

**Press Release**

**National Seminar on Effective Foster Care**

February 27 and 28, 2003, Bangalore

Bangalore: February 27, 2003: Foster care is a form of child welfare that provides an alternative family that cares for a child who has been deprived of his or her birth family. Of course, the best home is the child's biological home or an adoptive home. But foster care is the first priority when the child does not have a home. However good an institution is, the nurturing of a child with care and love in a family environment is undoubtedly the best alternative for a homeless child. This would be on a temporary basis till his or her parent can resume this responsibility or until a permanent home is found.

**To make people more aware of this alternative child welfare, Vathsalya Charitable Trust, a child welfare agency, has organized a National Seminar on Foster Care, in Bangalore.**

In India, while Foster Care is not a new concept, it is not as organized as adoption is. In fact, most social workers in the field of childcare recognize this as an alternative or pre-requisite to adoption. But Institutions, both Governmental and Non-Governmental are vague about and at times indifferent to this necessity of providing foster family care to children. The public is also not aware of the need and the feasibility of the project. There are no



uniform policies and guidelines, or rules and regulations all over India.

**Aims of the Workshop**

➤ To make foster care more organized, and ensure that rules and

regulations are in the best interests of the child. As it is said in Article 3(1) of the UN convention on the Rights of the Child. "In all actions concerning children, where undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative blocks, the best interest of the child shall be a primary consideration."

➤ To consider setting up of a panel of social workers, foster parents and government officials, to effectively promote foster care.

➤ To share experiences, difficult or touching, with other participants.

**Vathsalya' Foster Care Programme**

Vathsalya Charitable Trust, formed in 1989, works in partnership with Holt International Children's Services, U.S. to find families for abandoned and relinquished children.

Vathsalya has a successful foster care programme since 1990. It is therefore committed to the cause and interested in propagating this concept nationally.

More than 60 per cent, between the ages of one month and five years are placed in foster care with families. Having seen the healthy and beautiful transformation in the children, Vathsalya has realized institutions should be the last resort for any homeless child.

In fact, Vathsalya has plans to make its office a reception centre, where only medically weak and older children will

be accommodated, while the rest are placed in families because every child has the right to a family. The child is entitled to love and affection and to grow up in the care of and under the responsibility of parents in an atmosphere of affection.

In the Philippines, Vietnam and Thailand almost all children are placed in temporary care with families, and their institutions are only reception centres.

## **All children are beautiful when loved**

*- Grandma Holt*

### **Kids in Institutions Need Parents too!**

#### **1. What is Foster Care?**

Foster care has been with us for at least a century. The origins of foster care can be traced to biblical times. It was first known as "placing out" when it began in the German town of Leipzig in 1866.

Many children in our society are abused or neglected, or are severely disabled because of which their own families can't care for them. Sometimes, in order to be protected or given the special help they need, these children have to live apart from their natural families.

The Foster Care Programme supports foster families - families who open their homes to children in need of care. These children range in age from birth to 5 years. As a foster-parent, you open your home to such children. That child might stay for a few months or a few years. It will depend on when the child's family's conflict or crisis can be resolved. Each child's situation is different, but the goal of foster care is always the same:

to return the child to his or her natural family, to a permanent alternate family, or help towards preparing the child to live independently.

Most children experiencing separation from their own families will exhibit some emotional or behavioral problems. Some children may be moderately-to-severely mentally or physically handicapped.

The most effective way to care for the wide variety of foster children's needs usually involves a combination of skills. These include good parenting skills and firm kindness, coupled with the skills gained in the foster parent training. However, it is important to remember that each child is an individual and, as such, no amount of personal background experience or training will cover every situation, which may arise in the course of foster parenting. The role of the agency is to assist in decisions regarding the care of the child and to help foster parents over those rough spots.

The foster parents can help foster children reach their fullest potential by providing them a healthy home environment.

## **2. The Three R's – Responsibilities, Rights, Role**

Many foster parent responsibilities will closely resemble those of any parent providing day-to-day supervision and support in a stable and loving home environment. And yet, foster parenting is different from parenting your own child. The foster parent education provided prior to approval is intended to give you a clear understanding of the role you will assume and to provide you with some tools for dealing with this new experience.

While foster parents must cooperate with the agency's plan for parental visitation, the agency respects your privacy and will not release your name, address, or telephone number without your permission.

Foster parents, of course, can decide the sex and age range of children they can best provide care for, as well as what types of problems or handicaps they can or cannot deal with. Foster parents also have the right to accept or reject any child offered for placement. If you are unsure of whether you can care for a particular child, you may also request a pre-placement visit to give you an opportunity to get to know the child before he or she is placed in your home. Sometimes, even with the most careful preparation, you may find that you may need to request the return of the foster child to the agency. It is important not to be overly harsh with either yourself or the child, and to work closely with the agency to ensure a smooth transition from your home to

another placement. The more flexible you are, the better chance, the agency has of finding a home for the child who needs you.

