services, to keep records and to review plans for children.

A second requirement is that a range of services in the community to provide help and support to children and their families need to be in place, as alternatives to institutional care. The services required will differ in different localities, to meet different problems leading to children entering institutions. They will have to be carefully planned to address local needs and problems. A detailed planning process is required for this.

A third requirement is a process of decision-making, based on a systematic approach to the assessment and review of children's needs and family circumstances. The process covers a range of different decision points during the whole period that the child receives services. It starts at the initial referral point, continues through with reviews of the situation and needs at regular intervals, and ends at the point at which the child no longer requires services. In all cases, decisions should be based on an assessment of the best interest of the child.

A fourth requirement is a well functioning information system to monitor and track the development of the child. The information system is meant to facilitate decision-making. Before planning, the implementation of gatekeeping it is important to have detailed information about the current operation of the system. Knowledge of the patterns of entry to care and the subsequent service utilization by children is necessary in order to provide a basis for targeting services and in deciding whether new services are needed and what they might be. For ongoing monitoring, an information system is needed. This requires simple but usable information systems, collecting data on who requests services, the reasons for their request, key elements of the assessment, the services allocated and the outcomes of the services.

### **5.5.2 Levels of prevention**

To set up a gatekeeping system, one needs to map out the decision-making system to understand where the different points of prevention are. Starting at a base level, the overall population is provided with universal services that may prevent a problem from occurring. The first level of prevention takes place to prevent specifically identified problems, such as contraception advice to prevent unwanted pregnancies. The second level of prevention happens when services are offered to those referred to child protection teams on a voluntary basis, for example respite care for children with disabilities. The third level of prevention takes place when a situation comes to the commission, whose responsibility it is to take a decision on referring a child to care. Here the gatekeeping mechanism should have a variety of alternatives aimed at providing community based alternatives to entry to care, in for example family centers. The fifth and last level of prevention is, when the child has entered the system, and aims at speeding up the return to family or permanence such as family tracing and promotion of family contact.

### **5.5.3 Unintended consequences of reform**

Introduce something new and there will be new types of clients... There are sometimes unintended consequences of reform. In some countries, the alternatives provided through reform were meant to replace institutional care, but ended up becoming an addition.

Sometime the reform process has become focused on legal and procedural matters without follow through with enforcement. The intended outcome, better services in the best interest of the child, got lost on the way. Pilot projects can be good tools to try out what the impact of reform will be, but there is a risk of unsustainability and disconnected pilot projects.

Finally, gatekeeping may prevent a failure of the system reform where those who are in real need are not provided any services. Closing down of residential institutions without establishing a gatekeeping system, will result in people in need being deprived of the help to which they are entitled.

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## ANNEX 1 - Seminar Agenda

# Seminar for the UNICEF Representatives - RMT Almaty, 29 – 30 September, 2003

## Creating a Protective Environment for Children

### **Day 1: Monday 29 September**

- 0900-0930      **Welcome and Objectives of the Seminar**      **Philip O'Brien**  
Reg. Dir. UNICEF
- 930 – 1230      **PANEL 1. Social welfare in the context of social policy and governance reforms**
- Moderator: TBC**
- The panel no 1 will elaborate on implications of these Human Rights principles of equity, inclusion, justice and participation, which are essential elements of social policy and guidance for service delivery. The panel will also share experience on how these principles can be operationalized through different regulatory frameworks of the State, such as through criteria for Revenue collection and social spending, decentralised and centralised financial regulators. It will also discuss the importance of participation of non-state actors in the reform process
- Speakers:**
- Gordana Matkovic – Minister of Social Welfare, Serbia**  
**Gabriela Coman- The Head of National Authority on Child Protection, Romania**  
**Paul Stubbs- Associates Senior Research Fellow, Globalism and Social Policy Programme**
- Q and A after each presentation**  
**General discussion at the end of the panel time**
- (1030-1100      **TEA/COFFEE BREAK)**
- 1230-1400      **LUNCH BREAK**
- PANEL 2. Expanding the legal agenda for fulfilment and protection of the rights of the child**
- Moderator: TBC**
- Legislation is a crucial tool available to the States to articulate entitlements and guarantee standards for service provision so that discretion is not being left to service providers to interpret laws without specific guidance. The expanded agenda, which is the topic for

Panel no. 2 will look into what regulatory measures are available in order to provide better accountability and guidance and also give practical example of legislation and mechanisms of law enforcement which can improve the protection of children's rights.

