

# GUIDELINE FOR INSTITUTIONAL CHILDCARE

---

## 1. INTRODUCTION

### 1.1. The Need for the Guideline

This Guideline is needed to:

- 1.1.1 Upgrade the existing services of childcare institutions; set regulations for service provision as well as requirements for establishment of childcare institution;
- 1.1.2 Define optimal level of performance or practice on institutional childcare to achieve standards of excellence; and
- 1.1.3 Create favorable conditions for efficient monitoring and evaluation of the services in childcare institutions.

### 1.2. Preamble

The project was initiated in 1998 and continued through assessment of available services in the country, and critical analysis of the findings in workshops and appraisal group meetings of experts and practitioners selected from governmental and non-governmental organizations.

This Guideline is based on the ethical principles given in:

- 1.2.1. UN Convention on the Rights of the Child,
- 1.2.2. The Ethiopian Laws.

### 1.3. The Guideline Principles

- 1.3.1. "Recognizing that in all countries in the World there are children living in exceptionally difficult conditions, and that such children need special consideration."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.2. "Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.3. "In all actions concerning children, whether undertaken by public or private social welfare childcare institutions, the best interest of the child shall be a primary consideration".

*UN-Convention on the Rights of the Child Article 3 (1)*

- 1.3.4. "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the

views of the child being given due weight in accordance with the age and maturity of the child.”

*UN-Convention on the Rights of the Child, Article 12 (1)*

- 1.3.5 “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child.”

*UN-Convention on the Rights of the Child Article 19 (1)*

- 1.3.6. "A child temporarily or permanently deprived of his or her family environment, or in whose best interests can not be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State."

*UN-Convention on the Rights of the Child Article 20 (1)*

- 1.3.7. "... States Parties shall in accordance with their national laws ensure alternative care for [a child temporarily or permanently deprived of his or her family environment, or in whose best interest cannot be allowed to remain in that environment] ”.

*UN-Convention on the Rights of the Child Article 20 (2)*

- 1.3.8. "States and Parties shall recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development."

*UN-Convention on the Rights of the Child Article 27 (1)*

- 1.3.9. “Every child has the right:

1.3.9.1. to life;

1.3.9.2. to a name and nationality;

1.3.9.3. to know and be cared for by his or her parents or legal guardians; and

1.3.9.4. not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or wellbeing.”

*Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia. Article 36 (1)*

- 1.3.10. “In all actions concerning children undertaken by public and private welfare childcare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interest of the child.”

*The Constitution of the Federal Democratic Republic of Ethiopia. Article 36 (2)*

- 1..3.11. “Juvenile offenders admitted to corrective or rehabilitative childcare institutions, and juveniles who became wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.”

*The Constitution of the Federal Democratic Republic of Ethiopia. Article 36 (3)*

- 1.3.12. “The State shall accord special protection to orphans and shall encourage the establishment of childcare institutions, which ensure and promote their adoption and advance their welfare, and education.”

## **2. DEFINITION**

### **2.1. Biological Parent/s**

For the purpose of this Guideline, biological parent/s means both birth parents if they are alive or the mother or father if one is deceased.

### **2.2. A Child**

For the purpose of this Guideline, a child means every human being below the age of 18 years.

### **2.3. Unaccompanied Child**

For the purpose of this Guideline, an unaccompanied child is:

2.3.1. A child who is fully orphaned (both parents proved to be dead); or

2.3.2. Abandoned, (both parents proved to be untraceable); or

2.3.3. With parents who are certified by the appropriate or accredited body that they are terminally ill.

### **2.4. Childcare Institution**

For the purpose of this Guideline, a childcare institution is an establishment founded by a governmental or a non-governmental organization to give care for unaccompanied children.

### **2.5. Childcare Institutional Services**

For the purpose of this Guideline, childcare institutional services are offered by professionally qualified workers (or experienced personnel who are supervised by such qualified workers) in a childcare institution.

## **3. INSTITUTIONAL ESTABLISHMENT**

### **3.1 Establishment**

3.1.1. A childcare institution can be established by a governmental or a non-governmental organisation.

- 3.1.2. The establishment of a childcare institution shall be preceded by the approval of a constitution/agreement and a project proposal of the childcare institution by the accredited governmental bodies.
- 3.1.3. A party that proposes to establish a childcare institution shall produce a document affirming that it has the required financial, material, human-power and technical capacity.

### **3.2. Registration**

A childcare institution shall be registered by the accredited governmental body.

### **3.3. Licensing**

A childcare institution shall be licensed by the accredited governmental body.

### **3.4. Accountability**

- 3.4.1. A childcare institution shall be governed by regulations formulated by the accredited governmental body.
- 3.4.2. A childcare institution shall be accountable to the accredited governmental body.

### **3.5. Mandate**

- 3.5.1. The childcare institution, with respect to the child it provides with care, has the right to custody; and to ensure that the rules and regulations of the institution are respected.
- 3.5.2. The childcare institution, with respect to the child it provides with care, has the obligation to:
  - 3.5.2.1. protect children from discrimination on the basis of sex, ethnic group, religion, etc.,
  - 3.5.2.2. recognise that every child has the inherent right to life;
  - 3.5.2.3. recognise that the child has the right to a standard of living adequate for his or her all rounded development;
  - 3.5.2.4. respect the right of the child to freedom of expression;
  - 3.5.2.5. respect the right of the child to freedom of thought, conscience and religion;
  - 3.5.2.6. recognise that every child has the freedom of association;

- 3.5.2.7. recognise that every child has the right to get services including shelter, clothing, food, health, education and recreation;
  - 3.5.2.8. recognises that play is a fundamental instrument for enhancing child development;
  - 3.5.2.9. recognise that a mentally or physically disabled child has the right to special care;
  - 3.5.2.10. represent a beneficiary child in legal matters with the recognition that the child has the right to be treated in manner consistent with the promotion of the child's sense of dignity and worth;
  - 3.5.2.11. considering the age of the children, create conditions for children's participation in making decisions affecting their lives;
  - 3.5.2.12. facilitate the participation of its beneficiary children in the community;
  - 3.5.2.13. taking into account that the childcare institution is responsible to provide the needed care up to the age of 18, every effort must be undertaken to explore the provision of alternative care immediately after placement;
  - 3.5.2.14. orient children about their rights; and
  - 3.5.2.15. protect beneficiary children from any form of child abuse, neglect and exploitation.
- 3.5.3. The childcare institution, with respect to the Regional Labor and Social Affairs Bureaus, has the right to get feedback of periodic evaluations of its activities.
  - 3.5.4. The childcare institution has the obligation to submit a quarterly, bi-annual and annual report to the Regional Labor and Social Affairs Bureaus.
  - 3.5.5. The Regional Labour and Social Affairs Bureaus, with respect to a childcare institution, have the right to follow-up and monitor the care offered to a child placed in institutional care.
  - 3.5.6. The Regional Labour and Social Affairs Bureau, with respect to a childcare institution, has the obligation to:
    - 3.5.6.1. evaluate and give feed-back to the childcare institution; and
    - 3.5.6.2. assure the smooth transfer or placement of a beneficiary child to an alternative childcare program or to another childcare institution when a childcare institution terminates its functioning before a child reaches the age of 18 years.

#### **4. MISSION STATEMENT, OBJECTIVE AND AREA OF INVOLVEMENT**

#### **4.1. Mission Statement**

The mission statement of a childcare institution shall include:

- 4.1.1. Catering for unaccompanied children and enabling them to become an autonomous and self-reliant individuals valued by the community;
- 4.1.2. Enabling children to develop their potentialities with particular attention to the gender perspective; and
- 4.1.3. Provision of basic needs for unaccompanied children.

#### **4.2. General Objective**

The general objectives of a childcare institution shall include:

- 4.2.1. to cater for basic needs of unaccompanied children, i.e. food, shelter and clothing;
- 4.2.2. to promote the physical, mental, emotional and spiritual growth and development of unaccompanied children;
- 4.2.3. to enable unaccompanied children to develop their potentialities; and
- 4.2.4. whenever possible and appropriate, to reunify unaccompanied children with their families or place them in other alternative child care programs.

#### **4.3. Specific Objectives**

The specific objectives of a childcare institution shall include the provision of:

- 4.3.1. food;
- 4.3.2. loading;
- 4.3.3. clothing;
- 4.3.4. supplementary nutritional assistance;
- 4.3.5. sanitation and health;
- 4.3.6. play and recreation;
- 4.3.7. academic and vocational education;
- 4.3.8. reunification and reintegration;
- 4.3.9. guidance and counseling; and
- 4.3.10. special care for unaccompanied children with disability.

#### **4. 4. Areas of Involvement**

- 4. 4.1. The areas of involvement of a childcare institution shall ensure that the unaccompanied children are the prime beneficiaries.

4. 4.2. Areas of involvement of a childcare institution shall include:

- 4.4.2.1. preventive Intervention or activities undertaken within the childcare institution to avoid or avert the development of undesirable psycho-social, health, economic, educational, etc., aspects of the unaccompanied children;
- 4.4.2.2. remedial Intervention or activities undertaken within the childcare institution to modify undesirable psycho-social, health, economic, educational, etc., aspects of the unaccompanied children;
- 4.4.2.3. rehabilitative Intervention or activities undertaken within the childcare institution to restore the psycho-social, health, economic, educational, etc., status of the unaccompanied children;
- 4.4.2.4. interventions or activities to help the unaccompanied children to use their maximum potential and actualise their optimal capacity;
- 4.4.2.5. address multidimensional needs and potentialities which consider the child as a person with his/her own personality;
- 4.4.2.6. reunification activities undertaken to restore the familial environment status of the unaccompanied children;
- 4.4.2.7. reintegration activities undertaken to facilitate conditions for the smooth assimilation of the unaccompanied children into the society; and
- 4.4.2.8. organising the transfer of the child to other appropriate alternative childcare services according to the best interest of the child as soon as the child is admitted to the childcare institution.

## **5. PHYSICAL STRUCTURE**

### **5.1. Location**

The location of a childcare institution shall fulfill the following criteria:

#### **5.1.1. Distance from the main road**

- 5.1.1.1. If the childcare institution is in an urban center, its distance from the main road shall be at least one Kilometer and at most three kilometers.
- 5.1.1.2. If the childcare institution is in a rural area and the main road is a dry whether road, its distance from the main road shall not be more than five kilometers.

5.1.1.3. If the childcare institution is in a rural area and the main road is an all weather road, its distance from the main road shall not be more than ten kilometers.

5.1. 2. Distance from social service giving centers

5.1.2.1. If the childcare institution is in an urban center, its distance from social service giving centers shall not, preferably, be more than ten kilometers.

5.1.2.2. If the childcare institution is in a rural area and the main road is a dry weather road, its distance from social service giving centers shall not be more than ten kilometers.

5.1.2.3. If the childcare institution is in a rural area and the main road is an all weather road, its distance from social service giving centers shall not be more than twenty kilometers.

5.1.2.4. The distance of a childcare institution from any source of pollution shall be at least three kilometers.

5.1.2.5. The distance of a childcare institution from any hazardous environment shall be at least one kilometer.

**5. 2. Compound**

5.2.1. A compound of a childcare institution shall have adequate space relative to the number of beneficiaries. Thus, a childcare institution shall have:

5.2.1.1 adequate space reserved for building homes and/or dormitories;

5.2.1.2 adequate space reserved for building service giving rooms;

5.2.1.3 adequate space reserved for constructing administrative buildings;

5.2.1.4 adequate space reserved for recreational services and sport activities;

5.2.1.5 adequate space reserved for building a guest house; and

5.2.1.6 extra space for other purposes, such as, parking and waste disposal area.