A foster home worker visits each foster home regularly to assist in obtaining and/or providing needed services. Each agency places tremendous importance on being accessible to foster parents to provide the support that they often need.

## **3. Why become a Foster Parent?**

Why indeed. It's not easy to be a foster parent, however it could be one of the most worthwhile and important roles you could ever play. There is nothing more heartwarming than providing a child with love and security at a time when he needs it most.

## **4. What do we look for in a Foster Parent?**

There are some basic requirements that our foster parents should meet:

- ◆ A marital status unchanged over the past year, be it married or single.
- ◆ You are at least 30.
- ◆ No major illness or trauma in your life during the past year.
- ◆ Applicant should be emotionally, physically and financially stable.
- ◆ You have a crib or bed for each child, although children can share a room.
- ◆ You have attended the orientation sessions.
- ◆ All family members should be interested in fostering.

## **Vathsalya's Foster Care Programme**

Vathsalya's trained staff gives an orientation session so that foster parents have a better idea of what to expect from themselves, the children and us. Then, if they think fostering is for them, they are invited to complete an application. Thereafter, there is another important requirement – that of patience. The approval process does take time. It could take two to three months from the orientation sessions until a social worker (specializing in foster care) visits the family. The visit is one step in the approval process. Once the home is approved for foster care, Vathsalya matches a child who will be comfortable with the family.

### **Among the training programmes that Vathsalya offers are:**

- ◆ Pre-service training
- ◆ Health and hygiene
- ◆ Stages of development of a child
- ◆ Family life and value education

### **Foster Parents are supported:**

- ◆ By a team of highly skilled staff
- ◆ With an additional subsidy in case of a special needs child.
- ◆ With expenses relating to the child's medical, dental and education
- ◆ With a 24-hour emergency phone number

At Vathsalya, foster parents go through a week of intense hands-on training, where they watch the childcare givers, nurses and learn how to take good care of the child. Attendance is mandatory. It is

desirable for a husband and wife to complete the course together. However, if both cannot attend, the primary care giver must complete the training.

### **The aim of this training session is to:**

1. Give the foster parents the information needed to handle routine matters such as medical and psychological care, clothing needs and education.
2. Provide the foster parents with the skills needed to handle problems as they arise.
3. Teach the foster parents the ethical and legal standards for which compliance is required.
4. Assist the foster parents in anticipating the negative, critical or suspicious attitudes that foster children often exhibit.
5. Identify those elements of the foster child's behaviour, which can be attributed to his/her experience of being a foster child.
6. Expose the prospective foster parents, with particular emphasis on building positive relationships with the agency's staff.

## A Report On

# The National Seminar On Effective Foster Care

### Inaugural Day

The National Seminar on Effective Foster Care, organized by Vathsalya Charitable Trust, was held at Ashirvad on February 27 and 28, 2003.

The seminar started with a welcome dance by the children of Vathsalya. Ms. Diana Thloor, Founder, Chrysallis Theatre Group, directed the dance.

This seminar fostered in a new era, a new understanding of what a family is, beyond the biological, a passion beyond prescription, a bonding that is binding, a networking of people and places, of children and families to form a *Kutumb* which in Sanskrit means family.

Ms. Mary Paul-Executive Director, Vathsalya introduced Dr. Aloma Lobo, Chairperson of VCA - K, the Chief Guest, who very lucidly explained the importance of keeping the child as the focus. In his inaugural address, Mr. Gary Gamer, Vice President for International Programmes, Holt International Children's Services, highlighted Holt Programmes worldwide as well as the

tangible effects of children growing up in institutions. Mrs. Lata Joshi, Founder of ANUJ and former consultant for Holt India who delivered the keynote address focused on the various aspects of the actual Programme. Mr. J. Retnaraj, Chairperson of Vathsalya gave the vote of thanks.

On the evening of February 27, 2003, a welcome dinner was organized for the participants.

### Concluding Day

Mrs. Lata Joshi summarized the two-day workshop with practical recommendations.

Mr. Gary Gamer gave the valedictory address.

Participants were presented with certificates in appreciation of their contribution to the seminar.

Vathsalya children presented a skit called the 'Judgement', directed by Partho Ganguly and his wife Apala.

Sandra Jacob, daughter of Sherly Thomas, Sr. Social Worker gave a Bharata Natyam recital.

