



A child's right to a family

Family-based child care

**The experience, learning and vision
of SOS Children's Villages**

Position Paper



**SOS-KINDERDORF
International**

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Introduction

**“Every child belongs to a family
and grows with love, respect and security.”**

(“Who we are”, SOS-Kinderdorf International)

Every child should have the right to grow up in a caring family environment, yet so often this is left unfulfilled for the world’s youngest citizens. Today, a huge number of children live without the support of one or both parents and hundreds of millions of children suffer from abuse, neglect, exploitation or sheer deprivation as a result of poverty.

It is within a family that children secure their emotional and physical well-being, living their childhood to the full and preparing for a future where their potential is fulfilled. We, the international community, governments, donors, NGOs, local communities, have obligations to support the world’s most vulnerable children and their families, for children to become strong, emotionally stable and self-reliant.

The growing number of children without parental care, their deteriorating living conditions and the lack of support extended to them are of great concern. This must be a focus where concrete joint action is needed.

SOS Children’s Villages has pioneered family-based child care and provided support to children without parental care for more than 50 years. The organisation today works in 132 countries and territories in the spirit of the United Nations Convention on the Rights of the Child (UNCRC). It runs programmes for children and their biological families to strengthen their caring and coping mechanisms and supports children without parental care in SOS Children’s Villages families.

Based on its experience, the organisation sees this as two complementary interventions; that is every effort must be undertaken for children to remain in their biological families, and those children for whom this is not possible have an equal right to grow up in a caring family environment.

SOS Children’s Villages firmly believes in the significance of offering a spectrum of adequate out-of-home child care programmes tailored to the individual child while underlining the importance of finding solutions in the best interests of children and involving children in the decision making when ever possible.

In this paper, SOS Children’s Villages illustrates a number of reasons why children lose parental care despite preventive efforts, and highlights challenges related to finding the appropriate forms of out-of-home child care for them. It explains the underlying principles and features of its family-based child care model as one child care option based on the fundamental importance of the family for all children. It should be noted that this paper focuses on sharing the organisation’s experience in family-based child care,

Family-based
child care

Quality standards

making only brief reference to other forms, such as adoption, fostering and children in child-headed households.

The paper states the importance of developing comprehensive frameworks which assure adequate support and recognition for the existing spectrum of out-of-home child care. There is a need to recognise, both socially and legally, the right of children who have lost the care of their biological family to live in an alternative family environment.

The paper further calls for the establishment of binding and internationally agreed quality standards and in-depth monitoring for all forms of out-of-home child care in compliance with the UNCRC. Recommendations set out in the paper indicate the priorities and approaches set by SOS Children's Villages.

Children's rights, as embedded in the UNCRC, must guide the global debate and lie at the centre of solutions offered. Children must be seen as actors in their own right and not as objects of care or victims of circumstance.

As a practitioner organisation, SOS Children's Villages is aware of deficiencies in the day-to-day work with children and the challenge for all stakeholders in the child care sector to constantly improve their practice. This paper aims to promote further dialogue amongst all actors and agencies engaged with children. We hope that this will serve towards the realisation of children's rights, particularly for those children who are without parental care.

*Richard Pichler
Secretary-General
March 2005*



Glossary of key terminology used

Biological family

is the term used for those family members with whom a child is biologically related, as the birth parents, biological siblings and other relatives.

Children without parental care

is the term used for all children not living with and being cared for by their biological parents, for whatever reason and in whatever circumstances.

Out-of-home (child) care

is the term used to describe the whole range of alternative care options provided to children without parental care.

Family-based child care

is the term used for all forms of out-of-home child care which provide the child with a substitute family environment.

SOS Children's Village family or SOS family

are the terms used for the family-based child care form developed by SOS Children's Villages.

Institutional/residential care

are terms used for all out-of-home child care forms which are not family-based. Since the terms lack clear definition and cover a range of different forms of care, they are rarely used in the text and only in a general sense.

Orphan

is the term used to describe children who have lost one or both biological parents. However, the paper distinguishes between double and single orphans wherever possible.

Family First

Supporting the biological family and providing out-of-home child care: complementary approaches

SOS Children's Villages believes that every child has the right to grow up in a supportive and caring family environment and that the biological family is ideally the best place to take on this responsibility.

The UN Convention on the Rights of the Child (UNCRC) describes the biological family as "the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children". It acknowledges the primary responsibility of parents for the upbringing of children.

1.1 A focus on strengthening caring and coping capacities

Families are usually embedded in and supported by wider systems within a community. Extended family members, relatives, friends and the local community contribute significantly to a child's development. Families rely on communal structures that support a child's integration in society, such as schools, day-care centres, medical and counselling facilities, associations and municipal or public services.

Economic, structural and political developments impact on a family's ability to care for its children. In developing countries, more than one-third (37%) of all children are affected by poverty – with the highest rates in sub-Saharan Africa (65%) and South Asia (59%)¹. Malnutrition, poor healthcare and education, all increase the vulnerability of families and decrease their coping mechanisms. Their situation often worsens as community support systems collapse in the face of diminishing state support, the privatisation of basic services and rising costs of appropriate child care.

Changing patterns of family structure, formation and cohesion can also lead to family disintegration, e.g. increasing numbers of teenage or unmarried mothers are particularly vulnerable as they become stigmatised, marginalized and isolated.