5.2.2. A compound of the childcare institution shall have basic services. Thus, a childcare institution shall have:

5.2.2.1. an adequate potable water supply;

5.2.2.2. preferably electric power; and in case of power failure generator;

- 5.2.2.3. preferably telephone communication; and
- 5.2.2.4. a waste disposal system.
- 5.2.3. A compound of a childcare institution shall be free of hazardous situations and elements. Thus, a childcare institution shall be:
  - 5.2.3.1. well fenced to protect the children from intruding threats;
  - 5.2.3.2. free from chemical, noise, air, etc., pollution; and
  - 5.2.3.3. free from hazardous physical structures like wells, swamps, unprotected ponds, open sewers, deep ditches etc.

### 5. 3. Building

#### 5. 3.1. Purpose of Building

- 5.3.1.1. All buildings of a childcare institution shall be approved by accredited governmental bodies; shall be designed to provide children with the best physical and emotional environment taking the needs of the girl into consideration and to provide its services efficiently.
- 5.3.1.2. A childcare institution shall, at least, have separate buildings designed for:
  - i. lodging;
  - ii. administration;
  - iii. guest room;
  - iv. service giving purpose; and
  - v. recreational facilities.

#### 5. 3.2. Types of Building / Physical Characteristics

##### 5.3.2.1. Lodging

- i. Lodging in a childcare institution, preferably, shall be self-contained homes.
- ii. Lodgings in a childcare institution shall at least, be constructed from materials that are widely used in the locality.
- iii. Lodgings in a childcare institution shall have adequate corridors.
- iv. Lodgings in a childcare institution shall be well ventilated.
- v. Lodgings in a childcare institution shall be well lighted.

##### 5.3.2.2. Homes

- i. A self-contained home in a childcare institution shall not have more than three bedrooms for the children and one for the home mother.
- ii. The number of children residing in one bedroom shall not exceed four.
- iii. The surface area for one bedroom shall be at least twelve sq. meters.
- iv. A self-contained home in a childcare institution shall have at least one living/dining room with a surface area of at least twenty sq. meters.
- v. A self-contained home in a childcare institution shall have at least one toilet, with a total surface area of at least two sq. meters.
- vi. A self-contained home in a childcare institution shall have at least one bathroom/shower, with a total surface area of at least six sq. meters.
- vii. A self-contained home in a childcare institution shall have a separate kitchen, with a total surface area of at least nine sq. meters.
- viii. A self-contained home in a childcare institution shall have a separate storeroom, with a total surface area of at least nine sq. meters.

#### 5.3.2.3. Dormitory Buildings

- i. Dormitory buildings shall not be more than one storey.
- ii. The number of children residing in one bedroom in a dormitory building shall not exceed sixteen.
- iii. The surface area for one bedroom in a dormitory building shall be at least forty-eight sq. meters.
- iv. A dormitory building shall have at least one toilet compartment for each bedroom with a total surface area of at least one sq. meter.
- v. A dormitory building in a childcare institution shall have at least one bathroom/shower compartment for each bedroom, with a total surface area of at least one and half sq. meters.
- vi. A dormitory building in a childcare institution shall have at least one washing basin for each bedroom.
- vii. A dormitory building in a childcare institution shall have a separate service giving room, with a total surface area of at least nine sq. meters.

#### 5.3.2.4. Administrative Building

- i. A childcare institution shall have a separate administrative building.
- ii. An administrative building of a childcare institution shall, at least, have:

- a. one administrator's office with a total surface area of, at least, nine sq. meters;
- b. one record office with a total surface area of at least twelve sq. meters;
- c. finance office with a total surface area of at least nine sq. meters; and
- d. storeroom with a total surface area of, at least, sixteen sq. meters.

5.3.2.5. Guest Room

- i. A childcare institution shall have a separate guesthouse with, at least, three bedrooms, each with a total surface area of six sq. meters.
- ii. A childcare institution shall have, at least, one toilet/shower/washroom for a guesthouse with a total surface area of six sq. meters.

5.3.2.6. Service Giving Rooms

- i. A childcare institution shall have separate service giving rooms.
- ii. A service giving building of a childcare institution shall, at least have:
  - a. one counsellor's office with a total surface area of, at least, twelve sq. meters;
  - b. one hall/dinning room with a total surface area of at least one hundred twenty meters; and
  - c. one first aid room with a total surface area of at least twelve sq. meters.

5.3.2.7. Recreational Facilities

- i. A childcare institution shall have recreational facilities.
- ii. Recreational facilities of a childcare institution shall, at least, have:
  - a. outdoor recreational facilities, with, at least,:
    - one football field; and
    - one volleyball/basketball field;
  - b. indoor recreational facilities with, at least:
    - one television set;
    - one radio set; and
    - other indoor facilities common in the locality.

## **6. HUMAN-POWER**

### **6.1. Human-power Profile**

6.1.1. To provide an optimal caring environment, a childcare institution shall accommodate a maximum of 150 children and shall, at least, have the following organisational structure and human-power input:

- 1.1.1.1. Manager / Administrator;
- 1.1.1.2. Secretary;
- 1.1.1.3. Finance Officer;
- 1.1.1.4. Purchaser ;
- 1.1.1.5. Store Keeper;
- 1.1.1.6. Cashier;
- 1.1.1.7. Sanitary; guards;
- 1.1.1.8. Health Assistant;
- 1.1.1.9. Counsellor; and
- 1.1.1.10. Home Mothers.

6.1.2. The profile of the human-power shall be:

6.1.2.1. Manager / Administrator

The manager / administrator shall have at least his/her first degree in sociology, psychology, or other related fields of study with, at least, two years of relevant experience.

6.1.2.2. Secretary

The Secretary shall, at least, have a diploma in office management, accounting or other related fields with, at least, two years of experience in similar line of work.

6.1.2.3. Finance Officer

The Finance officer shall, at least, have a diploma in accounting or other related fields with a minimum experience of two years in the area.

6.1.2.4. .Purchaser

The Purchaser shall, at least, have a diploma in material management or other related fields with a minimum experience of two years in the area.

6.1.2.5. .Storekeeper

The Storekeeper shall, at least, complete grade twelve with a minimum experience of two years in the area.

6.1.2.6. Cashier

The Cashier shall, at least, have a diploma in accounting or other related fields with a minimum experience of two years in the area.

6.1.2.7. Sanitary and Guards

Sanitary and guards should complete at least grade six with a minimum experience of two years in the area.

6.1.2.8. Health assistant

A Health Assistant shall, at least, have a certificate with a minimum experience of two years in the area.

6.1.2.9. Counselor

A Counselor shall, at least, have his/her first degree in psychology with a minimum experience of two years in the area.

6.1.2.10. Home Mothers

A Home Mother should complete at least grade six and shall have at least a three months relevant training and a minimum experience of one year as an assistant home mother.

## **7. TECHNICAL / ADMINISTRATIVE ASPECTS**

### **7.1. Financial System**

A childcare institution shall prepare and approve its standardised financial system during establishment.

### **7.2. Admission**

A childcare institution shall only accept a beneficiary child through the Regional Labour and Social Affairs Bureau or any other authorised organisation.

### **7.3. Eligibility**

To be a beneficiary of a childcare institution a child shall fulfil the following criteria:

- 7.3.1. The child should be fully orphan; and/or
- 7.3.2. The child should be fully abandoned; and/or
- 7.3.3. The parents of the child should be terminally ill or mentally incapacitated.

#### **7.4. Screening before Admission**

A childcare institution shall conduct a pre-admission screening on various developmental status of the child including:

- 7.4.1. Health Status;
- 7.4.2. Physical disability; and
- 7.4.3. History of Abuse.

#### **7.5. Record Keeping at Admission**

A childcare institution, upon admission of a child, shall keep base-line information on the child including his/her social history highlighting main events in his/her life with the aim of providing intervention focusing on the individual child's need:

- 7.5.1 name;
- 7.5.2. age and sex;
- 7.5.3. family name;
- 7.5.4. family history;
- 7.5.5. place and date of birth;
- 7.5.6. previous and current address;
- 7.5.7. religion;
- 7.5.8. education;
- 7.5.9. health status;
- 7.5.10. nutritional status;
- 7.5.11. physical disability (If any);
- 7.5.12. psychological profile;
- 7.5.13. history of abuse(If any); and
- 7.5.14. status of a child at admission (orphan/abandoned/ parents terminally ill or mentally incapacitated).

#### **7.6. Rehabilitative Service upon Admission**

A childcare institution, upon admission of a child, shall provide health, nutritional and/or psychological rehabilitative services according to the need.

#### **7.7. Follow-up after Admission**

A childcare institution, after admission of a child, shall conduct a periodic follow-up on the overall and specific development of a child.

#### **7.8. Record Keeping of Follow-up**

7.8.1. A childcare institution shall have a personal file on each child. All information should be treated with the confidentiality and with respect to personal privacy.

7.8.2. A childcare institution shall keep a periodical record of the follow-up on the development of the child on a standardised form with respect to:

- 7.8.2.1. health status;
- 7.8.2.2. nutritional status;
- 7.8.2.3. physical development;
- 7.8.2.4. educational development;
- 7.8.2.5. emotional and spiritual development; and
- 7.8.2.6. social development.

**7. 9. Responsible Personnel in a Childcare Institution in Keeping a Periodical Follow-up Record on the Development of a Child are:**

7.9.1. The counsellor on:

- 7.9.1.1. Educational development;
- 7.9.1.2. Social development; and
- 7.9.1.3. Emotional and Spiritual development.

7.9.2. The health assistant on:

- 7.9.2.1. Health status;
- 7.9.2.2. Nutritional status; and
- 7.9.2.3. Physical development.

**7.10. Termination of Service**

7.10.1. A childcare institution shall initiate reunification or placement service in alternative care program immediately after admission of the child. Accordingly, the institution shall provide its service to a beneficiary till:

- 7.10.1.1. the child is reunified into the family; or
- 7.10.1.2. the childcare institution places the child in an alternative childcare; but
- 7.10.1.3. in cases where the above two options are not feasible till the age of the child reaches 18, except if the child has joined higher institution of learning.

7.10.2. The institution shall inform the child about the termination of the service starting at the age of understanding and provide necessary counselling services.

7. 10.3. Reporting on Termination of a Service

A childcare institution terminating its service to a beneficiary child shall give at least two months prior notice notify to the Regional Labour and Social Affairs, Bureau as to the reasons and measures taken.

7.10.4. The institution shall activate all institutional capacity and other networks to facilitate the identification of opportunities of social reintegration so to ensure a progressive economical transition.

## **8. SERVICES**

### **8.1. Types of Services**

8.1.1. A childcare institution shall render the following services to its beneficiaries:

- |       |             |                                      |
|-------|-------------|--------------------------------------|
| i.    | Lodging;    |                                      |
| ii.   |             | Food;                                |
| iii.  |             | Clothing;                            |
| iv.   |             | Health;                              |
| v.    |             | Sanitation;                          |
| vi.   |             | Academic Education;                  |
| vii.  |             | Vocational Training;                 |
| viii. |             | Play and Recreation;                 |
| ix.   |             | Guidance and Counselling;            |
| x.    |             | Reunification and Reintegration; and |
| xi.   |             | Special Care for Children with       |
|       | Disability. |                                      |

8.1.2. A childcare institution, depending on special needs of its beneficiaries and its organisational capacity, shall render the following and other services to its beneficiaries.