### Inaugural Address

*Mr. Gary Gamer is Vice President, International Programmes, Holt International Children's Services, USA. Holt's projects around the world propagate temporary foster care as an intermediary step toward reunifying a child with his/her birth family, or placing a child in adoption – either in the country of the child's birth or with a family in another country. Holt's experience is that foster care has proven itself culturally neutral.*

# **Temporary Foster Care as an Alternative to Institutionalising Children**

## *- The Holt Model*

### **Who benefits?**

Temporary foster care is not for every child in residential care. The Holt model of temporary foster care is best suited for infants, toddlers and younger children in general; who have a high probability for permanent placement in a family ideally within a year's period.

However, there is no definitive and exact standard in terms of age and length of time in foster care – this depends on a number of factors, foremost of which is the specific situation and characteristics of a child, how long it takes to place a child in a permanent family and child welfare regulations.

Training and preparation of foster care families is obviously an important aspect of developing a foster care programme. However, special needs children can be placed in, and benefit from foster families. In some cases, the placement is temporary and en route to a permanent family. In others the placement is a long-term alternative to far inferior residential care.

### **How children benefit?**

It will come as no surprise to most people that the kind of one-to-one family care given to children in a well functioning foster care programme is far better than institutional care. Connecting and caring for a child in a close, intimate and continuous way, helps to stimulate the electrical activity in key sectors of the brain. This has been explained through a PET scan of

a child that has grown up within a family and an orphan child that lived in an institution. The child that grew up within a family exhibited bright colours such as red, yellow and green in the scan of the temporal lobes. In contrast there were ominous dark areas in the temporal lobes of the child who grew up in an orphanage.

### **Who else benefits?**

The foster care programme enables the institution to potentially devote its limited human and financial resources to a lower number of children and thus increase the likelihood of improving the overall care of children under its jurisdiction. The foster care programme is a means to address issues of homelessness while providing some support to families.

### **Essential principles and elements of temporary foster care**

When a child is separated from its family, the State ensures appropriate alternative care for a child, including foster care.

- ◆ A foster parent can be married or single, if married the relationship must be stable.
- ◆ The age of the foster parents can vary widely, but the important thing is assessing their capacity in parenting and caring for the child.
- ◆ The family must have a steady and permanent source of income
- ◆ Housing must be safe and clean, strict space requirements may not be a

deterrent to a placement if other factors in the family are satisfactory

- ♦ The family must have good moral character and no criminal record, there should be some kind of background check
- ♦ Every member of the family must consent to being a foster family.

### Finally, and very importantly...

The family must be able to 'let go' of the child, since the foster care placement is on a temporary basis. In other words they must understand fully and be prepared for the child to leave... sometimes they will need assistance with the grieving process of a child leaving.

After selecting a foster family, the social worker then engages the family in a series of preparation activities. Once placed, there should be a regular and ongoing monitoring and evaluation system. In addition to financial assistance, medical assistance should also be provided to the foster families.

### Lessons learned after 35 years of foster care

- ♦ The biggest fear – fear of the unknown about the safety and care of

the child

- ♦ Foster care is one of the best ways to involve and benefit the community at large in the child welfare crisis
- ♦ Foster care is cost effective

### Lessons learned about measuring success in the programme

- ♦ Strategic planning is an important first step to attain success
- ♦ There is a direct relationship between increased permanent placements
- ♦ The kind of training and social work skill required in an effective foster care programme is complementary to permanent placement services
- ♦ Important indicator of a successful programme is the health and well being of children in the programme
- ♦ Satisfied and effective foster families are vital for the development and vitality of a foster care programme.

*Footnote: Gary Gamer's personal experience reinforced his faith in foster care. His son was received joyfully from the loving arms of a foster mother.*

### Keynote Address

*Mrs. Lata Joshi was former consultant for Holt-India and is the founder of ANUJ (Adoptees' National Union for Joy), Pune*

## Guidelines For Family Foster Care

### PART I: Principles of Foster Care

The first part focused on the preamble, justification and the present status of foster care in India. She defined family

foster care as a form of child welfare that provides a planned period of alternative family care for a child, who

has been deprived of his/her birth family, either temporarily or permanently, due to a family crisis or problem. It offers to a child, protection and a nurturing environment in a family atmosphere, which is conducive for a healthy normal growth.

The terms used in the concept of family foster care are alternative family care, temporary care, agency, staff, foster family, permanency plan, continuum of services, team effort, etc.

### **Guiding principles**

- ◆ Every child has the right to grow up in a family
- ◆ Priority over biological family
- ◆ Foster care – alternative solution for the full and harmonious development of the child

### **Benefits of foster care**

- ◆ Displaced young children who need care away from their birth parents, benefit more
- ◆ Neglected and abandoned children – intellectual stimulation and opportunities to develop positive social skills and relationship, essential to

healthy development

- ◆ Provides a stable and nurturing environment as well as individualized care and opportunities for the development of the child to his/her full potential.