In Ecuador some 50% of disadvantaged households participating in an SOS Children's Villages family strengthening programme consist of single women with children. In such programmes in Bolivia, the housing standards of single mothers were found considerably lower than those of married women².

¹ Gordon, David et al (2003)

² Tobar (2001), Ardaya (2000)

For the growth and well-being of children

Assist vulnerable families

Separated Children



SOS-KINDERDORF
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Poverty should never be a reason for a child to be deprived of its family environment. SOS Children's Villages believes that every effort must be made in support of children and their families. Priority should be placed on assisting the most vulnerable families in adverse situations, such as single-parent families (the majority of which are female-headed households), child-headed households and families with several children. Legislation and accessible community-based services should focus on strengthening families to increase their caring and coping capacities.

SOS Children's Villages has established family strengthening programmes, particularly in countries where child care trends show high rates of child abandonment or forced removal. The organisation works with families and communities to address the major causes of abandonment and to prevent children from being deprived of the care of their biological family.

1.2 Increasing numbers of children without parental care

Despite efforts made by international bodies, states and non-governmental organisations, an increasing number of children worldwide remain without the support of their biological families. A considerable number of these children can be loosely grouped as follows:

Orphans

Although accurate figures on the number of children orphaned following the death of one or both parents are not available, it is estimated that by the end of 2003 there were 143 million orphaned children in 93 countries worldwide, with the highest numbers in Asia (87.6 million) followed by sub-Saharan Africa (43.4 million)³. Over the past decade, some one million children were orphaned as a result of conflict. Approximately 15 million children (estimate range, 13–18 million) worldwide have lost at least one parent to HIV/AIDS – a figure expected to increase to 25 million by 2010⁴. In 2003 alone, 5.2 million children were orphaned in sub-Saharan Africa. Overall, the number of maternal orphans (as a direct result of HIV/AIDS) is expected to rise dramatically⁵.

75% of children in SOS Children's Village families in Kenya and 71% in Malawi have been orphaned, in most cases due to HIV/AIDS. A further 26% of children living in SOS families in Malawi are maternal orphans where the father's whereabouts are unknown. In Laos, 72% of the children in SOS families have lost both parents. In India, 27% of children in SOS families are double orphans, in another 45% the remaining parent is unable to take care of the child. In Vietnam, 79% of the children in SOS families are orphans. Reasons for parental death in Asia include fatal illnesses, accidents, suicide and natural disasters.

Separated children

Children may become temporarily or permanently separated from their biological parents and local communities. In the last decade more than 20 million children were displaced by war or natural disasters, either within or outside their own country, and some 300,000 are currently thought to be involved in diverse fighting forces⁶. Some 246 million children are en-

³ UNAIDS/UNICEF (2004), children up to 17 years old, includes both maternal and paternal orphans

⁴ UNAIDS (2002)

⁵ estimates vary in different counting systems regarding age of children and status of loss (maternal, paternal and double orphans)

⁶ United Nations (1999)

gaged in child labour⁷, many of them living on the streets, and as many as 1.2 million children are victims of child trafficking each year⁸. A considerable number of these children have either been neglected or abandoned by their parents, mostly for economic reasons, have been seduced to leave their families by false promises, or have been abducted. Efforts to trace and then reunify children with their families in many cases do not take place and in others fail to be completed.

Children from single and teenage mothers

With families increasingly under economic stress, girls and young women are finding themselves sexually active (often in exchange for money, goods, protection, etc) in ever increasing numbers and at young ages. However, children born to single mothers, particularly in parts of Asia, Africa and the Middle East, are often severely stigmatised, which, in term, forces their mothers to abandon them. These young women may also be unprepared for the challenges of child care.

In a number of countries, children living in SOS Children's Villages families have been abandoned predominantly for being born out of wedlock, as in India (23%), Sri Lanka (35%) or Egypt (90%). Biological parents of these "findlings" are in most cases untraceable. In some countries, gender disparities become visible. In cultures where a girl child is unwanted, girls are often abandoned in greater numbers; or in other countries, abuse of girls as domestic workers is widespread, and more boys are abandoned.

Children removed the state

Children are separated and removed from their parents by the state or authorised bodies because parents are deemed unable to care for the child or infringe on his/her rights. Evidence is given that the child's best interests will not be protected within this environment. Reasons for removal include maltreatment and abuse, criminal activity, alcohol or drug abuse, teenage pregnancy and severe somatic or psychic diseases. Often, supportive intervention comes too late and the parent's ability to care for the child is already permanently damaged.

In the Czech Republic, 65% of the children in SOS Children's Village families have biological parents with long-term alcohol or drug addiction problems, in SOS families in Finland 54%. In Venezuela, 38% of the children in SOS families have parents with problems of alcoholism, drug abuse or delinquency.

Child victims of domestic abuse

Domestic abuse is a leading cause for the loss of parental care, particularly in Western Europe and Latin America. This may range from neglect, psychological abuse, corporal punishment to sexual abuse. Accurate figures on the numbers of children suffering from some form of abuse are scarce due to a lack of clarity in abuse definition and deficiency in documentation of cases.

Although documented child maltreatment deaths have declined over the past years, the numbers remain high. In France, an average of three children per week dies as a result of physical abuse and neglect, while in Germany and the United Kingdom two children suffer such fates each week. Legislation explicitly prohibiting corporal punishment of children exists only in a few countries⁹. In Latin America and the Caribbean, six million children annually suffer from

Children removed
by the state

Domestic
abuse

⁷ ILO (2002)

⁸ ILO (2002)

⁹ UNICEF Innocenti (2003)

physical violence, 70% of which are cases of domestic violence and which has resulted in 80,000 deaths¹⁰.