- |      |             |   |
|------|-------------|---|
| i.   |             | Vocational training;  |
| ii.  |             | Special treatment for children with                                 |
|      | disability; |   |
| iii. |             | Reunification;  |
| iv.  |             | Reintegration; and  |
| v.   |             | Placement in other more appropriate                                 |
|      |             | alternative childcare programmes in the best interest of the child. |

### **8.2. Service Component**

#### **8.2.1. Lodging**

A childcare institution shall provide lodging for the children it provides with care and protection.

#### **8.2.2. Food Service**

A childcare institution shall, at least, provide:

- i. Milk every two hours for children below four months;
- ii. Milk and supplementary food every four hours for children between four and twelve months;
- iii. Four meals a day for children from one to seven years of age; and
- iv. Three meals a day for children above seven years of age.

The food served in a childcare institution should:

- i. be nutritious enough for the healthy development of the child;
- ii. address the food culture of the locality; and
- iii. as much as possible approximate the quality and quantity of food available in an average household in the community in which the childcare institution is situated.

The type, quality and quantity of food served in a childcare institution should be checked by the health assistant.

The health assistant should prepare and submit a monthly report to the administration of the childcare institution on the type, quality and quantity of the food served in the childcare institution.

### 8. 2.3. Clothing

#### Type of Clothing

- i. A childcare institution shall provide various types of clothing for the children including:
  - a. personal clothing;
  - b. shoes; and
  - c. bed wears.
- ii. For children below one year a childcare institution shall provide per year:
  - a. six sets of sanitary clothing;
  - b. four sets of personal clothing;
  - c. one pair of shoes; and
  - d. two sets of bed wear.

- iii. For children between one and three years a childcare institution shall provide per year:
  - a. two sets of sanitary clothing;
  - b. two sets of personal clothing;
  - c. two pair of shoes; and
  - d. two sets of bed wear.
  
- i. For children from three to six years a childcare institution shall provide per year:
  - a) two sets of personal clothing;
  - b) kindergarten uniform;
  - c) two pair of shoes; and
  - d) two sets of bed wear.
  
- v. For children seven years and above, a childcare institution shall provide per year:
  - a) two sets of personal clothing;
  - b) school uniform;
  - c) two pair of shoes; and
  - d) one set of bed wear.

#### 8.2.4. Health Service

A childcare institution shall provide health service to beneficiary children. A childcare institution shall, at least, have a first-aid giving room.

A health service in a childcare institution shall include:

- i. Preventive health service
  - a. Regular medical check-ups for children below one year;
  - b. Biannual medical check ups for children six years and above;
  - c. Immunisation for children under five years; and
  - d. Sexual education for adolescents; and
  - e. Education on the prevention of AIDS.
  
- i. Remedial health service
  - a. First aid; and
  - b. Referral.
  
- iii. Rehabilitative health service

### 8.2.5. Sanitation and Hygiene

#### Provision of Sanitary Materials

- i. A childcare institution shall make the necessary sanitary materials available to beneficiary children regularly.
- ii. A childcare institution shall, at least, make the following sanitary materials available to beneficiary children.
  - a. Personal sanitary materials;
  - b. Laundry materials;
  - c. Sanitary materials for keeping the sanitation of the site and the buildings; and
  - d. Waste disposal facilities.
- iii. A childcare institution shall provide the necessary hygienic training to the children starting at early years.
- iv. A childcare institution shall make the necessary sanitary service available and encourage the children to contribute to the sanitation of the site, homes/dormitories, etc.
- v. The health assistant should check the sanitary condition of the site and buildings.
- vi. The health assistant should prepare and submit a monthly report on the sanitary condition of the site, homes and/or buildings to the administration of the childcare institution.
- vii. The health assistant should check the children's hygiene weekly.
- viii. The health assistant should prepare and submit a monthly report to the administration of the childcare institution on the children's hygiene.

### 8.2.6. Academic Education

- i. A childcare institution has the responsibility to provide educational opportunities to the children from kindergarten to higher levels of education.
- ii. A childcare institution shall have its own kindergarten within the compound of the childcare institution.
- iii. A childcare institution shall provide all the necessary educational material to the children.

- iv. A childcare institution shall offer supportive educational services to children with educational difficulties.
- v. A childcare institution shall continue to offer support to children who join higher institutions.
- vi. The counsellor should follow-up the educational development of the children regularly.
- vii. The counsellor should prepare a quarterly report on the educational development of the children and submit the same to the administration of the childcare institution.
- viii. A childcare institution shall have a reading room, preferably with some relevant books.

#### 8.2.7. Vocational Training

- i. A childcare institution shall make vocational training available to eligible group of children either within the institution or outside.
- ii. The child is considered eligible for a vocational training when he/she at least:
  - a. is twelve years of age and above;
  - b. has completed grade six;
  - c. has interest to attend vocational training; and
  - d. has failed to continue in his/her academic education and is deemed to benefit from vocational training.
- iii. A childcare institution shall provide training fees and all the necessary material to children attending vocational training.
- iv. A Childcare institution shall provide all the necessary support including registration, enrolment and arrangement of transportation for beneficiaries who need to join vocational training.
- v. The counsellor should follow-up the vocational development of trainees attending vocational training monthly.
- vi. The counsellor should prepare a quarterly report on the vocational development of children attending vocational training and submit the same to the administration of the childcare institution.
- vii. A childcare institution shall provide the necessary support to beneficiaries who complete vocational training in securing employment opportunities.

#### 8.2.8. Play and Recreation

A childcare institution shall make the necessary play and recreational materials available to the children.

#### 8.2.9. Guidance and Counselling

- i. A childcare institution shall provide guidance and counselling service to the children. Guidance and Counselling service in a childcare institution shall include:
  - a. educational guidance;
  - b. vocational guidance;
  - c. behavioural guidance and counselling; and
  - d. health counselling.
- ii. The counsellor should follow-up the psychosocial, educational, etc., development of every child.
- iii. The counsellor should document the psychosocial, educational, etc., development of every child.
- iv. A childcare institution shall not violate the ethical principles of counselling among which confidentiality is one.

#### 8.2.10. Reunification and Reintegration

A childcare institution shall provide reunification services for children below 18 years of age and reintegration services for those who are 18 and above.

##### 8.2.10.1. Reunification services

- i. Reunification services shall include:
  - a. Family tracing;
  - b. Family contact to insure willingness;
  - c. Guidance and counselling;
  - d. Reunification; and
  - e. Follow-up.
- ii. The childcare institution shall initiate family tracing immediately after admitting children to the institution and whenever feasible make all efforts to reunify children with their families within the shortest time possible.

##### 8.2.10.2. Reintegration Services

- i. Reintegration services provided to children should include:
  - a. Assessment;
  - b. Orientation and Guidance;
  - c. Presentation of Plans and Project Ideas;
  - d. Selection of Feasible Plans;
  - e. Reintegration; and
  - f. Follow-up.
- i. The childcare institution shall make all efforts to develop the skills of children who are not academically successful before the reintegration.

#### 8.2.10.3. Special Care for Children with Disability

A childcare institution shall provide special services to child beneficiaries with disabilities. These services can be given inside or outside the institution and the services for this group of children include:

- a. Provision of Prosthetic Orthetic Appliances (including wheel chairs); and
- b. Provision of Special Services (like brail training, special education and skill training).

## **9. COMMUNITY PARTICIPATION**

- 9.1.** The childcare institution shall advocate for children's rights in the surrounding communities.
- 9.2.** A childcare institution shall facilitate conditions for the children to interact among themselves and for the community to interact with the children in the institution.
- 9.3.** A childcare institution shall facilitate conditions for children to participate in the activities within the institution as well as in community activities.
- 9.4.** A childcare institution shall make continuous efforts to secure the collaboration of the community.

## **GUIDELINE FOR COMMUNITY-BASED CHILDCARE PROGRAM**

---

### **1. INTRODUCTION**

#### **1.1. The Need for a Guideline**

A Guideline for community-based childcare program is needed to:

- 1.1.1. establish safeguards to ensure that community-based childcare programs take place in the best interest of the child;
- 1.1.2. establish a reference point and a system from which parties interested in running a community-based childcare program could gain insight as to the nature and characteristics of the program; and
- 1.1.3. define an optimal level of performance or practice in the area of community-based childcare programs and make monitoring, assessment and evaluation possible.

## 1.2. Preamble

The project was initiated in 1998 and continued through assessment of available services in the country, and critical analysis of the findings in workshops and group appraisal meetings of experts and practitioners selected from governmental and non-governmental organizations.

This Guideline is based on the ethical principles as given in:

- 1.2.1. The Ethiopian Laws;
- 1.2.2. UN Convention on the Rights of the Child; and
- 1.2.3. Developmental Social Welfare Policy of Ethiopia.

## 1.3. Guideline Principles

- 1.3.1. "States Parties shall ensure that the childcare institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and sustainability of their staff, as well as competent supervision."

*UN-Convention on the Rights of the Child Article 3 (3)*

- 1.3.2. "Recognizing that in all countries in the World there are children living in exceptionally difficult conditions, and that such children need special consideration."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.3. "Recognizing that the child, for the full and harmonious development of his or her personality should grow in a family environment, in an atmosphere of happiness, love and understanding."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.4. "...The child shall have the right to know and be cared for by his or her parents."

*UN-Convention on the Rights of the Child, Art. 7(1).*

- 1.3.5. "Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.6. "In all actions concerning children, whether undertaken by public or private social welfare childcare institutions, the best interest of the child shall be a primary consideration."

*UN-Convention on the Rights of the Child Article 3 (1)*

- 1.3.7. "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

*UN-Convention on the Rights of the Child, Article 12 (1)*

- 1.3.8. "States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child."

*UN-Convention on the Rights of the Child Article 19 (1)*

- 1.3.9. "States Parties shall recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development."

*UN-Convention on the Rights of the Child Article 27 (1)*

## **2. DEFINITION**

### **2.1. A Child**

For the purpose of this Guideline, a child means every human being below the age of 18 years.

### **2.2. A Beneficiary child**

For the purpose of this Guideline, a beneficiary child is a child who is in especially difficult circumstances living within his/her community.

### **2.3. Children in Difficult Circumstances**

For the purpose of this Guideline, children in difficult circumstances are children who are emotionally, socially and economically disadvantaged.

### **2.4. Biological Parent/s**

For the purpose of this Guideline, biological parent/s means both birth parents if they are alive or the mother or father if one is deceased.

### **2.5. A Community**

For the purpose of this Guideline, a community means a group of individuals living in one locality.

## **2.6. Community-Based Childcare Program**

For the purpose of this Guideline, a community-based childcare program is a childcare program planned, and implemented, within the community to cater for the needs of children in especially difficult circumstances.

## **2.7. A Community-Based Childcare Organization**

For the purpose of this Guideline, a community-based childcare organization is a government and/or non-government body implementing a community-based childcare program.

## **2.8. A Promoter**

For the purpose of this Guideline, a promoter is a governmental and/or non-governmental organization; community circle, religious group; an individual and any other party that empowers a community with financial, material, technical, etc to set-up or run a community-based childcare organization.

# **3. PROGRAM ESTABLISHMENT**

## **3.1. Establishment**

3.1.1. A community-based childcare organisation may be initiated by a governmental or non-governmental organisation.

3.1.2. A community-based childcare organisation can be supported by a governmental or non-governmental organisation, community groups, individuals, etc.