**Speakers:**

**Yvonne Spencer – University of Essex, Solicitor-Advocate at Children's Legal Center, UK**

**Andrew Bilson – Senior Development Consultant, Leeds University**

**Munira Inoyatova- Director of Advanced Training Institute, Tajikistan**

**Q and A after each presentation**

**General discussion at the end of the panel time**

**(1530 – 1600 TEA/COFFEE BREAK)**

**Day 2: Tuesday 30 September**

**900-1230 Panel 3: Planning and management processes to enable the system reform**

**Moderator: TBC**

System reform can only be achieved through a multilevel non-linear process, which should be planned and put in practice in a short and medium term. Participatory planning methods, negotiation procedures and protocols of understanding among different stakeholders must be used simultaneously with assessment of constraints and incentives for desired outcome. An informed social demand accompanied with accountability structures and specific guidance for service providers can either complement or pressurise decision-makers. The first part of the panel no. 3 provides an overview of the planning and management processes relevant for the system reform. The second half gives examples of "know-how" and tools which are currently being considered for use in the system reform.

**Speakers:**

**Vesna Bosnjak – Special Advisor to the Minister of Social Welfare, Serbia**

**Gordana Matkovic – Minister of Social Welfare, Serbia**

**Q and A after each presentation**

**General discussion at the end of the panel time**

**1230-1400 LUNCH BREAK**

**1400-1700 Continuation of Panel 3: Examples of tools**

**Moderator: TBC**

**Speakers:**

**Dita Reichenberg – Regional Advisor, Child Protection, UNICEF**  
**Ragnar Goetestam – former Deputy Director General, National Board of Health and Welfare in Sweden**  
**Andrew Bilson – Senior Development Consultant, Leeds University**

**Q and A after each presentation**  
**General discussion at the end of the panel time**

**(1500-1530 TEA/COFFEE BREAK)**

**1700-1730 Concluding remarks**

**Mr. Philip O'Brien**  
**Reg. Dir. UNICEF**



## ANNEX 2 - List of participants

### Almaty RMT, 1-3 October 2003

Albania	Roberto Laurenti
Armenia	Branislav Jekic
Azerbaijan	Akif Saatcioglu
Bosnia & Herzegovina	Helena Eversole
CARK/Kazakhstan	Philippe Heffinck
Georgia	Ismail Ould-Cheikh-Ahmed
Kosovo	Rosemary Fieth
Kyrgyzstan	Richard Young
Macedonia (TFYR)	-
Moldova	-
Romania	Pierre Poupard
Russia/Belarus	Jane Gronow
Serbia and Montenegro, Croatia	Ann-Lis Svensson
Tajikistan	Yukie Mokuo
Turkey	Edmond McLoughney
Turkmenistan	Mahboob Shareef
Ukraine	Jeremy Hartley
Uzbekistan	Brenda Vigo
MCP	Marty Rajandran
New York	Joe Judd, Director, Programme Yuri Oksamitniy, Chief CEE/CIS & MENA Desk Tadeusz Palac, Sr Programme Officer
GRO	Wivina Belmonte, Chief Communication
Regional Staff Association	Rafik Kamarli, based in UNICEF Kyrgyzstan
RO for CEE/CIS/Baltics	Philip D. O'Brien Shahnaz Kianian-Firouzgar Susan Alberi Gordon Alexander Martine Delétraz Leo Kenny Nancy Raphael Fabio Sabatini Martha Santos Boris Tolstopiatov Dita Reichenberg Anna Nordenmark
Resource people of seminar	Andrew Bilson, Senior Development Consultant, Leeds University, UK Vesna Bosnjak, Special Advisor to the Minister of Social Welfare, Serbia

Ragnar Goetestam, Former Deputy Director General, National Board of Health and Welfare in Sweden  
Munira Inoyatova, Director of Advanced Training Institute, Tajikistan  
Gordana Matkovic, Minister of Social Welfare, Serbia  
Liliana Momeu, Director, Department European Integration, National Authority for Child Protection and Adoption, Romania  
Yvonne Spencer, University of Essex, Solicitor-Advocate at Children's Legal Centre, UK  
Paul Stubbs, Associates Senior Research Fellow, Globalism and Social Policy Programme, University of Sheffield, UK

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