73% of the children in SOS families in Venezuela have had prior experiences of physical or psychological violence or maltreatment, including sexual abuse. 88% of the children in SOS Children's Village families in Croatia have suffered physical or sexual abuse within the biological family, 75% of children in Belarus, 55% of children in Lithuania.

SOS Children's Villages believes that:

- Vulnerable families, particularly single mothers, must be supported and children maintained within their biological family environment whenever possible;
- Social, political and economic root causes related to the increasing vulnerability of children worldwide must be addressed and preventive measures set;
- Appropriate out-of-home child care programmes and services complement efforts aimed at strengthening and supporting the biological family and its local environment. Out-of-home child care is required when other support options have already failed and essentially assists those children who would otherwise remain unprotected.

¹⁰ UNICEF Chile (2003)



In the best interests

Individual solutions for individual children

2.1 The spectrum of child care options

The loss of and/or separation from his/her family has a fundamental impact on a child, leaving him/her particularly vulnerable when left without the nurturing care of a protective and supportive family environment. The child's health, overall development and well-being are put at risk, particularly if the loss occurs in the critical periods of a child's growth, including early childhood.

To best support a child in such a difficult situation, out-of-home child care programmes have to respond to the child's individual needs. Not all forms of care are suitable for all children. Each child's individual background and circumstances require different responses and care options. Thorough prior assessment, including the views of the children concerned and their families, is required to find the appropriate form of out-of-home care for each individual child, in order to ensure that their best interests are met ¹¹.

Many children are placed in the care of institutions. Out-of-home child care programmes tailored to the child's individual needs, interests and situation can offer a credible alternative to what is often uniform placement. During a comprehensive individual assessment, features such as the child's family situation, age, physical and psychological health, number of siblings, previous history of placement, cultural background, community capacity, etc. have to be taken into account.

Based on the conviction that the biological family is the best place for a child to live, out-of-home child care programmes must respect the role of the biological family and seek only to complement biological family and local community networks when these are unable to fulfil their roles in the best interests of the children concerned. Optimally, out-of-home child care should be community-based, making maximum use of the resources, structures and networks available in the local environment. Biological siblings should be enabled to stay together.

Short-term placements can serve to support a child during a certain period of time, but must aim at finding a stable permanent solution, be it the return to the child's biological family or a suitable family-based child care placement. Out-of-home child care that is likely to be longer-term has to guarantee the child those features of a family essential for his/

In the best interests
of the child

¹¹ The Convention on the Rights of the Child states in article 3 that the best interests of the child shall be a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. In each and every circumstance, in each and every decision affecting the child, the various possible solutions must be considered and due weight given to the child's best interests. Such an approach prevails in all cases – from direct interventions by States in their jurisdictions to the private context of family life, where States may intervene indirectly – through local authorities, for example – to ensure and protect children's rights.

her development. Vulnerable structures, as is often the case in child- or grandparent-headed households, require adequate support to guarantee that the child's protection and development needs are met.

The spectrum of child care



Graphic: The spectrum of child care
(Reed/Bolter, SOS-Kinderdorf International, January 2005)

2.2 Challenges to finding the “right” out-of-home child care

Identifying the “right” out-of-home care solutions for children is notoriously difficult and made even more so in an environment that places ever increasing pressure on families, communities and state actors.

i) Family and community support networks

Relatives and wider community networks remain the most favourable option for children who cannot be cared for by their biological parents. However these are options that may not al-



ways be viable. Family reunification during and post conflict sometimes take years. During this time the child becomes an adolescent and may even have his/her own children; the child may be unwelcome by his/her community, him/herself unwilling to return or his/her family simply untraceable. Children who have suffered abuse and exploitation, for instance through trafficking and as street children, might find their social networks permanently destroyed and their references radically changed.

Children affected by HIV/ AIDS (including orphans) are falling through the weakening family and community safety nets. Where informal/kinship fostering is a common form of substitute care in a number of countries, this collective tradition of mutual community assistance is diminishing as family systems feel the impact of HIV/AIDS, compounded by other factors such as urbanisation, migration, unemployment, poor harvests, and conflict. A direct consequence is the appearance of grandparent- and child-headed households.

Children left without support networks are vulnerable to social exclusion. They are likely to find themselves involved in unprotected forms of work, may live on the street, have little access to basic services and are particularly vulnerable to HIV/AIDS.

Children left without support networks

In SOS Children's Village families in Kenya, 25% of children were abandoned due to unmarried relationships, female prostitution or were found living as street children. In South Africa, around 45% of children in SOS families were abandoned; some in hospitals after birth, many were found wandering around informal settlements, and their families could not be traced.

ii) Adoption and foster care

Different groups of children may find it difficult to be placed with adoptive or foster parents:

- Biological parents, who are periodically or permanently unable to properly care for their children, are found to be maintaining their parental rights. Their children cannot be put forward for adoption while they may be in need of out-of-home child care for extended periods.
- Other children have little chance of being adopted because they are for instance older than the "desired" age, are from minority groups, severely traumatised, disabled or ill.
- Larger groups of biological siblings also often have difficulty finding adoptive or foster placements without being separated.

iii) The increase in temporary placements

Currently, child care agencies tend to consider temporary placement an appropriate solution for children who can maintain links with their biological parents but cannot live with them. This is true when after successful psycho-social intervention within a clearly defined time-frame children can be re-united with them. However, the reality for many children is far from this. Instead, children may spend years in sometimes inappropriate provisional placements, moving back and forth between out-of-home care placements and their biological parents ¹².