3.1.3. The establishment of a community-based childcare organisation shall be preceded by an approval of a constitution/agreement and a project proposal of the programme by the accredited governmental bodies.

3.1.4. A party that proposes to support a community-based childcare programme is expected to produce a document affirming that it has the required, legal, financial, material, human-power, and technical capacity.

## **3.2. Registration and Licensing**

An organisation which intends to run a community childcare program shall be registered and licensed by the accredited governmental body.

## **3.3. Accountability**

- 3.3.1. A promoter working with a community or a community-based childcare organisation shall be governed by policies formulated by the Ministry of Labour and Social Affairs and other accredited governmental bodies.
- 3.3.2. An organisation running a community-based childcare program shall be accountable to the Regional Labour and Social Affairs Bureaus and other accredited governmental bodies.

### **3.4. Mandate**

#### 3.4.1. An Organisation

- 3.4.1.1. An organisation implementing community-based childcare program with respect to families and children it provides with care, has the right to:
  - i. initiate, plan, implement, follow-up, monitor and evaluate its childcare program; and
  - ii. raise funds, mobilise resources and solicit support from members of the community and external sources.
- 3.4.1.2. An organisation implementing community-based childcare program with respect to families and children it provides with care, has the obligation to:
  - i. avoid discrimination among children on the basis of sex, ethnic group, religion, etc.,
  - ii. recognize that the child has the right to a standard of living adequate for his or her all rounded development;
  - iii. recognize that every child has the right to get services including shelter, clothing, food, health, education and recreation;
  - iv. recognize that children in especially difficult circumstances have the right to special care and attention; and
  - v. facilitate community participation of its beneficiary children/families; and orient children/families about the community-based childcare program.
- 3.4.1.3. An organization with respect to the Regional Labour and Social Affairs Bureaus has the right to get feedback of periodic evaluations.
- 3.4.1.4. An organisation with respect to the Regional Labour and Social Affairs Bureaus has the obligation to submit a quarterly, bi-annual and annual report.

### 3.4.2. A Promoter

- 3.4.2.1. A promoter, with respect to the organisation it supports, has the right to:
- i. participate in and facilitate the initiation, planning, and implementation, of a childcare program;
  - ii. receive reports on the implementation and effect/impact of community-based childcare programme; and
  - iii. seize or withdraw its support if its contributions are mismanaged by the organisation.
- 3.4.2.2. A promoter, with respect to an organization implementing community-based childcare program has the obligation to avoid discrimination among communities on the basis of, ethnic, religious, political, etc., affiliation.
- 3.4.2.3. A promoter, with respect to the Regional Labour and Social Affairs Bureaus, has the right to get feedback of periodic evaluations of the community-based childcare program run by the organization it supports.
- 3.4.2.4. A promoter, with respect the Regional Labour and Social Affairs Bureaus, has the obligation to submit a quarterly, bi-annual and annual report.

### 3.4.3. Regional Labour and Social Affairs Bureaus

- 3.4.3.1 The Regional Labour and Social Affairs Bureaus, with respect to an organisation has the right to follow-up and monitor the care offered to families and children under a community-based program;
- 3.4.3.2. The Regional Labour and Social Affairs Bureaus, with respect to the organisation has the obligation to evaluate and give feedback to the organisation.
- 3.4.3.3. The Regional Labour and Social Affairs Bureaus, with respect to a promoter has the right to monitor and follow-up the aid offered by a promoter.

## **4. MISSION, OBJECTIVE AND AREA OF INVOLVEMENT**

### **4.1. Mission Statement**

4.1.1. The mission statement of an organisation implementing community-based childcare program shall include:

4.1.1.1. Assisting a community to develop their psycho-social, economic, etc., status to solve their problems and enhance their capacity to care for its children;

4.1.1.2. Empowering members of a community to develop a sense of responsibility in taking initiatives to solve communal problems; and

4.1.1.3. Creation of a social, psychological and economic environment where children in especially difficult circumstances could get sustainable assistance from their community.

4.1.2. The mission statement of a promoter shall include:

4.1.2.1. Assisting a community or a community-based childcare organisation to develop its internal capacity and network to solve its own problems and enhance its coping mechanisms;

4.1.2.2. Assisting in the creation of a sense of responsibility among communities in taking initiatives to solve communal problems; and

4.1.2.3. Assisting a community or a community-based childcare organisation in the creation of a sound social, psychological and economic communal environment where children in especially difficult circumstances could get a sustainable assistance from their community.

## **4.2. General Objectives**

4.2.1. The general objectives of an organisation shall include:

4.2.1.1. augment the economic, social, psychological, etc., status of families thereby promoting their capacity to cater to the physical, mental and spiritual growth and development of children; and

4.2.1.2. cater for the basic needs of children in especially difficult circumstances.

4.2.2. The general objective of a promoter shall include empowering a community to handle its problems through the provision of financial, human and technical inputs.

## **4.3. Specific Objectives**

4.3.1. The specific objectives of an organisation implementing community-based childcare program include:

- 4.3.1.1. plan and implement programmes through which the rights of children are observed by every member of a community ;
- 4.3.1.2. design an appropriate alternative childcare program with the participation of community members where the specific needs of the beneficiary children would be addressed; and
- 4.3.1.3. provide assistance to children in especially difficult circumstances in the form of :
  - i. shelter;
  - ii. food;
  - iii. supplementary nutritional assistance;
  - iv. academic education;
  - v. vocational education;
  - vi. health care;
  - vii. counseling;
  - viii. play and recreation; and
  - ix. special care for the child with disability.

4. 3. 2. The specific objective of a promoter shall include:

- 4.3.2.1. assisting in developing the community's or the community-based childcare organization's financial, material, human-power and technical capacity;
- 4.3.2.2. creating a communal awareness on the fact that an individual's problem is a society's problem; and
- 4.3.2.3. creating an awareness that a community and an individual can handle its problems and minimize dependency syndrome.

#### **4.4. Area of Involvement**

- 4.4.1. The areas of involvement of a community-based childcare organisation shall ensure those children, more specifically, children in especially difficult circumstances are the prime beneficiaries.
- 4.4.2. Areas of involvement of a community-based childcare organisation shall include:
  - 4.4.2.1. Awareness Creation among members of the community on the need to take initiative to solve problems of children in difficult circumstances through community-based childcare approaches.
  - 4.4.2.2. Prophylactic intervention or activities geared towards the prevention of undesirable psycho-social, health, economic, educational, etc., instances that lead to the neglect of the rights of the child;

- 4.4.2.3. Remedial intervention or activities geared towards the modification of undesirable psycho-social, health, economic, educational, etc., conditions that precipitated the neglect of the rights of the child;
- 4.4.2.4. Rehabilitative intervention or activities geared towards the restoration of the psycho-social, health, economic, educational, etc., status of children in especially difficult circumstances; and
- 4.4.2.5. Developmental intervention or activities geared towards the enhancement of the socio-economic status of the community for the benefit of the beneficiary children.

## **5. ELIGIBILITY**

### **5.1. Eligibility of a Community**

From the perspective of the promoter, eligibility of a community shall be established on the basis of the findings of a situational analysis conducted on the community.

### **5.2. Eligibility of a Promoter**

A promoter with the required legal, financial, material, technical and human-power status to empower a community is eligible.

### **5.3. Eligibility of a Child Beneficiary**

All children in especially difficult circumstances are eligible to benefit from a community-based childcare programme.

Detail criteria for prioritisation of beneficiaries shall be established by the organisation based on the existing reality and by taking into account the needs of the different stakeholders.

## **6. TECHNICAL INPUT**

### **6.1. Memorandum of an Organisation Implementing Community-Based Childcare Program**

6.1.1. The memorandum of a community-based childcare organisation shall indicate that:

- 6.1.1.1 An organisation shall be oriented towards the promotion of the healthy growth and development of children in the community;
- 6.1.1.2 An organisation shall be independent and has no affiliation with or towards any political view, religious, ethnic, or any other sect;

- 6.1.1.3 The higher body with regard to all activities of the community-based childcare programme is the general assembly;
- 6.1.1.4 An organisation shall be represented by an executive committee whose members are elected by the general assembly;
- 6.1.1.5 The promoter may work with the executive committee;
- 6.1.1.6 The promoter shall not have any voting power in the final decisions of an organisation;
- 6.1.1.7 Local administrative bodies (*Wereda* and *Kebele*) may work with the executive committee;
- 6.1.1.8 Local administrative bodies (*Wereda* and *Kebele*) work with the executive committee on advisory basis but shall not have any voting power in the final decisions of a community;
- 6.1.1.9 Community groups, religious institutions, civil right activists, etc., may work with the executive committee when invited by the executive committee;
- 6.1.1.10 Community groups, religious institutions, civil right activists, etc., may work with the executive committee as independent observers but shall not have any influencing and/or voting power in the final decisions of a community;

#### 6.1.2. Accountability and job descriptions

##### 6.1.2.1. The Executive Committee of the program

- i. The Executive Committee of the program may comprise:
  - a. At least five elected members of the community;
  - b. One representative of the promoter;
  - c. One representative of local administrative bodies;
  - d. Representatives of community groups; and
  - e. The project coordinator.
- ii. The executive committee of the program shall be accountable to the executive committee of the organization.
- iii. The executive committee shall be responsible to:
  - a. assess community resource
  - b. identify communal problems and specific needs;
  - c. contact and mobilise community leaders, local administration, and other relevant groups in the identification of problems and possible solutions;
  - d. identify those destitute families and children in especially difficult circumstances;
  - e. identify mechanisms through which problems identified could be addressed through community-based programmes;
  - f. implement the programme; and
  - g. follow-up and evaluate the programme.

#### 6.1.2.2. The Promoter

- i. The promoter shall be represented in the executive committee by one non-voting member.
- i. The promoter shall be responsible to:
  - a. Assist the organisation in the process of assessing community potentials, limitations and specific needs.
  - b. develop the structural and functional capacity of the community in the planning, implementing, monitoring, and evaluating the community-based childcare programme through financial, technical, manpower and material support.

#### 6.1.2.3. Local Administrative Bodies

- i. Local administrative bodies (*Kebele*) may be represented in the executive committee by one non-voting member.
- ii. Local administrative bodies shall be responsible to:
  - a. contribute in the mobilisation of the community; and
  - b. facilitating the running of the organisation.

#### 6.1.2.4. Community Groups

- i. Community groups (religious institutions, *idir*, youth associations, women associations, etc.) may be represented in the executive committee when invited by the organization.
- ii. Community groups shall be responsible to:
  - a. act as independent observers; and
  - c. contribute in the mobilisation of the community.

#### 6.1.2.5. The Project Coordinator

- i. The project coordinator (administrator) shall be accountable to the executive committee;
- ii. The project coordinator (administrator) shall preferably be employed from the community; and
- iii. The project coordinator shall serve as a secretary in the executive committee with no voting power.

6.1.2.6. Financial System

An organisation shall prepare and approve a standardised financial system during establishment.

**7. PROGRAMME COMPONENT**

**7.1. Services**

7.1.1 A community-based childcare programme, shall comprise services based on the existing reality, including:

7.1.1.1. Food

Supply of supplementary nutritional food

7.1.1.2. Shelter

Provision of shelter

7.1.1.3. Health

- i. Clinic for children;
- ii. Sanitation;
- iii. Immunization; and
- iv. Mother and child care (Prenatal and/or postnatal).

7.1.1.4. Education

- i. Academic education;
- ii. Vocational education/training;
- iii. Psycho-social education; and
- iv. Libraries.