### **Goals and objectives**

- ◆ Provides children with protection, care and nurturing for a limited time
- ◆ Reunify a child with the parents
- ◆ Place the child in an adoptive family either in-country or inter-country as appropriate

### **Aims of foster care service**

- ◆ Protect and nurture children who are placed with the agency approved foster families
- ◆ Meet the child's physical, mental, social, health and educational needs
- ◆ Provide ongoing supervision and support to the foster families, children and if necessary the birth families
- ◆ Ensure the early and timely achievement of permanency for children in foster care by returning them to their birth families or placing them in adoptive families

## **PART II: Recruitment of Families for Foster Care**

It is essential to have the objective of a planned programme of publicity and distribution of information to the general public, regarding the need of the children to be in the family; and also gain their support for the programme. Also motivate prospective foster families to join hands with the scheme.

### **How to plan the recruitment campaign?**

- ◆ Involvement of the community and local authorities
- ◆ Personal contacts by the agency people
- ◆ Direct appeal to specific groups



## Information for the public

This includes the philosophy and goals of the foster family care programme, criteria for eligibility for foster family, policies of the agency, process and purpose of foster care, the roles and responsibilities of the agency and the foster families, the impact of separation and loss for all parties involved.

## Medium of communication of such information

- ♦ Organizing a family foster care forum gives the applicants and the general public an opportunity to learn more about the programme
- ♦ Disseminating relevant and positive information through mass media
- ♦ Holding exhibitions and distribution of brochures and posters

## A. INQUIRY STAGE

### Application

It is essential to identify

- ♦ The stability of the marriage
- ♦ That the foster family does not have a child below 3 years
- ♦ That the age of the foster mother is between 20- 50 and that of the father is below 60 years
- ♦ The permanency of the residence
- ♦ The health of all family members
- ♦ There is Sufficient family income

and parenting abilities, etc.

## Process of assessment

After identifying the above said matters, it is essential to do the foster family assessment study. This can be done through a structured interview.

For effective foster placement, a child study report also should be prepared. Included in this are the needs, status and justification for foster care. This child study report will form the basis for matching the child with the selected foster families. This information should be shared with the foster parents.

Pre-placement preparation should be started to ensure the child has a smooth transition into the foster family. The agency is responsible for supervising and supporting the foster care placement as long as the child is in the foster care. Documentation should be done of all the pertinent happenings in the child's life while in foster care.

Attachment, detachment and separation are the three crucial stages of foster care. Through counselling, a social worker can support the child and the foster care parents as well as the birth parents. Before the discharge, documents such as health records, reports on special events, developmental stages and assessment of the child during foster care to guide the parents should be prepared. After care services and follow up is an essential part of this work.

## PART III: Records And Record-keeping

All documents relating to the services provided to the child, birth parents and the foster family, the progress and status

of the case focusing on the permanency of plans and those relating to the legal defenses if necessary should be

maintained. Case records should be treated as confidential and should be kept in the agency office and not with the foster family.

It is the responsibility of the agency to provide a high quality of service, so that focus is on the child's best interest

and to establish and monitor standards and procedures for foster care. Family Foster Care involves teamwork between the agency and the foster parents and the roles and responsibilities of the foster care parents should also be explained.

## **PART IV: Formats**

**Formats include the following:**

1. Foster family intake form
2. Foster care placement licence
3. Initial social history
4. Follow up of children from birth to 6 years
5. Admission form
6. Extension of foster care period
7. Report of the child hand=over
8. Reports of receiving
9. Foster care placement agreement
10. Concepts of separation and attachment
11. The life book
12. Recommended list of child care supplies
13. Progress report
14. Developmental milestones of children
15. Monthly caseload inventory form
16. Updated foster families, forms
17. Minutes of transfer of the child from foster family to agency
18. Report of the transfer of the child from agency to birth family / child care agency
19. Discharge report form
20. Closing report form

## **COMPARISON BETWEEN CARE AT AN INSTITUTION AND A FOSTER FAMILY**

### **INSTITUTIONAL CARE**

- ◆ All group activities
- ◆ Everything shared
- ◆ Limitations on education
- ◆ Less communication with society
- ◆ No close relationship
- ◆ Feeling of insecurity
- ◆ No sense of belonging
- ◆ Only institutional gatherings
- ◆ Always longing for own family
- ◆ Less problem of attachment / detachment

- ◆ Adjusts to group easily
- ◆ Routine medical / expert advise
- ◆ Close supervision possible

### **FAMILY FOSTER CARE**

- ◆ One to one relationship
- ◆ Individual care
- ◆ Good possibility for education
- ◆ Interaction with family and community
- ◆ Relates well to family
- ◆ Feels secure
- ◆ Sense of belonging developed

- ◆ Exposed to family – social gatherings, etc.
- ◆ Nurtured in family environment
- ◆ Attachment / detachment at high level
- ◆ More self demanding
- ◆ Close supervision of the agency is not possible because of the distance between the agency and the homes

## **Bharatiya Samaj Seva Kendra's Foster Care Programme**

*Mrs. Asha Avdhani is the Programme Director for Child Care at BSSK, Pune*

Bharatiya Samaj Seva Kendra (BSSK) is a non-political Indian charitable trust. BSSK offers several services such as adoptions, unwanted pregnancy counselling, and childcare centres. They also have a foster family unit and are involved in community services.