¹² A 1991 report on adoptions in twenty states of the USA showed that foster children for whom adoption is planned spend an average of four to six years in foster care, see Ladner (2000). Research based on 654 empiric studies from Denmark, Sweden, Norway and Great Britain show that 25% of children under ten and 40% of over ten year olds experience several foster placements, see Egelund & Hestbæk (2003)

Since 1996, SOS Children's Villages Austria has been offering short- and medium-term placement programmes to children who were temporarily removed from their biological families. Although the goal is to enable children to return to their biological families as quickly as possible, reuniting the children with their biological family was only possible in one third of the cases.

Temporary placements can cause instability in relationships, a sense of guilt, mistrust, inner isolation and insecurity ¹³. Studies have shown the negative impact of "transiency" (undergoing a number of temporary placements) on a child ¹⁴, which particularly affects the child's ability to bond – especially when children have already experienced the break-up of their biological families.

SOS Children's Villages is concerned by the growing number of children in SOS families who have been victims of serial placements, especially in Europe, the United States and Latin America. These children have often been institutionalised in a variety of different placements and over a long period of time, before experiencing a stable relationship in a family environment.

Around 50% of children in SOS Children's Village families in the United States had four to five previous foster placements. In Finland, more than 80% of the children now living in an SOS family were previously placed in institutions.

SOS Children's Villages reiterates that every effort must be undertaken to reintegrate children into their biological families. At the same time it affirms that those children for whom this is not possible have a right to grow up in a caring family environment.

¹³ Pallestrang (1997)

¹⁴ Muller (2003)



Family-based child care

The SOS Children's Villages experience

SOS Children's Villages has been involved in the provision of family-based child care for over five decades. The organisation has specialised in a particular form of family-based child care, in providing an alternative family for children who have lost their biological parents or can no longer live in their biological family environment.

*SOS Children's Villages in figures*¹⁵

- 4,600 SOS families in 452 SOS Children's Villages in 132 countries and territories
- 46,700 children and 11,100 youth benefit from family-based child care in SOS families
- 23,000 children attend 267 SOS Kindergartens
- Since 1949, a total of 94,000 children and youth supported in family-based child care

3.1 Creating a family environment

An SOS Children's Village family constitutes a new family environment, whereby "family" is here understood in a wider sense as a dynamic and ever changing concept encompassing diverse forms of family structure. It is a living community centring on the essential qualities of a natural family environment.

SOS Children's Village families emphasise family relationships, the bond between children in care who live together as brothers and sisters, and at least one stable, professionally trained and remunerated caregiver - the "SOS mother/parent"¹⁶. Every family member takes a unique position within the autonomous SOS family, supporting identity and a sense of belonging. SOS Children's Villages ensures that biological siblings are kept together within one family.

In a 2002 survey¹⁷ among 337 young people growing up in SOS Children's Villages families in seven countries¹⁸, 75% of them indicated that they had been living with their biological siblings in the same SOS family. The majority of other children had no biological siblings, only in exceptional cases was there no common admission. The same information was provided by 73% of respondents in a similar 2003 survey in nine Latin American countries¹⁹. Currently, 80% of children in SOS families in Laos live with their biological siblings, 83% in Venezuela, and 72% in the Philippines. Nine out of ten children in SOS families in France live with their biological siblings, of which over 60% are sibling groups consisting of three or more children. Young people growing up in SOS Children's Villages families in Finland felt that the most important thing for them was to be able to live with their biological siblings.²⁰

¹⁵ As at October 2004

¹⁶ Since the late eighties the profession is also undertaken by couples

¹⁷ Pittracher, Rudisch-Pfurtscheller (2003)

¹⁸ Sri Lanka, Philippines, Kenya, Zimbabwe, Nicaragua, Dominican Republic, Poland

¹⁹ Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela

²⁰ SOS Lapsikyä (1996)

Creating a family environment

An SOS family takes care of comprehensively satisfying children's development needs through quality care. It ensures safety and stability and in particular looks after the child's emotional and psychosocial needs. It provides the child with a place of individual and communitarian growth and belonging, and is a permanent source for social learning and integration.

3.2 Offering a lasting and reliable emotional relationship

An SOS family offers the stable and emotional relationship the child needs for a healthy psychosocial development. The SOS mother/parent is a person for whom the child is unique, he/she takes comprehensive responsibility for and actively shares everyday life with the child. They develop a lasting bond that the child can rely on. Studies confirmed the important role SOS mothers/parents play for both the educational and emotional development of the child, identifying key elements of the relationship such as love and acceptance, sensitivity, empathy, and attachment.²¹

An SOS family fully respects the biological family and its unique importance for the child. This requires close co-operation with the biological family where existing, with the SOS family demonstrating a lasting commitment towards the child, his/her family and community.

3.3 Giving individual accompaniment and long-term support

An SOS family fully supports the well-being, growth and development of the child. Similar to a biological parent, the SOS mother/parent takes on comprehensive social responsibility for the child. He/she provides the child with individual accompaniment and care until the child is able to lead a full and independent life in society, or is reintegrated into his/her biological family.