7.1.1.5. Guidance and Counseling

- i. Educational guidance;
- ii. Vocational guidance;
- iii. Health counseling; and

iv. Behavioral guidance and counseling.

7.1.1.6. Special Services

Children with special needs like street children, working children, the girl child, children with disabilities, children living with HIV/AIDS, AIDS orphans, etc. get special services including drop-in centers.

7.1.1.7. Children receiving care from a community-based childcare get alternative childcare programs.

- i. Foster home
- ii. Child sponsorship
- iii. Family reunification
- iv. Adoption
- v. Reintegration

7.1.1.8. Recreation

7.1.2. Child-focused family support components of a community-based childcare program may include:

7.1.2.1. credit schemes in which destitute families benefit from financial support to strengthen their income;

7.1.2.2. direct material or financial assistance to destitute families or children identified by the community; and

7.1.2.3. upgrading the livelihood of destitute families identified by the community through rehabilitative measures.

7.1.3. In any programme component of a community-based childcare programme the primary beneficiary shall be a child.

## **7.2. Beneficiary Information Management System**

7.2.1. A Community-based childcare organization shall keep a record documented on a child beneficiary that includes a baseline and periodic follow-up reports.

7.2.2. Follow-up conducted on beneficiaries' growth and development shall include information on the child's:

- 7.2.2.1. health status;
- 7.2.2.2. nutrition status;
- 7.2.2.3. physical development;
- 7.2.2.4. educational status;
- 7.2.2.5. social development;
- 7.2.2.6. emotional and spiritual development; etc.

# GUIDELINE FOR CHILD-FAMILY REUNIFICATION

---

## 1. INTRODUCTION

### 1.1. The Need for A Guideline

The child-family reunification program, is a primary option for unaccompanied children. The operations of child-family reunification need to be carried out on the basis of standard procedures that ensure the best interest of the child. Hence, this Guideline is developed to:

- 1.1.1. upgrade the existing child-family reunification services;
- 1.1.2. provide basic operational guide for childcare organizations providing child-family reunification service; and
- 1.1.3. facilitate monitoring and evaluation of child-family reunification services as it defines optimal level of performance or practice.

### 1.2. Preamble

This project which is set to develop Guidelines was initiated in 1998 and continued through assessment of available services in the country, and critical analysis of the findings in workshops and appraisal group meetings of experts and practitioners from governmental and non-governmental organizations.

This Guideline is based on the ethical principles as given in:

- 1.2.1. UN Convention on the Rights of the Child, and
- 1.2.2. The Ethiopian Laws.

### 1.3. Guideline Principles

- 1.3.1. "Recognizing that in all countries in the World there are children living in exceptionally difficult conditions, and that such children need special consideration."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.2. "In all actions concerning children, whether undertaken by public or private social welfare childcare institutions, the best interest of the child shall be a primary consideration".

*UN-Convention on the Rights of the Child Article 3 (1)*

- 1.3.3. "Recognizing that the child, for the full and harmonious development of his or her personality should grow in a family environment, in an atmosphere of happiness, love and understanding."

*UN-Convention on the Rights of the Child, Preamble*

- 1.3.4. "...The child shall have the right to know and be cared for by his or her parents."

*UN-Convention on the Rights of the Child, Art. 7(1).*

- 1.3.5. “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.”

*UN-Convention on the Rights of the Child, Article 12 (1)*

- 1.3.6. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child.

*UN-Convention on the Rights of the Child Article 19 (1)*

- 1.3.7. If a child can not be cared for by his/her biological parent/s, an agency operating child-family reunification shall consider reunification of the child with the extended family.

- 1.3.8. When biological parent/s and the extended family do not satisfy the requirements, which guarantee the full and harmonious development of a child, an agency operating child-family reunification must seek alternative solutions.

## **2. DEFINITION**

### **2. 1. Biological Parent/s**

For the purpose of this Guideline, biological parent/s means both birth parents if they are alive or the mother or father if one is deceased.

### **2. 2. A Child**

For the purpose of this Guideline, a child means every human being below the age of 18 years.

### **2. 3. Child-Family Reunification**

For the purpose of this Guideline, child-family reunification refers to a rehabilitative intervention designed to facilitate the reunion of an unaccompanied child or a child in an alternative care with his/her biological parents or member/s of extended family to restore a family environment as a means of a permanent placement for the proper growth and development of the child.

### **2.4. A Childcare Organization**

For the purpose of this Guideline, a childcare organization is a governmental or non-governmental organization that is registered and licensed to provide child oriented services.

## **2.5. Unaccompanied Child**

For the purpose of this Guideline, an unaccompanied child is a child who is separated from his or her parent/s, orphaned or abandoned.

## **3. PROGRAM INITIATION AND IMPLEMENTATION**

### **3.1. Program Initiation**

3.1.1. A child-family reunification program can be initiated by a governmental and/or non-governmental organisation.

3.1.2. A childcare institution or a child focused agency may run a child family reunification program.

3.1.3. A childcare organization implementing a child-family reunification program shall have adequate material, financial and human resources.

### **3.2. Accountability**

3.2.1. A childcare organization working on child-family reunification shall be governed by the regulations formulated by the accredited governmental body.

3.2.2. A childcare organization implementing a child-family reunification program shall be accountable to the accredited governmental body.

### **3.3. Mandate**

3.3.1. A childcare organization implementing a child-family reunification program, with respect to the child, has the right to:

3.3.1.1. identify biological parent/s and/or member/s of extended family where reunification is possible; and

3.3.1.2. place a child for a transitory period, if necessary, in a foster family in order to provide pre-reunification services and facilitate contact between the family and the child during that period.

3.3.2. A childcare organization with respect to the child, has the obligation to:

3.3.2.1. launch family tracing immediately following the identification of child eligible for reunification;

- 3.3.2.2. cover the financial expenses incurred due to the reunification; and
- 3.3.2.3. conduct quarterly follow up and evaluation on a reunified child for the first year; and once in a year till the child is well adjusted.
- 3.3.3. A childcare organization with respect to the Regional Labor and Social Affairs Bureau has the right to get feedback on periodic evaluations of its activities.
- 3.3.4. A childcare organization working on child-family reunification, with respect to Regional Bureaux, has the obligation to submit a quarterly, biannual and annual report.
- 3.3.5. The accredited governmental body, with respect to the childcare organisation working on child-family reunification, have the right to follow-up and monitor the services provided by the organization.
- 3.3.6. Regional Labour and Social Affairs Bureau, with respect to a childcare organization working on child-family reunification has the obligation to evaluate and give feedback to the organization.

#### **4. MISSION AND OBJECTIVE**

##### **4.1. Mission Statement**

The mission statement of a childcare organization working on child-family reunification shall include reunifying an unaccompanied child with his/her biological parents or members of the extended family.

##### **4. 2. General Objective**

The general objective of a childcare organization working on child-family reunification is to facilitate conditions and conduct the reunification program for a child to be cared for by his biological parents(s) and/or member/s of extended family.

##### **4.3. Specific Objectives**

The specific objectives of a childcare organization working on child-family reunification shall include:

- 4.3.1. preventing the various psycho-social problems that arise among children due to deprivation of familial care;
- 4.3.2. facilitating conditions for the assimilation of children with their parents and/or members of extended family and promote their all rounded development;
- 4.3.3. creating opportunities for children in which they can learn familial and social values and norms living with their parents and/or members of the extended family; and

- 4.3.4. supporting parents and/or members of extended families to re-assume their responsibility to cater for their children.

## **5. ELIGIBILITY**

### **5.1. Eligibility of a Child**

A child is eligible for child-family reunification if he/she is:

- 5.1.1. below the age of eighteen;
- 5.1.2. unaccompanied; and
- 5.1.3. willing to reunify with his/her biological parents or member/s of extended family.

### **5.2. Eligibility of a Parents and/or member/s of Extended Family for Child-Family Reunification**

A family is eligible for child-family reunification if it is:

- 5.2.1. willing to accept and care for the child; and
- 5.2.2. able to produce documents from a local governmental administrative body as to its credibility.

## **6. CHILD-FAMILY PRE-REUNIFICATION PROCEDURE**

Child-family reunification involves series of pre-reunification activities that need to be carried out before actual reunification takes place, including:

### **6.1. Identifying a Child and Confirming Eligibility**

- 6.1.1. Identifying an unaccompanied child or a child placed in an alternative childcare program for child-family reunification;
- 6.1.2. Confirming the willingness of the child;
- 6.1.3. Conduct case-study on the child to evaluate the status, specific problems and needs of the child; and
- 6.1.4. Confirming the eligibility of the child.

## **6.2. Tracing a Family and Confirming Eligibility**

- 6.2.1. Trace and locate the biological parent/s; or
- 6.2.2. Trace and locate member/s of the extended family where biological parent/s are untraceable;
- 6.2.3. Confirming the willingness of the parent/s and/or member/s of the extended family;
- 6.2.4. Conduct case study on the parent/s and/or member/s of the extended family and evaluate the psychosocial and economic status;
- 6.2.5. Conduct a study on the environment in which the parent/s and/or member/s of the extended family and evaluate its capacity to provide the basic physical and emotional needs of the child after reunification; and
- 6.2.6. Confirming the eligibility of the parent/s and/or member/s of the extended family.

## **6.3. Providing Pre-reunification Services**

- 6.3.1. Offer counselling to the child to avoid possible adjustment problems;
- 6.3.2. Offer prophylactic psychological, economic and legal advice and counselling to the family creating awareness as to the nature and rationale of child-family reunification to avoid any possible post-reunification adjustment problems;
- 6.3.3. Provide medical check-up and treatment for the child;
- 6.3.4. Facilitate for a child to visit the parent/s or member/s of extended family before reunification; and
- 6.3.5. Make ready materials such as bed, blanket, bed-sheets, etc. when necessary.

## **7. REUNIFICATION SERVICE**

### **7.1. Services at the Time of Reunification**

- 7.1.1. Provide where necessary material and financial support to the child's parent/s or members of extended family to cover costs that may arise due to inclusion of the child into the family;
- 7.1.2. Provide the child with basic material support, including, clothing, sanitary materials, etc., and financial input covering transport and other expenses; and

- 7.1.3. Support where necessary economically disadvantaged families to guarantee the child's healthy post-reunification adjustment. The support provided shall be determined based-on the recommendation of the multidisciplinary professional experts of the Regional Labour and Social Affairs Bureaux or any other authorised body/bodies.

## **7.2. Post Reunification Follow-up**

- 7.2.1. A childcare organization working on child-family reunification, after reunifying the child, shall conduct follow-up at least once in a year on the overall and specific development of a child till the child is well adjusted within the family and the surrounding environment. The follow up shall include child's development with respect to:
  - 7.2.1.1. health status;
  - 7.2.1.2. nutritional status;
  - 7.2.1.3. physical development;
  - 7.2.1.4. educational development;
  - 7.2.1.5. social development; and
  - 7.2.1.6. emotional and spiritual development.
- 7.2.2. A childcare organisation shall provide the necessary periodic counselling of the childcare institution till the child is well adjusted within the family and the surrounding environment.
- 7.2.3. The summary of the periodic follow-up shall be included in reports that shall be submitted to the accredited governmental body.

## **7.3. Record Keeping**

A childcare organization working on child-family reunification shall keep records of the periodic follow-up on the development of a child on a standardised form with respect to the child's

- 7.3.1. health status;
- 7.3.2. nutritional status;
- 7.3.3. physical development;
- 7.3.4. educational development;
- 7.3.5. social development; and
- 7.3.6. emotional and spiritual development.