BSSK has a foster care programme with about 20 families, and is trying to expand the programme.

Foster mothers have to do tests for HIV and the Australia Antigen test, in addition to chest X-ray. In case the general health of the mother shows any concerns, the physician might ask her to get some more tests done. While selecting foster families, one important thing that is taken into account is the number of people who would be involved with the child. Also considered is the cleanliness of the house, water supply, physical hygiene of the foster mother and her nature and liking for babies.

After selecting the foster family, the foster mother is then trained at the childcare centre by the trained nurses and child development workers for about four to seven days.

BSSK's foster families are from the lower middle class, those who need some financial support to complement their income. While the husband or head of

the family is at work and the children are in school, the mother, who is a housewife is at home. Even though she has had some education and can read and write, she cannot go out and earn, but would like to earn something. Most of the foster families have their own children. A child is not placed in a foster family who has a child below three years of age. This ensures that total care and love is given to the BSSK child.

Relinquished babies who have completed one month of age or above and weigh at least 2.5 kgs. are placed with foster families, so also babies who do not have any major medical concerns and who do not require constant health monitoring.

Due to some reasons if a child cannot be placed in adoption the child continues to stay with foster families till their future rehabilitation takes place.

Once a week the foster mothers visit a clinic along with the babies. Once in two months, training programmes are organized. They are periodically evaluated.

Once a baby is placed with a foster family, BSSK does its best not to move the baby to another foster family or the childcare centre, unless there are unavoidable circumstances.

BSSK strives to give all the services, love and security to the children who are under their institutional care;

however, they believe that individual family care is the best alternative for a child-physically and emotionally.

## **Foster Care at SOFOSH**

*Mrs. Sangeeta Pawar, Administrator is of Foster Care, Society of Friends of Sasoon Hospital (SOFOSH), Pune*

Foster family care provides a child with its basic needs of love, affection and undivided attention. A foster home satisfies a child's inherent need for a 'mother'.

A foster family should be chosen on parameters like family atmosphere, location, cleanliness, and biological children of the foster family, experience and the motivation behind the foster care families.

Supervision and training is the backbone of any foster care exercise. Care should be taken to explain to the family what would be expected of them; i.e. their role and their responsibilities should be clearly spelt out. Besides this the organization has to introduce a family to foster care through effective and efficient training. Consequently, when the organization is satisfied with the care given by the new family, premature babies, sick babies or babies with special needs may be placed with them.

It is essential to motivate foster families so that they may continue to give good care to the children placed

with them. It is also very important for the coordinator of these foster families to maintain warm and friendly relations with them. She must ensure that there is transparent and unrestricted communication between the foster families and her so that any problems that they might face may be brought to her notice immediately.

The child gets the all-important 'motherly care' and a foster family compensates for the loss the child has experienced early in life. The shower of attention and care that the child gets from the foster family helps preserve a child's innocence. A child who has been in foster care is introduced to a family before he/she goes in for adoption. Hence, it is easier for the child to adjust to a family that actually adopts him or her.

Foster parents are those special people who enjoy parenting, who want to partner a centre in the care of homeless children and are willing to share their home, time, energy, love and their hearts with these children who are in need of care.

## **Foster Care in Karnataka**

*Ms. Nina Nayak is President of the Karnataka State Council for Child Welfare*

Karnataka is among the few states to have initiated the Foster Care Scheme in 1997. The Karnataka State Council for Child Welfare has initiated

programmes to de-institutionalize childcare with the solution of group and family foster care. At that point of time, nobody in the government knew

what foster care was about. With help from the International Foster Care Association, guidelines were drafted and Rs. 10 lakhs was sanctioned for the pilot project. A co-coordinating agency was formed to identify families. We had to create awareness not just in the public but among the staff as well. The concept of foster care has been introduced to Govt. officials from the various districts of the State.

But this had its own problems. NGOs were reluctant to state the number of children with them because it was linked to the government grant. If you had even

one child less, you would lose the grant. However, under the destitute cottage scheme, group foster homes were opened in Mangalore. Each foster family, with their own children, looked after four homeless children. At the Ramakrishna Institution in Puttur, 150 children (8 children: 1 mother) were looked after. And you could see the change. From being withdrawn, the children became outgoing.