Every child benefits from individual child development planning which supports the child to develop his/her talents from the first day in an SOS family and includes the child's own participation in the process and decision-making.

As an important step towards self-reliance, and after careful preparation from their SOS family youth move into a youth home²². Living together in small groups supported by professionally trained youth leaders, they take progressive responsibility for their own lives, develop team spirit and social skills. Tailor-made youth programmes offer career planning, life skills training, social awareness, community service and participation. Assistance is provided

Long-term
support



²¹ Dumaret (1988), Muller et al. (2001)

²² at an age appropriate to their individual development but not younger than 14 years of age

through head-start programmes to establish small business or for scholarships for career-related education.

After leaving the family, the young person maintains the bonds with his/her SOS family. Surveys among young people growing up in SOS Children's Villages families confirm the importance they attach to this.²³ He/she is able to rely on the confidence, closeness and relationship developed while also leading an autonomous life. This process of accompaniment and support is characterized by a balance between proximity and autonomy, which permits the young person to develop a sense of security, identity and independence²⁴.

3.4 Providing a supportive organised framework. Ensuring quality and protection

SOS Children's Villages provides a supportive and safe framework through the village structure, in which the individual SOS families can develop. Ten to fifteen SOS families form a community and a network of mutual assistance, based on participation and solidarity.

Support provided within the SOS Children's Villages includes appropriate professional specialised advice, counselling and psycho-social support through experts such as educationalists and psychologists. The individual families can rely on additional community services, resources and assistance to support the adequate development of the children. The SOS Children's Village fosters contacts with the local community and facilitates contact with the biological family, providing the necessary support to the highly sensitive relationship between the child, the biological parent(s) and the SOS mother/parent. The organisation takes care of the monitoring and guidance regarding implementation of standards, such as, for example, on the protection of children from exploitation and abuse.

SOS Children's Villages clearly distinguishes between the role of the organisation and its network, whose role is to provide support to the SOS families, and the SOS family, who assumes the care-giving role. The essential feature of family-based child care is the successful relationship between the child and the caregiver, which cannot be organised as such, rather can only be adequately supported. Meeting these essential requirements without being intrusive, SOS Children's Villages recognises that the role of an organisation in supporting family-based child care requires careful attention.

Proximity and
autonomy

Protection

²³ Hofer & Putzhuber (2001/2002), SOS Lapsikylä (1996)

²⁴ Fuchs (1995)

Standard setting and monitoring

for out-of-home child care

An appropriate framework

Children without parental care should receive quality child care that is tailor-made to suit their individual needs. Article 3/3 of the UNCRC stipulates the state's obligation to ensure that standards are met:

"States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities."

In the best interests of the child, both state and non-state providers should establish competent quality standards and monitoring systems that comply with the UNCRC, and provide adequate framework conditions for designated substitute caregivers.

A sound legal framework recognising the whole spectrum of out-of-home child care options is important for both the adequate provision of tailor-made quality out-of-home child care in the best interests of the child as well as the development of appropriate monitoring systems.

Legislation and its proper application have to reflect the practical needs of children in care and to respect their rights. Shortcomings concern issues such as long waiting periods prior to suitable placement, insufficient child participation in placement procedures or insufficiency of temporary provisions.

An appropriate legal framework, providing proper recognition for the whole spectrum of out-of-home child care options, supports quality provision. It impacts positively on many practical aspects of care, as appropriate training and support measures for caregivers; the strengthening of regulations concerning their rights and obligations; adequate remuneration systems or professional recognition of caregivers.

Generally, there are too few resources to guarantee standard setting and the establishment of stable monitoring systems. Children often rank low on political agendas, resulting in inconsistent handling of child welfare competencies, under-funded public child welfare agencies, an unwillingness to provide sufficient financial means for child care services, a lack of support measures or appropriate training for substitute caregivers and deficiencies in monitoring. Furthermore, an increase in decentralisation and the shifting of child care responsibilities to the local level does not always go hand-in-hand with increasing adequate resources, support and competencies.

Standard setting

All forms of out-of-home child care require appropriate standards and their monitoring to ensure that the child's individual needs and rights are met, and that he/she is comprehensively attended to by qualified caregivers.

A commitment to quality assurance

A lack of quality standards coupled with inadequate monitoring systems has, in the past, led to inappropriate care, such as the application of outdated practices, impersonal relationships and socially isolated settings. Several studies have brought forth concerns about the inadequacy of institutional care and the detrimental effects it has on a child's development²⁵. The potential for child rights violations can only increase with the widespread lack of monitoring and support.

The development and monitoring of global standards, which are in compliance with the UN-CRC and focus on the best interests of the child, are vital to ensure high-quality out-of-home child care. These must be applied within appropriate national and international legal frameworks which set out the principles, standards, approaches and sanctions in relation to out-of-home child care.

Standards, as generalised tools, can never entirely do justice to a child's individual situation. Instead, they must be based on practical implementation and developed in such a way that they respect diverging cultures and practices. While implementation should allow for flexibility and encourage responsible individual action, standards have to be specific, establish clear minimum requirements and be monitored using appropriate indicators.