# GUIDELINE FOR FOSTER FAMILY CARE

---

## 1. INTRODUCTION

### 1.1. The Need for A Guideline

A consistent and high-quality level of foster family care is recommended as an alternative temporary substitute care for a child deprived of his/her biological family for:

- 1.1.1. Foster family care offers temporary care for an unaccompanied child and creates an opportunity to cater for the child's basic physical, emotional, social, mental and spiritual needs.
- 1.1.2. A guideline provides standards for adherence and application and prevents abuse and neglect of the child.
- 1.1.3. A guideline defines an optimal quality of service where, monitoring, assessment and evaluation would be possible.

### 1.2. Preamble

This project which is set to develop Guidelines was initiated in 1998 and continued through assessment of available services in the Country, and critical analysis of the findings in workshops and appraisal group meetings of experts and practitioners from governmental and non-governmental organizations.

The Guideline is based on the ethical principles given in:

- 1.2.1. UN Convention on the Rights of the Child; and
- 1.2.2. UN Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally.

### 1.3. Guideline Principles

- 1.3.1. "States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision."

*UN-Convention on the Rights of the Child, Article 3 (3)*

- 1.3.2. "States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for

him or her, and, to this end, shall take all appropriate legislative and administrative measures.”

*UN-Convention of the Rights of the Child, Article 3 (2)*

- 1.3.3. “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.”

*UN-Convention on the Rights of the Child, Article 12 (1)*

- 1.3.4. “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child.”

*UN-Convention on the Rights of the Child Article 19 (1)*

- 1.3.5. “A child temporarily or permanently deprived of his or her family environment, or in whose best interest can not be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the state.”

*UN-Convention on the Rights of the Child, Article 20 (1)*

- 1.3.6. “State Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedure, that such separation is necessary for the best interest of the child. Such determination may be necessary in particular cases such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child’s place of residence.”

*UN-Convention on the Rights of the Child, Article 9 (1)*

- 1.3.7. “States Parties shall in accordance with their national laws ensure alternative care for such a child”

*UN-Convention on the Rights of the Child, Article 20 (2)*

- 1.3.8. “Such care could include, inter-alia, foster placement, Kafala of Islamic law, adoption, or if necessary placement in suitable institutions for the care of children...”

*UN-Convention on the Rights of the Child, Article 20 (3)*

## **2. DEFINITION**

### **2.1. Biological Parent/s**

For the purpose of this Guideline, biological parent/s means both birth parents if they are alive or the mother or father if one is deceased.

## **2.2. A Child**

For the purpose of this Guideline, a child means every human being below the age of 18 years.

## **2.3. Unaccompanied Child**

For the purpose of this Guideline, an unaccompanied child is:

- 2.3.1. a child who is fully orphaned (both parents dead); or
- 2.3.2. an abandoned child, (both parents untraceable; and/or
- 2.3.3. a child with parents who are certified as terminally and/or mentally incapacitated by an appropriated and accredited body; or
- 2.3.4. a child who can not be allowed to remain in his or her family environment for her/his own best interest.

## **2.4. Foster Family Care**

For the purpose of this Guideline, foster family care is a planned, goal-directed alternative family care where an unaccompanied child is placed temporarily and get adequate care till he/she is either reunified with his/her biological parent/s or placed in other permanent care, as in reunification, adoption or institutionalization.

## **2.5. Foster Family Care Organization**

For the purpose of this Guideline, a foster family care organization is an organization, which is registered and licensed by the accredited governmental body to implement foster family care placement.

## **2.6. Foster Family**

For the purpose of this Guideline, foster family is a family, which is selected by a foster family care organization to provide a temporary physical care and emotional support and protection for an unaccompanied child placed through foster family care program for unspecified time.

## **2.7. Competent Authority**

For the purpose of this Guideline, a competent authority is the Regional Labour and Social Affairs Bureau, which is the accredited authority with respect to foster family care.

## **2.8. Fostering Agreement**

For the purpose of this Guideline, fostering agreement is a document that should be signed prior to the placement of the child with the foster family specifying the rights and responsibilities of the foster family, the biological parent/s (if alive); the childcare organization and the foster family care organization.

## **2.9. An Applicant**

For the purpose of this Guideline, an applicant is a person who applies to a foster family care organization to be a foster parent.

## **3. ESTABLISHMENT OF ORGANIZATION**

### **3.1 Foster Family Care Organization**

3.1.1. A foster family care organization can be established by a governmental or a non-governmental organisation.

3.1.2. A childcare organisation intending to work on foster family care shall present its constitution/agreement and a project proposal and obtain approval from the accredited governmental bodies.

3.1.3. A party that proposes to establish foster family care organization or to include foster activities as a component shall produce a document to the accredited governmental body affirming that it has the required financial, material, manpower and technical capacity.

### **3.2. Registration and Licensing**

A foster family care organization shall be registered and authorized or licensed by the accredited governmental body.

### **3.3. Accountability**

3.3.1. A foster family care organization shall be governed by the regulations of the accredited governmental body.

3.3.2. A foster family care organization shall be accountable to the accredited governmental body.

### **3.4. Mandate**

3.4.1. A foster family care organization with respect to the child, has the right to:

3.4.1.1. apply to competent authority for the review of and to get information on the status of a child when there are adequate grounds that the child is abused, neglected and/or exploited and for his/her best interest can not be allowed to remain in his/her family environment;

- 3.4.1.2. select the appropriate foster family for a child when the biological parents, the extended family and or guardians are absent or deemed unable to give their views on the characteristics of the foster family;
  - 3.4.1.3. seek and get information on the growth and development of the child from the foster family through periodic reports and home visits;
  - 3.4.1.4. terminate the foster placement and change the foster family when the care given to the child is deemed to be not adequate to the child's healthy development and growth; and
  - 3.4.1.5. terminate the foster family care and transfer the child to other permanent alternative childcare program.
- 3.4.2. A foster family care organization, with respect to the child, has the obligation to:
- 3.4.2.1. work in close collaboration with the police and whenever available with child protection units and child focused organizations in order to reach out for a child who is abused, neglected and/or exploited and for her/his best interest place him/her in foster care;
  - 3.4.2.2. consult and involve the child in a manner appropriate to his/her age and degree of maturity in the process of foster care placement;
  - 3.4.2.3. respect the right of the child to get information on his/her biological parents and/or members of the extended family unless it is deemed to be against the best interest of the child;
  - 3.4.2.4. place siblings with the same foster family except in cases where it is against the best interest of the child and when this is the case make arrangements to support regular contact between siblings; and
  - 3.4.2.5. search for permanent alternative family care with the basic understanding that foster family care is a temporary arrangement in cases where reunifying the child with his/her biological parents is against the best interest of the child.
- 3.4.3. A foster family care organization, with respect to the biological parent/s, has the obligation to:
- 3.4.3.1. consider the opinions of the biological parent/s and/or members of extended family on the processes of the selection of a foster parent in relation with religion, language, ethnic and cultural background, etc;
  - 3.4.3.2. respect the rights of the biological parent/s and/or members of extended family to get information on the child placed in foster family care unless it is believed to be against the best interest of the child;
  - 3.4.3.3. promote partnership between the biological parent/s and foster the family to ensure the best interest of the child;

- 3.4.3.4. inform the biological parent/s and/or members of extended family of any significant event in the child's life unless it is deemed to be against the best interest of the child;
  - 3.4.3.5. accept grievances, opinions, and comments of the biological parents, members of the extended family and/or guardians on the status of the child placed in a foster family care in writing and take corrective measures when deemed appropriate;
  - 3.4.3.6. reunify a foster child to his/her biological parent/s when the accredited governmental body that had terminated the parental rights reviews the case and re-establishes the parental rights with the conclusion that the familial condition has returned to normalcy.
- 3.4.4. A foster family care organization, with respect to a foster family, has the right to:
- 3.4.4.1. interact with the foster family for devising and monitoring a plan for each child; and
  - 3.4.4.2. follow-up and monitor the care offered to each child through the foster care placement service it provides.
- 3.4.5. A foster family care organization with respect to a foster family, has the obligation to:
- 3.4.5.1. cover the expenses necessary to care for the child placed in foster care (if the foster family does not volunteer to cover it); and
  - 3.4.5.2. shall pay the foster parent/s service fee (if the foster parent/s does not volunteer to give service for free).
- 3.4.6. A foster family, with respect to a foster family care organization, has the right to receive information that pertains to the psychological, emotional or health history of the child and his/her family;
- 3.4.7. A foster family, with respect to a foster family care organization, has the obligation to:
- 3.4.7.1. participate in the devising and revising of a plan for each child in care;
  - 3.4.7.2. report to the organization all information related to the child's progress or problems (if any); and
  - 3.4.7.3. report to the organization in the case of injury, disappearance or any other major event in relation to the child.
- 3.4.8. A foster family, with respect to the child, has the obligation to:
- 3.4.8.1. provide the child with adequate physical care and emotional support; and

- 3.4.8.2. protect the child from any type of abuse and neglect.
- 3.4.9. A foster family care organization, with respect to the competent authority, has the right to get feedback on periodic evaluation of its activities.
- 3.4.10. A foster family care organization, with respect to the competent authority, has the obligation to:
  - 3.4.10.1. submit a quarterly, biannual and annual report to the competent authority; and
  - 3.4.10.2. treat all placement records as classified documents.
- 3.4.11. A competent authority, with respect to the foster family care organization, has the right to follow-up and monitor the services the organization provides to children and families.
- 3.4.12. A competent authority, with respect to the foster family care organization, has the obligation to evaluate the activities of the organization and give feedback to the organization.

### **3.5. Illegal Acts**

- 3.5.1. Use the placement of a child in a foster family as a source of financial or other gains;
- 3.5.2. Placing a child into a foster family against the regulations of the competent authority.

## **4. MISSION AND OBJECTIVE**

### **4.1. Mission Statement**

Catering for the basic needs of an unaccompanied child on a temporary basis till the child is reunified with his/her extended family or placed in other permanent alternative childcare program.

### **4.2. General Objective**

Securing a substitute and temporary familial environment for an unaccompanied child till a more suitable alternative family care is identified.

### **4.3. Specific Objectives**

The specific objectives of a foster care organization involves securing basic services to a child through foster family placement, including:

- 4.3.1. shelter;
- 4.3.2. food;
- 4.3.3. education;
- 4.3.4. health care;
- 4.3.5. play and recreation; and
- 4.3.6. psychologically stimulating familial environment.

## **5. ELIGIBILITY**

### **5.1. Eligibility of a Child**

A child is eligible for foster family care if he/she is unaccompanied and below age eighteen.

### **5.2. Eligibility of an Applicant**

5.2.1. It is recommended that based on local conditions, an individual or a family to be eligible for offering foster family care shall satisfy the following criteria:

- 5.2.1.1. Ethiopian by nationality;
- 5.2.1.2. at least 25 years of age;
- 5.2.1.3. have sufficient income to raise the child if the applicant volunteers to provide care covering all expenses incurred due to the foster placement;
- 5.2.1.4. free of any incurable and/or contagious disease and mental disease and mental health problem;
- 5.2.1.5. able to produce a document from the accredited governmental body certifying that she/he is free from any criminal activities; and
- 5.2.1.6. able to produce the consent of the applicant's spouse, if married.

