



## **SPECIAL REPORT - Summary**

# **From the Institution to the Community:**

**alternative care of vulnerable children  
and family support**

| August 2020



The protection of the rights of children living away from their families has been a widespread preoccupation of the Ombudsman, in the context of its mission to defend and promote the rights of children under Law 3094/03. Recognising the need for integrated planning by the State aiming at a complete reorganisation of the children protection system based on up-to-date guidelines, children's rights as recognised internationally and recent developments in our country, following its previous interventions, the Authority took the initiative to create an "alternative care network", with the participation of organisations and agencies active in the field of children protection and, after consulting with the participants, prepared a Special Report with its findings and proposals for children protection in the community.

The basic parameters of the children protection system, according to the positions of the Authority, should be the prevention of the removal of children from their families, with parallel monitoring and adequate support of vulnerable families by the social services of the community, the reform and modernisation of the alternative care system, with the establishment of operating standards for institutions where minors are accommodated, while expanding the application of foster care as the main form of care for children living away from their families, as well as deinstitutionalization, with the development of a comprehensive plan for the transfer in the community of children already living in institutions. In particular:

Regarding the assessment of the best interests of children at risk of abuse or neglect, or living in adverse conditions, the lack of uniform practices and procedures for the investigation and in general the management of children protection issues by the competent prosecutors and local social services is noted. In addition, the social services of the local authorities, as a whole, do not have sufficient staffing and resources, nor is there an adequate institutional framework in terms of their responsibilities in relation to children protection and support for families with serious psychosocial problems.

Indicatively, the Ombudsman's research on the management of complaints for children abuse or neglect by social services in 14 of the largest municipalities in the country, shows, primarily, the inability to continuously monitor the families of children at risk, due to understaffing and overloading of social workers with a large



number of diverse tasks, significant heterogeneity in the practices followed to investigate complaints, and serious gaps in the specialisation and provision of training and supervision for social workers involved in children protection.

As a result of this situation, in combination with the absence of preventive interventions, in many cases, children are removed from their families and placed in institutions, without exhausting or even exploring the possibilities of other interventions in the family, or other forms of alternative care. Based on the above, the Ombudsman proposes, primarily:

- the reinforcement of the staffing as well as the institutional framework for the responsibilities of the social services of the local authorities in relation to children protection,
- the establishment of a unified protocol and procedures for the management of complaints of abuse-neglect by the local Prosecutors' Offices and social services,
- the establishment of the use, by the social services of the local authorities, of unified protocols and tools for the assessment of the needs of children and families,
- the networking and establishment of the cooperation of the social services with the schools and other bodies that deal with children, at local level,
- the establishment of emergency short-stay structures for the immediate reception, evaluation and support of children removed from their family environment, while attempting to meet this need through the immediate placement of children in emergency short and / or professional foster care.

Regarding the alternative care system, emphasizing the disastrous consequences for the psycho-emotional and social development of children during their stay in institutions, the requirements of the ICCR which provides for the placement of the children in an institution only as a "last resort" and for the minimum possible time, and the modern perceptions and practices in all European countries, the Authority emphasizes the need for planning for the phasing out of the institutional model and, until this becomes possible, emphasizes the need to establish a single institutional framework and specifications for the operation of all institutions of closed care of the public and private sector, to ensure all the rights of children guaranteed by the



ICCR, with special emphasis on the implementation of the provisions of art. 117 of Law 4604/19 Individual Family Rehabilitation Plans (ASOA), to limit the minimum length of stay of children in them.

In addition, the need for more specific provisions for adequate care and safeguarding of the rights of guests in institutions for children with disabilities is highlighted, as well as the need to strengthen the mechanisms of external control and supervision of all intensive care facilities.

Furthermore, the need to expand the application of foster care, based on the provisions of current legislation, is fully emphasized, with detailed clarification of its differences from adoption. To this end, as well as to ensure the rights of all children in need of protection and care in the community, it is proposed:

- The reinforcement of staffing and institutional strengthening of community social services, as well as staffing and support of juvenile prosecutors.
- The specialisation and provision of uniform training to the social workers of the Local Authorities dealing with children protection.
- The complete abolition of institutional care for infants and toddlers up to 3 years of age and the priority care for the placement in foster care of children of this age who are already in institutions.
- The strengthening of foster care, with the abolition of the age limits introduced by law 4538/18, the immediate arrangement for the implementation of professional foster care, the extension of professional foster care in other cases or categories of children - besides those with disability or mental disorders - which are extremely difficult or impossible to be accepted in foster care under the current circumstances, and actions of informing the public and raising awareness to attract more prospective foster parents for all children concerned.

Finally, with regard to the transfer of care from the institution to the community, the Authority proposes:

- The adoption by the State of a timetable for the complete phasing out of the institutional care model.



- For as long as or for cases where this is not possible, the transformation or replacement of existing institutions by small family-type structures, with provision for the shortest possible stay of children in them.
- The assessment and recording of the needs of children living in institutions and the design of integrated programs and services to meet their needs in the community, by redirecting financial and human resources from institutional care to necessary community psycho-social support services.
- The elaboration of a complete deinstitutionalization plan for each closed care structure, and the completion of the programs that are already in progress.

Especially in relation to children with disabilities, the following are additionally suggested:

- The implementation by the local authorities of specialized and adapted programs in the community, in all sectors and for all forms of disability, in accordance with those provided to the rest of the population.
- The introduction of specific provisions to ensure early intervention and comprehensive support for children with disabilities and their families.
- The establishment of special, additional, specifications for the alternative care of children with severe disabilities, whose stay in the family or placement is not possible.