As an international organisation, SOS Children's Villages commits to quality assurance and has developed common international guidelines. Based on more than 50 years of practical experience in family-based child care, the organisation works closely with stakeholders worldwide to ensure quality improvement through joint standard setting, dialogue, training and support. A recent example is the European project "Quality4Children"²⁶, a joint undertaking by three practitioner organisations, International Foster Care Organisation, Fédération Internationale des Communautés Éducatives and SOS-Kinderdorf International. The project aims at formulating, implementing and monitoring standards based on views and good practice experiences of people who are directly involved in and concerned with out-of-home care, as children and youth, their biological families and caregivers.

The following set of **recommendations** is based on SOS Children's Villages' experience. The organisation believes these areas are of particular importance in order to adequately fulfil the needs and rights of children in out-of-home care. As a practitioner organisation, SOS Children's Villages is aware of its own deficiencies in application and the challenge to constantly improve its practice. It is committed to further dialogue on common standard setting and envisages cross-fertilisation with related initiatives by other organisations.

4.1 Rigorous admission process in the best interests of the child

- A rigorous assessment prior to admission in out-of-home care guarantees that all possibilities of retaining children in their biological family or home community have been explored.

²⁵ Rutter (1981); UNICEF (1997); Tolfree (1995); Kadushin (1980), Tobis (2000), Human Rights Watch (1996, 1998)
²⁶ www.quality4children.info



- A comprehensive analysis focuses on the best interests of the child and respects the child's individual history.
- Precise admission criteria and regulations are in place to ensure that the individual needs and rights of the child are met.
- Biological siblings are kept together except in cases where this would not be beneficial for the children's development.
- Admission procedures involve all parties concerned and provide full information to the child, the biological parents and the substitute caregiver.
- Full involvement of children in respective decisions according to the child's maturity guides all decision-making procedures.
- The involved authorities, judges, child welfare officials and social workers are knowledgeable on issues relating to child care, legislation and UNCRC compliance.

4.2 A reliable, nurturing and lasting relationship

- In all forms of out-of-home care, the child is guaranteed a reliable, nurturing and lasting relationship, either through maintaining a sound and positive contact with the biological parents or, when this is not possible, through a stable substitute caregiver.
- The child/caregiver relationship provides affection, stability, safety and emotional support.
- The child/caregiver relationship is based on the child's individual needs and fulfilment of his/her rights.
- Babies and younger children in particular are offered a lasting relationship and bonding possibilities sensitive to their individual needs and vulnerability.
- Children who have been abused or undergone serial placements, who are often deeply injured and their ability to bond severely damaged, are specifically supported in restoring their confidence in relationships as an important part of their healing process.
- Special consideration is given to children in short-term or interim care for them to maintain their biological family ties and that an appropriate caregiver-to-child ratio is provided.

4.3 Children in their entirety: a holistic approach

- Out-of-home child care ensures children's full range of development rights are fulfilled, promoting physiological, psychological, intellectual, emotional, social and spiritual well-being.
- Apart from covering basic needs such as adequate housing, nutrition and health care, comprehensive quality education aims at supporting the child's development into a self-confident, self-reliant and participating member of society.
- Issues such as birth registration, inheritance rights and access to information are given appropriate attention.
- Each child is offered individual development opportunities tailored to his or her needs and focussed on the strengths, abilities and potential of the child.
- Children's diversity and individuality are valued, with additional support offered where necessary, particularly for vulnerable children, such as those with disabilities or from a minority background.

A reliable, nurturing and lasting relationship

A holistic approach

SOS Children's Villages applies an approach of individual child development planning, in which the child is supported to holistically plan his/her future. Short and long-term objectives are jointly set and constantly reviewed and adjusted. This allows for individualised care, supports the most vulnerable and discriminated children and helps promote the child's potential.

4.4 Child protection

The protection of children from abuse (see article 19 of the UNCRC) is crucial for children in out-of-home care.

- Staff recruitment and training (including refresher courses, upgrading, on-the-job training, etc) ensure that caregivers are competent in their understanding and ability to respond to issues of abuse and violence.
- Child protection knowledge and skills is an integral part of the education process.
- Policies and procedures are in place to prevent and respond to instances of abuse and guarantee transparent handling.
- Children are aware, competent and have access to information, complaint mechanisms and protection units. Sufficient attention is given to support the girl child.
- Cultural harmful practices are properly addressed.
- Children have access to appropriate therapeutic interventions.
- Caregivers demonstrate a clear rejection of corporal punishment.

SOS Children's Villages draws attention to the fact that children in care are particularly vulnerable due to their past experiences. Children who have suffered neglect, domestic violence, abuse or exploitation are often labelled by society as having a "behavioural disorder". These children also often emulate the violence they themselves have experienced and, therefore, require special protection and highly sensitive educational approaches.

4.5 Child participation

Article 12 of the UNCRC states that a child has the right to express his/her opinion and have that opinion taken into account.

- Children in out-of-home care are able to voice their opinions, views and concerns and be consulted on all matters affecting them.
- Children are able to communicate freely and openly and are listened to.
- Children's views assist caregivers in identifying their needs.
- Children receive sufficient information to enable them to make their own choices.
- All information provided to children and received from them is treated with respect and confidentiality. Children have access to their files according to their maturity.
- Child participation is reflected in all aspects of the day-to-day life of and with the child, such as active participation of the child in family and community life, the use of participatory pedagogical methodologies or the promotion of social values. Appropriate spaces for children and their autonomous development are facilitated.



4.6 Working in partnership with biological families

A sound “triangular” relationship between children, their biological parents and the caregiver is crucial for the success of a child’s development. In countries where social background and the extended family system are vital factors for the child’s successful integration in society ²⁷, the role of out-of-home care in this respect is specifically challenged.