## **6. LEGAL MATTERS AND CLOSURE**

### **6.1. Accreditation**

- 6.1.1. For the purpose of this Guideline, a competent authority is an authorized governmental body.
- 6.1.2. In the event of the closure of a foster family care organization the competent authority shall have the responsibility to insure the transfer and preservation of documents and records to the substituting competent foster family care organization.

## **6.2. Expenses**

- 6.2.1. All expenses incurred during the processing of a placement of a child in a foster family shall be the responsibility of the foster family care organization.
- 6.2.2. All expenses incurred after the placement of a child in a foster family and spent on the child's basic needs may either covered by the foster parent/s or by the foster family care organization.
- 6.2.3. All expenses incurred after the placement of a child in a foster family and spent on administrative and technical activities as in follow-up, evaluation, etc. undertaken by the foster family care organization.

## **6.3. Foster Family Care**

- 6.3.1. A foster care organization shall facilitate foster family care service.
- 6.3.2. The foster care organization shall be responsible to confirm that the child meets all criteria of eligibility.
- 6.3.3. A child shall not be placed with the potential foster parent/s before the placement agreement is signed.
- 6.3.4. In an emergency placement the foster family care organization shall secure the written consent of the foster parent/s to produce all the necessary information for the finalization of the agreement within one month's time following the emergency placement. If the foster parents could not produce the necessary information within this period, the foster family care organization has the right to reclaim the custody of the child on grounds of eligibility of the foster parent/s.

## **7. FOSTER PROCEDURE**

### **7.1. Screening before for Placement in Foster Family Care**

Screening before placement includes case studies on the child and the applicant.

#### **7.1.1 Case Study of a Potential Foster Child**

- 7.1.1.1. The Multidisciplinary Professional experts of the foster care organization shall conduct a case study on the child to establish eligibility and baseline.
- 7.1.1.2. The case study conducted on the child shall, as much as possible, be supported by documents to be appended.

A case study shall, at least, include where available:

General description, including:

- i. The child's two recent photographs;
- ii. The child's first name, father's name, mother's name, grand parents' names;
- iii. The child's age, date of birth, sex, ethnic group, language, religion, identifying features, etc.; and
- ii. The child's psychological status, indicating social interaction, mode of behavior, attitude, etc.;

Family history, including:

- i. The identity, location, characteristics and psycho-social/economic status, health history of the biological parents and their relationship with the potential foster child;
- ii. The identity, location, characteristics and psycho-social status of siblings and their relationship with the potential foster child; and
- iii. The identity, location, characteristics and psychosocial status of members of extended family and their relationship with the potential foster child.

- 7.1.1.3. Chronological placement case history report if the child does not have traceable familial background, as in abandoned children.

- 7.1.1.4. The child's psychosocial status, including:

- i. physical status;
- ii. health status;
- iii. nutritional status (anthropometry);
- iv. educational status.
- v. pre-foster family care placement environment (biological parents, foster home, institution, adoption, etc.);
- vi. the child's opinion of the foster placement, if the child is mature;
- vii. justification for foster family care placement; and
- viii. recommendation of the multidisciplinary professional experts of the foster care organization on the foster placement.

#### 7.1.2. Case Study of an Applicant

- 7.1.2.1. Multidisciplinary professional experts of the foster care organization shall conduct a case study on the applicant to establish eligibility.

7.1.2.2. The case study shall be supported by documents and all documents shall be appended.

7.1.2.3. A case study on an applicant shall, at least, include:

General description, including:

- i. The applicant's recent two photographs;
- ii. The applicant spouse's (if any) recent two photographs
- iii. The applicant's first name, father's name (first, middle and last names);
- iv. The applicant spouse's (if any) first name, father's name (first, middle and last names);
- v. The applicant's age, date of birth, sex, ethnic group, language, religion, identifying features, etc.;
- vi. The applicant spouse's (if any) age, sex, date of birth, ethnic group, language, religion, identifying features, etc.; and
- vii. Full address.

Family history, including:

The applicant's family history, marital status, characteristics of spouses (if any) children, relatives, accommodation, social status, community environment, etc.

The applicant's psycho-social status, including:

- i. economic status;
- ii. physical status;
- iii. health status;
- iv. educational status;
- v. motivating reasons to be a foster family; and
- vi. recommendation of the multidisciplinary professional experts of the foster care organization.

## **7.2. Counseling Service upon Placement for Foster Family Care**

7.2.1. A prospective foster child and the applicant shall be provided with prophylactic counseling to create psychological preparedness and avoid maladjustment after the foster placement.

7.2.2. A prospective foster child and the applicant shall be given an opportunity to introduce each other in person before the actual foster placement to facilitate the adjustment process.

## **7.3. Foster Placement**

When the foster agreement is completed the child is entitled to a life story in a documented form. This 'life book', shall contain the background and other relevant information on the child.

#### **7.4. Follow-up after Foster Placement**

- 7.4.1. The foster family care organization shall take the responsibility of following-up the adjustment and development of the child placed with foster parent/s.
- 7.4.2. The foster family care organization shall organize the necessary training on child development and childcare for foster families.
- 7.4.3. The foster family care organization shall collect information on the adjustment and development of the child and prepare quarterly, biannual and annual reports and when needed take actions with respect to the best interest of the child till the child is reunified with his or her biological parent/s or placed in other alternative childcare program.
- 7.4.4. The foster family care organization shall collect information on the adjustment and development of the child through various channels.

#### **7.5. Record keeping on Follow-up of a Child Placed in Foster Family**

The foster family care organization that conducts the follow-up on a child placed in a foster family shall keep follow-up records of the child.

#### **7.6. Personnel**

The foster care organization shall have personnel with multidisciplinary professional qualifications, including, social workers, psychologists, etc., with adequate experience in foster family care and/or related childcare programs.

### **8. TRADITIONAL FOSTER CARE MODALITIES**

- 8.1. Traditional foster care especially in the rural areas shall be encouraged to continue since this allows an unaccompanied child to live in a familial environment and at the same time allows the child to stay in her/his habitual locality.
- 8.2. Local government authorities and child rights committees shall as much as possible support and monitor traditional foster care especially in the rural areas.

# GUIDELINE FOR ADOPTION

---

## 1. INTRODUCTION

### 1.1. The Need for A Guideline

A consistent and high-quality level of adoption is recommended as an alternative substitute care for a child deprived of his/her biological family and could not be cared for within his/her community for:

- 1.1.1. Adoption offers permanent and substitute family care for a child and establishes a legal parent-child relationship;
- 1.1.2. Policies and practices in adoption at national and international levels vary; a guideline shall provide nationally and internationally recognized standards for adherence and application and prevent malpractice as in the sale, trafficking and abduction of children; and
- 1.1.3. Guideline defines an optimal level of performance or practice, monitoring, assessment and evaluation would be practicable.

### 1.2. Preamble

This project was initiated in 1998 and continued through assessment of available services in the country, and critical analysis of the findings in workshops and appraisal group meetings of experts and practitioners from governmental and non-governmental organizations.

The Guideline is based on the ethical principles given in:

- 1.2.1. The Ethiopian Laws;
- 1.2.2. UN Convention on the Rights of the Child;
- 1.2.3. UN Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; and
- 1.2.4. Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption.

### 1.3. Guideline Principles

- 1.3.1. "A child temporarily or permanently deprived of his or her family environment, or in whose best interest can not be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the state."

*UN-Convention on the Rights of the Child, Article 20 (1)*

- 1.3.2. "States Parties shall in accordance with their national laws ensue alternative care for such a child."

*UN-Convention on the Rights of the Child, Article 20 (2)*

- 1.3.3. " Such care could include, *inter alia*, foster placement, Kafala of Islamic law, adoption, or if necessary placement in suitable institutions for the care of children..."

*UN-Convention on the Rights of the Child, Article 20 (3)*

- 1.3.4. "State Parties that recognize and/or permit the system of adoption shall ensure that the best interest of the child shall be the paramount consideration and they shall:

- 1.3.5. Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counseling as may be necessary;

- 1.3.6. Recognize that inter-country adoption may be considered as an alternative means of a child's care, if the child can not be placed in a foster or an adoptive family or can not in any suitable manner be cared for in the child's country of origin;

- 1.3.7. Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

- 1.3.8. Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

- 1.3.9. Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavor, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs."

*UN-Convention on the Rights of the Child, Article 21*

- 1.3.10. "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

*UN-Convention on the Rights of the Child, Article 12 (1)*

- 1.3.11. "States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent/s, legal guardian(s) or any other person who has the care of the child."

*UN-Convention on the Rights of the Child Article 19 (1)*

- 1.3.12. "State Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form."

*UN-Convention on the Rights of the Child, Article 35*

1.3.13. “The State shall accord special protection to orphans and shall encourage the establishment of institutions which ensure and promote their adoption and advance their welfare, and education.”

*Proclamation of the Constitution of the Federal Democratic Republic Ethiopia. Article 36 (5)*

## **2 DEFINITION**

### **2.1. Biological Parent/s**

For the purpose of this Guideline, biological parent/s means both birth parents if they are alive or the mother or father if one is deceased.

### **2.2. A Child**

For the purpose of this Guideline, a child means every human being below the age of 18 years.

### **2.3 Unaccompanied Child**

For the purpose of this Guideline, an unaccompanied child is:

2.3.1. a child who is fully orphaned (both parents dead), or

2.3.2. an abandoned child, (both parents untraceable) and/or

2.3.3. a child with parents who are certified as terminally and/or mentally ill by an appropriated and accredited body.

### **2.4. Adoption**

For the purpose of this Guideline, adoption is a childcare and protection measure that enables an unaccompanied child to benefit from a substitute and permanent family care.

### **2.5 Adoptive Parent**

For the purpose of this Guideline, an adoptive parent is an Ethiopian and/or an expatriate who have adopted an Ethiopian child.

### **2.6. Domestic Adoption**

For the purpose of this Guideline, domestic adoption is an adoption that involves adoptive parents and a child of the same nationality and the same country of residence.

### **2.7. Inter-country Adoption**

For the purpose of this Guideline, inter-country adoption is an adoption that involves a change in the child's habitual country of residence, whatever the nationality of the adopting parents. It also includes an adoption that involves parents of a nationality other than that of the child, whether or not they reside and continue to reside in the child's habitual country of residence.

## **2.8. An Applicant**

For the purpose of this Guideline, an applicant is a person who applies to the Ministry of Labour and Social Affairs for adoption.

## **3. ARRANGEMENTS**

### **3.1. Domestic Adoption**

The Ministry of Labour and Social Affairs and Regional Labour and Social Affairs Bureau shall facilitate domestic adoption.

### **3.2. Inter-country Adoption**

Only the Ministry of Labour and Social Affairs should make inter-country adoption arrangements, as a last resort.

### **3.3. Registration**

The accredited governmental body shall register a non-governmental adoption agency.

### **3.4. Permission**

The Ministry of Labour and Social Affairs shall give permission for an adoption agency to operate.

### **3.5. Accountability**

3.5.1. An adoption agency shall be governed by the rules formulated by the Ministry of Labour and Social Affairs.

3.5.2. An adoption agency shall be accountable to the Ministry of Labour and Social Affairs.

### **3.6. Mandate**

3.6.1. An adoption agency, with respect to the child, has the right to:

3.6.1.1. select a child to be adopted on the basis of age and sex; and

3.6.1.2. seek and get information on the growth and development of the child from the adoptive parent.