**Footnote:** *Nina Nayak continues to lobby for foster care and has made several initiatives.*

## What Does The Law Say About Foster Care?

*Ms. Arlene Manoharan is Research Officer, Center For Child and the Law, National Law School, Bangalore*

The Juvenile (Care and Protection of Children) Act 2000, (JJ (CPC) Act 2000), has been instrumental in introducing the concept of Foster Care into law in India.

The key principle that should underline decisions for children who are in need of alternate care is that they are to provide a healthy home and community experience for the child while the conditions, which caused the placement away from the birth/legal family, are being resolved. The first priority is for the child to return to his biological family and foster care should not keep a child in limbo, denying him right to his/her own birth family, or to a permanent adoptive family.

Foster care may be defined as a 24-hour substitute care for children placed away from their parents or guardians and for whom the State has placement and care responsibility, whether the

State has placement and care responsibility, whether or not the placement is licensed or payments are made. Long-term foster care is the intentional and planned placement of a child in foster care for an extended period. After adoption has been explored and not selected, and kinship placement options are not feasible, a goal of planned long-term foster care may be seen as a viable goal.

Section 42 of the JJ (CPC) Act 2000 is as follows:

- ♦ The foster care may be used for temporary placement of those infants who are ultimately to be given in adoption.
- ♦ In foster care, the child may be placed in another family for a short or extended period of time, depending upon the circumstances where the child's own parent usually visits regularly and eventually after the rehabilitation, where the children may

return to their own homes.

♦ The State Government may make rules for the purposes of carrying out the scheme of the foster care programme for children.

This section fails to clarify the concept of foster care adequately.

Article-20 UN Convention on the rights of the child (UN CRC) provides for alternate care for children who cannot remain in their biological families because of being dysfunctional.

Article 21 of the CRC lays down basic standards with regard to adoption. Karnataka Rules under the JJ (CPC) Act Rule 29.1

**29.1 a)** Short term FC – when the foster care child's natural guardians are unable to take care of the child and given an application to the recognized adoption agency accordingly.

**29.1 c)** Temporary FC refers to physical custody/care of the child till he/she is able to return to the biological family as soon as the family circumstances improve and shall not exceed four months.

**29.1 d)** Temporary FC can be extended and the total period shall not exceed five years. After five years, if the child cannot return to the biological family, the child shall be given in adoption to the foster family.

*The team involved in the Foster Care Services delivery under the Act:*

Child – Biological Family – licenced placement agency – Foster parent/s - Child Welfare Committee / Juvenile Justice Board – Probation Officer – Department of Woman & Child Development.

## **FOSTER CARE AND THE LAW IN INDIA**

### **Juvenile Justice (Care and Protection of Children) Act 2000**

These are 'children in need of care and protection' (CINOCAP) and 'children in conflict with law' (CICWL). The Act covers all persons who have not attained the age of 18 years. This act makes a significant shift from the earlier Juvenile Justice Act 1986, by introducing the concept of 'restoration'. Sec.39 of the act deals with restoration and protection of a child. Sec.40 of the Act deals with the rehabilitation and social integration of children. Sec.42 attempts to define foster care and does not clarify basic issues such as the rights, responsibilities and duties of any of the parties involved.

### **KEY ISSUES RELATED TO FOSTER CARE AND THE LAW**

- ♦ Rights of children in foster care
- ♦ Responsibility of foster parents
- ♦ Fit person, Guardianship and Licensing in foster care
- ♦ Funding issues

Bridging gaps and building congruence with structure set up for adoption is the aim of the foster care programme.

### **ROLE OF PROFESSIONAL AND SENSITIVE STAFF**

#### **Linking Up Foster Care And Sponsorship**

A family focused, community-based approach to foster care is the basis on which we can build a fully responsive

service system. Foster care can provide a 'safety net' to families in crisis. However, it cannot on its own meet the full range of complex needs that children and families have. As foster care looks to the future, community partners will be critical to the goal of

providing children with temporary care on their way to permanency with a family. All this is possible if we commit ourselves to value based child development in family settings as opposed to State nurseries.

## **Home and Family in a Volatile Society – The Alternatives?**

*Ms. Brinda N. Adige is Coordinator, Makala Sahaya Vani, Bangalore*

MSV responds to calls concerning children's needs for immediate counselling, medical aid, temporary care for missing/lost/found children, abused children, etc. Training and sensitizing of police personnel, MSV staff and volunteers and staff of the networking agencies is also undertaken.