For those children who are separated from their families, the respective out-of-home child care programme must work closely with the biological family and ensure:

- Regular contact is maintained between the child and his/her biological family where it is in his/her best interests (see article 9/3 of the UNCRC)
- The biological family is recognised as an equal partner in the child’s care, and involved as much as possible in decision-making and joint activities.
- Biological parents should be able to maintain parental responsibility and receive specialised assistance when required.
- The child is encouraged to learn about his/her roots and background and to fully understand the care situation ²⁸. Knowledge of his/her parents, family and history of placement is supportive to his/her search for identity as a natural part of a child’s development.

4.7 Social and cultural identity and integration

Article 20 of the UNCRC calls for continuity in the upbringing of a child, while respecting his/her ethnic, religious, cultural and linguistic background.

- Traditional practices are respected, in so far as the practices in question are not harmful or illegal.
- Children from minority backgrounds require special attention.
- A child’s given name is maintained where known and birth certificates and identity papers provided. Where possible, the child should also be able to remain in his/her country or region of origin.
- Cultural and social integration are a priority, involving continuous exchange with the community, the use of community services, and participation in the community’s social and cultural life.
- Caregivers have a dominant role in both the child’s behavioural and cultural patterns, and in the child’s construction of reality. Caregivers with the same background as the child can play a major role in supporting these processes. They must be aware, sensitive and able to guide children.

Whenever possible, SOS Children’s Villages in multi-ethnic and multi-religious societies consist of families with different indigenous cultures and religions. Cultural co-habitation provides an important contribution towards social and cultural integration and peace. Sufficient cultural references are to be provided to each child, especially if the caregiver is from a different background ²⁹. There are cases when it is particularly difficult to do justice to a child’s cultural heritage – for example when a child’s roots cannot be traced.

²⁷ Larcher (1994)

²⁸ Koisti-Auer (2000)

²⁹ Muller (2000)

Life after care

4.8 Life after care: accompaniment and support

- Out-of-home care programmes guarantee that the child receives appropriate support either until the child can be reintegrated into his/her biological family, or until he/she can live independently as a young adult.
- Careful and periodic assessment of the child's care situation and individual needs (see article 25 of the UNCRC) is given.
- Clear provisions for a well-developed aftercare process are foreseen.
- Children are properly prepared and equipped for life in the wider society.
- Carefully accompanying children through the transition period supports successful integration into different social structures, e.g. employment, further education, independent living. Attention is given to children and young people with special needs.
- Consistent support from the caregiver is maintained.

SOS Children's Villages practises individual child development planning, and accompanies the children from their arrival in an SOS family until their full autonomy. This also involves supporting them in the preparation of an education and career plan, development of comprehensive skills and vocational training to increase the child's social and professional autonomy. In a step-by-step process and through individualised support, the young person receives professional assistance e.g. in obtaining adequate housing or professional opportunities.

4.9 Selection and quality training for caregivers

Quality training for caregivers

The increasing complexity of the needs of children in care and their recognition in educational work have resulted in a higher demand for comprehensive quality training, particularly on psycho-social and therapeutic aspects, which are also highly cost-intensive. Out-of-home care programmes must guarantee a sufficient number of professionally qualified and recognised caregivers, who provide children with quality care. This can be ensured through:

- Careful selection procedures, including child protection vetting.
- Provision of quality training for caregivers and other staff, including knowledge of children's rights and child protection.
- Training of caregivers and other staff to co-operate with biological parents and to attend to the specific needs of individual children.
- Provision of regular follow-up training, counselling and professional support to caregivers and other staff.
- Quality human resource management, including good communication flows, supervision, performance review, human resource development, training curricula, skill sharing, etc.

Following a careful recruitment process, SOS mothers/parents receive training throughout their career. After a comprehensive orientation programme, an initial two-year training programme, and a thorough evaluation at the end of this period, they are awarded a professional diploma. A minimum of two weeks follow-up training once every two years and in-service training have proved to be crucial for supporting the quality of child care.



4.10 Ensuring proper monitoring, and accountability

All monitoring of out-of-home child care must take place within the overall framework of the UNCRC. Quality child care requires regular in-depth monitoring of standards, to be carried out by competent experts. This includes ensuring that:

- National and international legal frameworks directly concerned with out-of-home child care exist, clearly defining terms, approaches, standards, methods of application, monitoring mechanisms and sanctions.
- Close co-operation is created and maintained between competent public authorities and out-of-home child care programmes.
- Control mechanisms are developed, applied and maintained.
- Pedagogical quality standards are in place.
- Child protection, prevention and response measures exist.
- Transparent and accountable management, both financially and content-wise are in place.

SOS Children's Villages' own experience of implementing international guidelines has demonstrated the importance for them to be based on local realities. The organisation currently runs a process whereby local experts facilitate good practise sharing on global standards at a continental and regional level. A self-evaluation tool has recently been introduced to support self-reflective and participatory assessment of the quality of SOS Children's Village work. The major goal of this evaluation process is to ensure that SOS families provide high quality child care. Active participation is considered as a key factor in successful evaluation and planning. The organisation also works closely with public authorities, the state and non-state actors, participating in processes leading to the establishment and improvement of state-led monitoring.