3.6.2. An adoption agency, with respect to the child, has the obligation to:

- 3.6.2.1. avoid selecting a child for adoption on the basis of ethnic group and religion;
  - 3.6.2.2. respect the right of the child to get information on his/her biological parents/members of the extended family unless it is against the best interest of the child; and
  - 3.6.2.3. respect the rights of the biological parents and/or members of extended family to get information on the adopted child unless it is against the best interest of the child.
- 3.6.3. An adoption agency, with respect to the Ministry of Labour and Social Affairs:
- 3.6.3.1. submit a quarterly, bi-annual and annual report; and
  - 3.6.3.2. treat all case records as classified documents.

### **3.7. Illegal Acts**

- 3.7.1. Use the adoption of children as a source of financial or other gains;
- 3.7.2. Abuse, sale and/or trafficking of children through adoption; and
- 3.7.3. Facilitating an adoption without the knowledge of the Ministry of Labour and Social Affairs.

## **4. MISSION AND OBJECTIVE**

### **4. 1. Mission Statement**

Catering for the needs of an unaccompanied child to enable him/her to become self-reliant by placing him/her in a substitute familial environment.

### **4.2. General Objective**

Securing a substitute familial environment for an unaccompanied child.

### **4.3. Specific Objective**

Securing basic services to an adopted child, including:

- 4.3.1. shelter;
- 4.3.2. food;
- 4.3.3. education;
- 4.3.4. health care; and
- 4.3.5. psychologically stimulating familial environment.

## **5. ELIGIBILITY**

### **5.1. Eligibility of a Child**

A child is eligible for adoption if he/she is unaccompanied and below age eighteen.

### **5.2. Eligibility of an Applicant**

5.2.1. An applicant is eligible for domestic adoption if he/she is:

- 5.2.1.1. Ethiopian by nationality;
- 5.2.1.2. at least, twenty five years of age;
- 5.2.1.3. able to produce a document from a competent and accredited governmental body certifying that he/she has an income that is sufficient to raise the child;
- 5.2.1.4. able to produce a document from a competent and accredited governmental body certifying that he/she is free of any incurable and/or contagious disease and mental health problem;
- 5.2.1.5. able to produce a document from a competent and accredited governmental body certifying that he/she is free from any criminal activities;
- 5.2.1.6. able to produce a marriage certificate if the potential adoptive parent is married; and
- 5.2.1.7. able to produce the consent of the applicant's spouse to adopt the child.

5.2.2. An applicant is eligible for inter-country and international adoption if he/she is:

- 5.2.2.1. able to produce a document certifying that the applicant's State law is consistent with the legal requirements of Ethiopia on adoption;
- 5.2.2.2. at least, twenty five years of age;
- 5.2.2.3. able to produce a document from a competent and accredited governmental body certifying that he/she has an income that is sufficient to raise the child;

- 5.2.2.4. able to produce a document from a competent and accredited governmental body certifying that he/she is free of any incurable and/or contagious disease and mental health problem;
- 5.2.2.5. able to produce a document from a competent and accredited governmental body certifying that he/she is free from any criminal activities;
- 5.2.2.6. able to produce a marriage certificate if the applicant is married; and
- 5.2.2.7. able to produce a document certified by a relevant governmental body, indicating the consent of the applicant's spouse to adopt the child.

## **6. LEGAL MATTERS**

In the event of the closure of an adoption agency, the organization shall have the responsibility to arrange for the transfer of documents and records to the Ministry of Labor and Social Affairs.

### **6.1 Effects of Adoption**

- 6.1.1. Once a contract of adoption has taken place the biological parents, members of the extended family, and/or guardians of the child have no obligation concerning the up bringing of the child.
- 6.1.2. Once a contract of adoption has taken place the adoptive parents, assume all parental, duties, rights and responsibilities over the child.
- 6.1.3. Once a contract of adoption has taken place it is irrevocable. However, the court may revoke the adoption, if the adopter instead of looking after the adopted child as his own child handles him as slave or in conditions resembling slavery, or makes him engage in immoral acts for his gain, or handles him in any other manner that is detrimental to his future.
- 6.1.4. The adopted child has the same rights as a natural child born to an adoptive parent.
- 6.1.5. Adoption does not terminate filial bond of lineage (relationship).
- 6.1.6. An adopted child has the right to acquire information about his biological parents and roots unless the accredited governmental body finds it against the best interest of the child.
- 6.1.7. Biological parents, members of the extended family, and/or guardians of the child have the right to ask the MOLSA information as to the growth and development of the adopted child.

6.1.8. The adopted child, his spouse and his descendants may not claim maintenance from the family of origin of the adopted child unless the adoptive family is not in a position to supply such maintenance.

*Civil Code of Ethiopia Art. 823(1)*

6.1.9. They shall not be bound to supply maintenance to the ascendants of the family of origin unless the later cannot claim maintenance from another member of their family.

*Civil Code of Ethiopia Art. 823(2)*

6.1. 10. All legally permitted expenses incurred during the processing of a contract of adoption shall be the responsibility of the adoptive parent.

## **6.2. Legal Requirements**

### 6.2.1. Domestic Adoption

6.2.1.1. The Ministry of Labour and Social Affairs shall be responsible to confirm that the child and the applicant meet all the criteria of eligibility.

5.2.1.2. A child shall not be placed with the applicant before the contract of adoption is finalised.

### 6.2.2. Inter-country Adoption

6.2.2.1. The accredited governmental body for inter-country adoption shall be responsible to confirm that the child meets all the criteria of eligibility.

6.2.2.2. The accredited governmental body for inter-country adoption shall be responsible to confirm that the adoptive parent meets all the criteria of eligibility.

6.2.2.3. The documents of adoption are legally valid in both State of origin and the receiving State.

6.2.2.4. A child shall not be placed with the applicant before the contract of adoption is finalised both in the State of origin and the receiving State.

6.2.2.5. The Ministry of Labour and Social Affairs in consultation with the accredited governmental body of the receiving state shall be responsible for arranging alternative placement of a child if both the adoptive parents die, abandon the child, become legally, physically or mentally incapacitated.

6.2.2.6. The Ministry of Labour and Social Affairs shall respect the right of an adopted child to information on his/her parentage and facilitate the search for the child's origin.

## **7. ADOPTION PROCEDURE**

### **7.1. Application**

#### **7.1.1. Domestic Adoption**

7.1.1.1 An applicant shall submit his/her application for adopting a child to the Ministry of Labour and Social Affairs.

7.1.1.2 The applicant may be assisted by the Ministry of Labour and Social Affairs in the Processing of the adoption.

#### **7. 1.2. Inter-country Adoption**

7.1.2.1. An applicant shall submit his/her application for adopting a child to the Ministry of Labour and Social Affairs through expatriate adoption agency, which may be represented by local agent.

7.1.2.2. The applicant may be assisted by the Ministry of Labour and Social Affairs in the processing of the adoption.

#### **7.1.3. Screening before Admission for Adoption**

Screening before admission includes case studies on the child and the applicant.

#### **7.1.4. Case Study of a Potential Adoptive Child**

7.1.4.1. A case study shall be conducted by the multidisciplinary professional experts of the Ministry of Labour and Social Affairs on the potential adoptive child to establish eligibility and baseline.

7.1.4.2. The case study shall, as much as possible, be supported by documents and reliable sources. Where possible, relevant authenticated documents, shall be appended.

7.1.4.3. A case study on a potential adoptive child shall, at least, include where available:

i. General description, including: -

a. The child's two recent photographs;

b. The child's first name, father's name, mother's name, grand parents' names;

- c. The child's age, date of birth, sex, ethnic group, language, religion, identifying features, etc.; and
- d. Full address

ii. Family history, including: -

- a. The identity, location, characteristics and psycho-social status, health history of the biological parents and their relationship with the potential adoptive child;
- b. The identity, location, characteristics and psycho-social status of siblings and their relationship with the potential adoptive child; and
- c. The identity, location, characteristics and psychosocial status of members of extended family and their relationship with the potential adoptive child.

iii. The child's psycho-social status, including

- a. physical status;
- b. health status;
- c. nutritional status (anthropometry);
- d. educational status; and
- e. social interaction, mode of behaviour, attitude, etc.

7.1.4.4. Characteristics of present environment in which the potential adoptive child exists (biological family, foster care, institution, etc.).

7.1.4.5. Justification for adoption indicating that adoption is the last resort for the child.

7.1.4.6. Recommendation of the multidisciplinary professionals and experts on the adoption.

7.1.5. Case Study of an Applicant

7.1.5.1. A case study produced on the applicant to establish eligibility on past and present status shall be approve by the Ministry of Labour and Social Affairs.

7.1.5.2. The case study produced shall be supported by documents and all documents shall be appended.

7.1.5.3. A case study on an applicant shall, at least, include:

i. General description, including: -

- a. The applicant's recent two photographs;
- b. The applicant spouse's recent two photographs; if any

- c. The applicant's first name, father's name (first, middle and last names); if any
  - d. The applicant spouse's first name, father's name (first, middle and last names);
  - e. The applicant's age, date of birth, sex, ethnic group, language, religion, identifying features, etc.;
  - f. The applicant spouse's age, date of birth, sex, ethnic group, language, religion, identifying features, etc. and
  - g. Recommendation
- ii. Case history of the family, including: -
- The applicant's family history, childhood experience, marital status, characteristics of spouse's children (if any), relatives, accommodation, social status, community environment, etc.,
- iii. The applicant's psychosocial status, including: -
- a. Economic status;
  - b. Physical status;
  - c. Health status;
  - d. Educational status.
  - e. Free from any criminal activity; and
  - f. An applicant's psychological status, indicating, his/her motivating reasons for the adoption.

#### 7.1.6. Counselling Service upon Placement for Adoption

A potential adoptive child shall be provided with appropriate counselling to create psychological preparedness and avoid maladjustment after placement.

#### 7.1.7. Approval of Adoption

The court shall approve adoption.

#### 7.1.8. Case History of the Child

7.1.8.1. When the adoption contract is completed the child is entitled to an equivalent of a birth registration certificate.

7.1.8.2. When the adoption contract is completed the child is entitled to his/her life story in a documented form. This 'life book', shall contain the background and other relevant information on the child.

#### 7.1.9. Follow-up after Placement

##### 7.1.9.1. Domestic Adoption

The regional Labour and Social Affairs Bureau shall following-up the general situation of the adopted child.

##### 7.1.9.2. Inter-country Adoption

- i. Without prejudice to the power and responsibility of the Ministry, the adoption agency shall assume full responsibility in follow-up the adjustment and development of the adopted child on the child's:
  - a. Health status;
  - b. Nutritional status;
  - c. Physical development.
- ii. The agency shall collect information on the adjustment and development of the child and produce quarterly and bi-annual reports for the first year after adoption and annual reports after one year following adoption until the age of eighteen. However, the Ministry of Labour and Social Affairs may demand the adoption agency any additional report as deemed necessary.
- iii. The agency shall collect information on the adjustment and development of the child through various channels, including:
  - a. Parental report;
  - b. Report of accredited governmental bodies in the receiving State; and
  - c. Reports of the Ethiopian Embassy in the receiving State.

#### 7.1.10. Record Keeping on Follow-up of the Adopted Child

The party that conducts the follow-up on an adopted child shall keep the follow-up records of adopted child.

## 8. PERSONNEL AND CHILD'S IDENTITY

### 8.1 Personnel

An agency permitted to work on adoption shall have personnel with multidisciplinary professional qualifications, including, social workers, psychologists, lawyers, etc., with adequate experience in adoption and/or related childcare programs;

### 8.2. Child's Identify

The child, after reaching majority, has the right to choose and decide on his/her identity.