Stripped of false sentimentality, the family remains the most important and useful human institution, which we need. Each generation has spoken of its deterioration, feared for its survival-but it still exists and will continue to do so, as long as we do not confine it to conventional strains and rigid definitions and as individuals and groups we are willing to give up a bit of our freedom, a bit of our individuality to help the family live, even in different forms!

Makkala Sahaya Vani, the Community Collective working as an ombudsman for

the protection of children and their rights in Bangalore-India, has been constantly striving to reunite/restore children back to families, either their own biological families, adoptive families or their grand=parents/relatives and sometimes even with shelter/group homes where children can be housed during a transitory period before rejoining their families. Sometimes, in certain cases, placing children back with their families (which is dysfunctional for all practical purpose) is not possible; in such instances; children continue to live in shelter (transit home).

Children are often kept in institutions managed by the governments, shelter homes. These are rather ineffective when it comes to helping children reintegrate into a family set=up, especially when families of these children refuse to take any responsibility for them or are incapable of responding in a healthy and positive manner with these children.

## **Foster Care – A Parent's Perspective**

*Jeroze Dalal is an adoptive parent*

"Generally, care of children on a full-time, temporary basis by persons other than their own parents" Foster care as

described in the Columbia Encyclopaedia.

## FOSTER PARENTING

A commitment to help a child and family through a specifically difficult period by providing consideration, understanding, and guidance to the child.

## WHO NEEDS FOSTER CARE?

Foster care services are offered to children who require out-of-home placement and who are capable of functioning in a family setting.

## GETTING STARTED

### *Questions that cross the mind*

- ◆ Will the children have multiple problems?
- ◆ Will they have mental or physical disabilities?
- ◆ What background will they have?
- ◆ Will I be a good foster mother?
- ◆ How will I know that I am doing the right things?

### *Is Foster Parenting for you?*

- ◆ It isn't for everyone.
- ◆ Be prepared for situations that you may not think of.
- ◆ It can be demanding on the household and the family.
- ◆ Be fair to yourself and know your limits
- ◆ Decide what type of child -- age, sex and the level of difficulty of care
- ◆ Are you willing to do the work necessary to handle a child who has medical, physical, social, or other difficult problems?

### *The challenges foster parents face*

- ◆ The children may have experienced abuse, neglect, abandonment, or death of loved ones
- ◆ Some may have broken the law
- ◆ They could have emotional, behavioural or physical problems
- ◆ Sometimes for their needs, foster parents may have to look for help outside of their home

### *Positives of foster care*

- ◆ Helping keep children safe
- ◆ Giving them a better quality of life
- ◆ Sharing and giving a part of yourself
- ◆ Helping a child reach his/her full potential
- ◆ Feeling satisfied that you are making a difference

### *Negatives of foster care*

- ◆ Disapproving friends and family
- ◆ Having your property damaged
- ◆ Theft in your home
- ◆ Frustration when you realize your lack of immediate influence
- ◆ Feelings of inferiority when your child does not mature
- ◆ Difficulty to deal with anger being released on you
- ◆ Integrating foster children with your own children
- ◆ Need for being better organized. eg. appointments that will occur weekly and monthly with doctors, teachers, shopping, friends. Their needs must be coordinated with



the needs of your own children, your spouse and yourself

- ◆ After-care plan

### FOSTER CARE MAY REQUIRE SPECIFIC CONSIDERATIONS

- ◆ Emotional
- ◆ Behavioural
- ◆ Special needs

### FOSTER CARE: INDIA

- ◆ Public Awareness Campaigns to make people aware of the need for foster homes

- ◆ Need for special training and support services
- ◆ Parent Helplines

### CONCLUSION

- ◆ Foster parents have the opportunity to make a positive difference in the lives of their children
- ◆ By doing so, they often enrich their own lives as well
- ◆ It can be a valuable and rewarding experience for the entire family

## Foster Care at Family Service Centre

*Ms. Nigama Mascarenhas is Director, Family Service Centre*

Foster care is an interim arrangement wherein a needy child is placed in the care of near relatives or a family with similar cultural and social background. It ensures the child's right to a family. The child grows up in the milieu of similar cultural and social family surrounding, making it possible to wean the child and be integrated with his own biological family as and when they have over-ridden the crisis.

The social worker plays a pivotal role; doing the balancing act between the children, foster family and biological parents. Regular counseling and monitoring is maintained with all the three stakeholders. Biological parents are counselled and supported to resolve the crisis for an early reunion with their child.

The CSWB launched a pilot foster care project in 1964 in the Third Five Year Plan. In 1994, the Government of Maharashtra instituted the scheme Bal Sangopan Yojana with the

following rationale that family is the best environment for the all round development of the child. The scheme specifies the eligibility criteria for children and for parents.