Conclusion

This paper has brought together over 50 years' experience of SOS Children's Villages in family-based child care. Key recommendations are made based on the starting point (as outlined in the UNCRC) that a child's right to a caring family environment must be upheld at all costs.

Achieving this will take the considerable efforts of donors, states, children's agencies, NGOs, local communities and most of all the families themselves.

SOS Children's Villages reiterates that:

- Children must be placed at the centre of all decisions, policies and practices affecting them.
- Children's best interests must be considered first and foremost.
- Sufficient support must be given to vulnerable families and their children. Every effort must be undertaken to prevent children from losing the support of their biological families.
- Out-of-home child care programmes and caregivers must work hand-in-hand with biological families where existent.
- Children in out-of-home care shall be enabled to establish reliable relationships and to experience a caring family environment. Joint efforts shall therefore be made to ensure that institutional child care, especially if likely to be longer-term, must be transformed towards family-like models.
- Private and public actors engaged with children must work together in a co-ordinated manner to find the best (and evolving) solution for each individual child in need of out-of-home care.
- National and international standards must be set for out-of-home child care, taking the UNCRC as an overall framework, to ensure that the child's individual needs and rights are met.
- Transparent and appropriate monitoring systems for these standards are put in place protecting children in out-of-home child care from abuse, neglect and exploitation and ensuring their full development.
- The development of comprehensive legal frameworks assures adequate support and recognition for the required and existing spectrum of out-of-home child care. There is a need to recognise, both socially and legally, the right of children who have lost the care of their biological family to live in an alternative family environment.
- Sufficient resources should be provided to support quality out-of-home child care programmes.

In the best interests of the children and families concerned, it is vital to jointly create a climate favourable for the development of suitable and tailor-made out-of-home child care programmes, which attend to the rights and needs of the individual child in an integral manner and enable their full development.

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Annexes

Annex 1: Family-based care and the children's rights framework

Fundamental principles outlined in Human Rights and the UNCRC underpin all the guiding principles and operations of SOS Children's Villages. These are:

- Non-discrimination
- Best Interests of the Child
- Participation
- Survival and Development
- Accountability
- Indivisibility

While these rights and principles apply to all children, some rights outlined with the UNCRC are particularly relevant to children without parental care or at risk of separation from their primary caregivers.

These rights include:

Article 9 - Parental Care & Non-Separation: The right to live with parents unless this is deemed incompatible with the child's best interests; the right to maintain contact with both parents if they are separated;

Article 10 - Family Reunification: The right to leave or enter any country for family reunification and to maintain contact with both parents.

Article 12 The Child's Opinion: The right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

Article 18 - Parental Responsibility: Parents have joint responsibility for the upbringing of their children and the State shall support them in this. The State shall provide appropriate assistance to parents in their child rearing.

Article 19 – Protection from Abuse and Neglect: The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programmes for the prevention of abuse and treatment of victims.

Article 20 - Children without Families: The right to receive special protection and assistance from the State when deprived of a family environment and to be provided with alternative care, such as foster placement or Kafala of Islamic Law, adoption or an institutional placement.

Article 25 - Periodic Review: The right of children placed by the State for reasons of care, protection or treatment to have all aspects of that placement reviewed regularly.

In addition, some rights refer specifically to situations of conflict. Article 39 of the UNCRC makes reference to the State's responsibility for a child to receive appropriate responses for recovery and social reintegration where he or she has been a victim of armed conflict, torture, neglect, maltreatment or exploitation. Realisation of this right has obvious implications for care providers.



Annex 2: Child care measures as foreseen by the UNCRC³⁰

Article 20 of the UNCRC, dealing with special state protection and assistance for children, who are deprived of their family environment or in whose own best interests they cannot be allowed to remain there, presents three possible forms of out-of-home child care: adoption (kafalah under Islamic law, article 21); foster placement; and placement in suitable institutions (which is sometimes also referred to as “residential care”).

- **Institutional placement:** Institutions are deliberate living arrangements for children, usually offering round-the-clock residential care, in which children live separated from their families. Care is provided by remunerated adults. The relationship between caregivers and children is professional rather than parental. Such care is often arranged due to a lack of existing alternatives or because ongoing specialised care is required.
- **Fostering:** is a full-time placement – authorised by welfare authorities or child-placing agencies – mainly of a temporary nature, with a “foster” family in a private family home. It is supervised by social services and often involves financial compensation to cover the additional expenses incurred, whereby the legal rights of the biological parents persist.
- **Kafalah:** is a form of care under Islamic Law, which is legally recognized and considered definitive. The child does not take the name of the host family, nor does he/she acquire inheritance rights. It reflects the precept of Islamic Law, whereby blood ties cannot be modified.
- **Adoption:** enables an orphaned or definitively abandoned child to become part of a new permanent family. Adoption can be “simple” allowing the child to maintain some financial and legal ties with his/her birth family (e.g. inheritance rights) or even retain the name. The majority of adoptions today are “full”, in the sense that the relationship between the child and his/her biological parents is irrevocably terminated. In its place, an analogous relationship is created between the child and adoptive parents.

Most forms of public or private out-of-home child care are categorised and recognised by states under these three headings. “Foster care” is in many instances often the only form of out-of-home child care recognised and generally known as family-based. Other forms of family-based child care are often labelled under “institutional” care, without recognising their distinct character and family feature.

³⁰ compare definitions given by UNICEF (1998), SIDA (2001), Harwin, J. et al (1998), Tolfree, D (1995)

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