**Written submission for the Day of General Discussion 2021.**

**Submitted by:**

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The following written submission adresses the most significant challenges for children in alternative care in Croatia, and offers recommendations for their succesful mitigation.

In Croatia, there is a longterm discontinuity in the implementation of the reform of the social welfare system started in 2010, which is visible in the process of deinstitutionalization and transformation of institutions for children and youth without adequate parental care, and children and youth with

behavioural problems.

Although the reform is based on parallel processes, including deinstitutionalization and

decentralization,development of prevention programs and alternative services available in the local community, in practice there is an informal moratorium on placement of children and youth in institutions, and, on the other hand, there is a deficit of prevention programs and adequate alternative forms of care as well as regional imbalances in the availability of existing services.

Since 2010, the Social Welfare Act, the Family Act and the Foster Care Act have been continuously subject to change, largely influenced by political structures and, in the case of the Family Act, conservative ideologies. Constant changes in the law negatively affect legal certainty and existing professional practice, and ultimately children and young people are deprived of adequate care and attention.

The key problems remain because there is no systematic approach to finding a lasting solution in the best interests of a child who has been separated from his or her biological family. There is no systematic record of every child entering the care system, nor systematic monitoring through various forms of alternative care.

**Children in institutional settings**

According to the 2019 Ombudsperson for Children report1, the Plan for Transformation and Deinstitutionalization of Social Welfare Homes and Other Legal Entities Performing Social Welfare Activities 2011-2018 has led to certain changes, such as the transformation of social welfare homes1 into centres for provision of services in the commmunity2, an increase in the number of children and young people placed in foster families, and the development of new social welfare services.

Up to the end of 2020, 6 social welfare homes were transformed into centres for provision of services in the community, and 7 still have not finished with the process of transformation.

However, this Plan did not target the number of children and young people in social welfare homes. Namely, according to the data collected by the Office of the Ombudsperson for Children, in December 2018 there were 800 children and young people in social welfare homes and in centres for provision of services in the community and in December 2019 this number increased to 808. A new Plan of Deinstitutionalization, Transformation and Prevention of Institutionalization 2018-2020 was elaborated which aimed to develop early recognition and prevention of entry of children and young people into social welfare homes, development of support programs for responsible parenting and provision of necessary social services.

**Children in foster care**

With the aim of developing quality foster care, trainingsfor professionals and foster parents were

conducted. Foster parents were connected through the Forum for Quality Foster Care for Children. The campaign Every Child Needs a Family was conducted in 2018/19 and cooperation with UNICEF was established through the Program “For a Strong Family” which started in the end of 2018 and throughout 2019 and 2020.

However, according to the Ombudsperson for Children’s reports in 2019 and 2020, the same problems persist in the segment of foster care.

The main problems are the following:

• a large number of requests for placement of children and young people in institutions,

•a large number of children placed in social welfare homes,

•insufficient coverage of children through foster care due to the lack of a sufficient number of foster families,

• uneven territorial representation of foster families,

•high age and low educational qualifications of foster parents,

•lack of professional and specialized foster care , epsecially for children with disabilities and children with behavioral disorders, and lack of foster care in urban areas given that foster parents are mostly in rural areas with limited access to essential social services and support,

• uneven quality of foster care services,

•insufficient control over the services provided by foster families,

•insufficient support to foster parents in terms of supervision and education,

•non-involvement of children in decision-making related to them,

•irregular visits to foster children by staff of social welfare centres.

 As mentioned, one of the main problems is the insufficient number of foster families, which is why the Centre for Social Welfare (CSW) chooses a foster family according to the foster family that is currently available, and not according to the needs of the child and the ability of the foster family to respond to them. Due to the lack of capacity of foster families to respond to the child’s needs during 2018, 463children and young people were transferred from foster families to social welfare institutions, and 413 in 2019.

Some progress has been made with the adoption of the new Foster Care Act in 2019, which introduces the possibility of foster care as a profession, provides contributions for compulsory insurance, prescribes special obligations for social welfare homes and centres for providing services in the local communities. The amounts of fees were also raised for foster parents and amounts of benefits for each foster child. Despite the advancements introduced by the new law, it has not undergone positive developments in the field. According to the 2019/2020 Ombudsman for Children reports, the overall number of foster parents did not increase, nor did the number of specialized and professional foster parents for children, and even decreased in 2020.

Centres for providing social services in the local community and those social welfare homes which did not yet transform into such centres should provide support to foster families. But there are two problems with this: there are not enough of them, and their employees often do not have the appropriate training to be able to provide adequate support.

**Children leaving care**

Croatia has a relatively comprehensive legislative framework in place for children without parental care, but there is no legal definition of ‘care leaver’ and there are no special provisions for children who age out of the care system. Young people leaving care face a wide range of barriers. While many social welfare homes and centres for providing services in community do support young people throughout compulsory education, there is little preparation/planning for the transition out of care.

A particular challenge is the lack of standardized services for children leaving the alternative care system, which would adequately prepare and support them for independent living. There are certain programs with individual care providers, and financial support in the form of scholarships if young people continue their university education, which are commendable, but not available to all young people. Young people from foster families are particularly at risk because they do not have a range of support services for care leavers at their disposal, comparing to children who are ageing out of social welfare homes or children from SOS Children’s Villages Croatia.

Moreover, there is little coordination between the different key actors, at all levels, and their areas of responsibilities. The system is therefore fragmented with many cracks for young people to fall through.

1Social welfare home (hrv. Dom socijalne skrbi): The Social Welfare Home (Article 145 of the Social Welfare Act) is a public institution and is established to provide social services prescribed by this Act.

2 Centre for provision of services in community (hrv. Centar za pružanje usluga u zajednici : (Article 164 of the Law on Social Welfare) is a public institution established to provide support to users and providers of non-institutional forms of accommodation, accommodation services, psychosocial support services, home help services, assistance services in inclusion in educational programs and education (integration) and organized housing services, and exceptionally accommodation services.

3 Ombudsman’s Office for Children annual report 2019

**Recommendations**

**1.Take all necessary measures to support families in vulnerable situations to provide adequate care and support to their children in order to prevent separation of children from their biological families and any unnecessary placement in alternative care settings.**

**2.Intensify efforts towards deinstitutionalization and transformation of homes for children and youth without adequate parental care and those with behavioural problems in order to reduce the number of children and youth in institutional settings.**

**3.Develop non-institutional forms of care and work towards the expansion of foster care provision to regions where foster care is not provided, especially in urban areas with better access to essential social services and support.**

**4. Work on improving the selection process and the continuous monitoring of foster families, as well as providing education and adequate assistance and support to children and foster families.**

**5.Revise the Social Welfare Act in order to implement a social service in the form of social mentorship for young care leavers, so they would be guaranteed continuous support throughout the transition period from care to independent life.**

**6.Ensure the necessary support to all young people leaving the alternative care system, regardless of the form of care they are leaving from, by providing them access to adequate housing, health care services, further education and employment opportunities.**