### Rules Related To The Scheme

- a) Not more than two children will be placed in foster care with one family. The only exception will be in case of siblings who should be preferably placed all together in one family.
- b) Not more than two children from any one family will be given the benefit of the scheme, for e.g. if a widow has four children, only two can be eligible for subsidy under this scheme.
- c) The foster parents will be responsible for providing food, education, clothing and all other care, protection and emotional support to the child. The foster parents must ensure that the schooling of this child is not disrupted under any circumstances.
- d) After the completion of the foster

care period, the child may be returned to its own biological family, or sent back to the original institution, if necessary. However, full efforts should be made to ensure that the child is properly rehabilitated.

### **Limitations And Difficulties**

The limitations and difficulties faced in implementing the foster care programme are –

a) It is extremely difficult to locate good, reliable foster families since most of our children in need of care belong to the lower socio-economic group. We

need to find families from similar groups who themselves are fighting for survival.

b) The maintenance cost offered by the Government is very little to meet the basic needs of the child. Relatives may accept this but this is not the case with unrelated foster care. It is the spirit of service alone that sustains the motivation of foster parents.

c) We can reach out to few children compared to the demand for the service. We need to think of strategies to sensitize the communities to take responsibility for their children. This is a difficult task.

### **Group Discussions**

The members were divided into five groups. Each group focused on pertinent and relevant issues such as

1. The category of children need foster care
2. The kinds of families are best suited to take care of the special needs

children

3. Monitoring of such a programme
4. The Government's role in the programme
5. Long term foster care - for children who cannot be adopted

### **Summary of the Conference**

The two-day seminar had participants from different States teaching as well as sharing their valuable experiences. The focus was on family foster care how to make effective. Experts from various fields including NGOs, medical, legal, and government organizations helped to disseminate knowledge.

The participants felt that there was an urgent need to create awareness of this concept between governmental, non-governmental and educational institutions and lay persons by utilizing the media.

Although temporary foster care and

pre-adoptive foster care is familiar, many do not understand or appreciate the importance of long term foster care. The differences between the two and the specific issues pertaining to each have to be addressed.

There needs to be clarity on understanding foster care and endorsing this as an alternative to Institutional care. foster care should also be promoted in organizations other than placement agencies.

There should be a general consensus with reference to recruitment, training and preparation of both families and

children. There should be definite roles and responsibilities spelt out for families, agencies, birth families and the government.

### **Pertinent Questions and Observations**

- ◆ Placement of an older child and specific training that would be necessary to deal with emotional/psychological issues.
- ◆ What happens if a child in foster care meets with an accident or dies

after an illness?

- ◆ What role does the State Government play in this alternative to institutional care?
- ◆ Involvement of biological parent – when / how
- ◆ Financial backing by agencies – subsidy should be on a uniform basis at least region wise.
- ◆ Consider positive / negatives of foster family care from the child's point of view.

### **What Needs to be Done?**

- ◆ Family Foster Care needs to be legalized. The State Government should recognize suitable agencies to recruit, train and place children in family foster care.
- ◆ Need to create awareness not only with agencies but also with the government / social work groups /

general public

- ◆ To have a common procedure for recruitment / enrollment / training / supervision by the agency
- ◆ Use of reformed guidelines as a base
- ◆ Work out modalities in details

### **Conference Follow-up**

- ◆ Follow-up on the service after three months
- ◆ Form a committee / VCT + + in Bangalore
- ◆ Discussion by participants and their agencies and feedback to be sent

within three months to Vathsalya. Also needed are recommendation, changes, additions, queries, clarification, etc.

- ◆ Drafting of revised guidelines by Vathsalya.

### **Formation of a National Committee (Task Force)**

- ◆ Preparing of a final report on family foster care in India
- ◆ Interacting with the State Government regarding the guidelines
- ◆ Clarifying legal aspects relating to the guidelines
- ◆ Distributing of copies of the foster

family care guidelines to government and non-governmental agencies, child welfare agencies involved in adoption or otherwise

- ◆ Ensuring that the guidelines are followed and accepted by all concerned people

- ◆ Involving people in the local authorities, police, local NGOs community like State Government

## **Organisations and individuals who participated in the Seminar**

1. ACCESS, Bangalore
2. Anantha Sishu Nivasa, Bangalore
3. Bal Anand, Mumbai
4. Bharatiya Samaj Seva Kendra, Pune
5. Centre for Child & Law, Bangalore
6. Department of Social Welfare, Government of NCT of New Delhi
7. Family Service Centre, Mumbai
8. IFCM, Bangalore
9. India For Christ Ministries, Bangalore
10. Kirubai Children's Home, Bangalore
11. Makkala Sahaya Vani, Bangalore
12. Rose Susainathan, Bangalore
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