



Draft TERMS OF REFERENCE

International Consultancy to support revision process of Law on Social and Family services, with specific focus on foster care provisions and provide capacity building to social welfare structures on specialisation of foster care families

Duty Station: Prishtinë/ Priština (with meetings with central level and few field visits in other municipalities), Kosovo.

Duration of Assignment: Estimated 8 months (totally 20 work days)

Objective of the consultancy: Ministry of Labor and Social Welfare in Kosovo, is currently working on the revision of the Law on Social and Family Services that sets out and regulate the provisions of services for persons and families in need. In this case foster care articles will be revised and amended as well. At the request of MLSW, OFAP is seeking to engage an international consultant, who will provide technical assistance and necessary inputs, recommendations and guidance to the MLSW working group on establishing law provisions regarding foster care services in Kosovo.

1. Background

Like most countries in central and Eastern Europe, Kosovo has been, and still is undergoing a process of social, economic and political transformation. This transformation from authoritarianism to economic and democratic liberalism has led to severe, and in most cases, long-term transformation crises. Despite investments from the international community in recent years, the needs and challenges in Kosovo remain numerous twenty years after the conflict. Kosovo continues to face a vicious cycle of low growth, significant trade imbalance and fiscal constraints. High unemployment and increasing poverty remain serious issues of concern and affect more than half of the population. Combined with weak governmental institutions which are not able to even cover the basic needs in the health, social welfare and employment sectors, this has resulted in an extremely high degree of structural socio-economic vulnerability of the population.

In Kosovo, the victims of domestic violence are predominantly women, children and elderly persons. The domestic and child violence remains an issue among Kosovo society. The experts of the area believe that the abuse is underreported. Children remain fearful of communicating abuse and other concerns to the police, emphasizing the need for improved communication channels for children to raise concerns. In response to increased number of children who need care, MLSW has established partnership and collaboration with various NGOs aiming to provide short and long- term care and accommodation for children.

In respect to children without parental care although several actions have been taken to place children in foster care, it is worth noting that the solution to the problem is complex and requires integrated interventions and resources around the same objective. There is a lack of specialisation in relation to child protection and foster care – and it is widely accepted that the Centres for Social Work lack adequate professional and financial capacities and resources. At the moment, the range of children placed in foster care is very limited, being mainly babies and infants with a few older children, usually from siblings' groups. The number of foster care families is 41 in total, out of which only 28 are active with foster children and other families are waiting for children to be placed to them. Now there are only 48 children placed in foster care. The increased number of abused children in residential



children's houses over the last years demonstrates that the foster care system has not developed for all categories of children in need.

Based on the Child Protection Index 2.0, published by KOMF in 2018, the foster care needs to be developed and advance in terms of increasing the number of foster care families and in terms of quality of services and care provided by foster care families. The state provides 250 Euros per month per child in foster care family; while 100 Euros per month is offered to a child in kinship care. This amount is different for children with disabilities staying with foster families where the families receive €350 per month per child. However, there is no structured categorization of payments for foster care, based on the age, needs of children in terms of the type of their disability and the specific needs that children may have depending on the type and/or scale of disability or vulnerability. Foster families do not realize any social or health benefits from their position but often use family resources to provide for their wards, which endangers the stability of the scheme. It is recommended that Kosovo offer foster families social or health benefits to help defray their costs associated with the care of a foster child but also to include foster care as a recognized profession, within the tax and pension scheme

Some other facts and figures - current situation of foster care in Kosovo

- There are currently 50 to 80 children placed in foster care. Among these are approximately 30-35 abandoned babies and the remaining are children who have experienced abuse, neglect, maltreatment, etc. There are in total 41 foster care families in Kosovo mostly in rural areas. 28 of them are active and are caring for children, while the other families are waiting for children to be placed with them.
- Most of the infants abandoned at birth are born to unmarried girls and women. The stigma is too strong for these mothers to keep their babies. Besides, there are no mechanisms that could encourage and support these single mothers to keep their babies, such as shelters, financial aid, semi-independent living programmes, etc.
- There are three residential institutions, one run by the INGO SOS Children's Village, and another one run by the local NGO "Hopes and Homes for Children" and another one run by Caritas that offers shelter to children without parental care.
- In practice, placement of children in residential houses is more favored by social workers as this is much easier and quicker than the process of new foster family recruitment. A child can be placed within the residential children's houses in 1-2 days, and documentation can be completed later. Monitoring of children placed in institutions by the Center for Social Work is almost not required. According to some professionals who work with this category of children, institutions have a lot of advantages in relation to family placement as children have better living conditions, food, hygiene and a team of professionals that take care of children. Unfortunately, even now the advantage is given to existential needs in relation to all other needs that children have.
- There are two foster care families in Pristina, the capital of Kosovo. Foster care does not seem to be encouraged by CSW in Pristina. The fact that there is SOS Children's Village placed in Pristina that can accommodate children without parental care could be an explanation to the current lack of foster care in the capital city. Apparently, social workers from the Centre for Social Work in Pristina systematically place these children to SOS. This placement option does not require any payment of foster care grant by the Government.
- Government pays a monthly foster care grant of 250 euro per month to families for one child in foster care and 350 euro for a child with disabilities in foster care. This function is currently managed from the central level but still expected to be transferred to municipal level. These compensation funds are supposed to provide all costs of a placement and upbringing of a child, including food, clothing, and education costs. Out of 80 children in foster care, seven are children with disabilities.
- Social workers don't seem to be concerned with the placement of children from Roma, Egyptian and Ashkali communities. There are only 2 or 3 such children in foster care. There is no foster care family from the ethnic minorities.



Ministry of Labor and Social Welfare in Kosovo, is currently working on the revision of the Law on Social and Family Services that sets out and regulate the provisions of services for persons and families in need. In this case foster care articles will be revised and amended as well. In this regard, at the request of MLSW, OFAP is seeking to engage an international consultant, who will provide technical assistance and necessary inputs, recommendations and guidance to the MLSW working group on establishing law provisions regarding foster care. The different experiences and best international practices will be shared with the working group.

The consultant when in Kosovo will review and assess the current situation of foster care in Kosovo and will conduct all necessary meetings, including interviews with relevant partners from different ministries, government level, municipal authorities, CSWs, foster parents foster children, and other child protection organizations present in Kosovo. Within this project the international consultant will develop the Training Module as well for training of foster care families and their specialisation on fostering children with difficult backgrounds, children with disabilities, abused and neglected young children. Once this module is accredited by the MLSW the three days of TOT training will be organised.

2. Purpose and objectives of assignment

The purpose of the assessment is to enforce child protection system and mechanisms for prevention and protection of children deprived of parental care through supporting the amendment of existing Law on Social and Family Services, with specific focus on amendment and development of new articles on foster care services, development of Training Module, development of Criteria for licensing of foster careers and capacity building of social service workforce.

Specifically, the assessment should:

- **Assess and review** the existing legal and institutional basis related to the family-based care services/ foster care services, short term and long-term foster care eg; legislation, strategies, policies, administrative instructions, minimal standards of social services etc.
- **Assess and review** the current professional and technical capacities of CSWs in regards to performing their mandate in protection of children in need of care and their placement in alternative family based care services/ foster care. e.g. to assess all procedures from recruitment -to approval of foster family; to assess all procedures from identification of a child to be placed in foster care -to his/her placement in foster care.
- **Assess and review** all the procedures and practices from the first day of placement in foster care –to the end of placement (*CSWs professional capacities regarding the recruitment of potential foster care families, assessment, training, approval, reassessment, placement of children with foster family, decisions for placement, documents, files, contracts, the length of stay, visits, etc.*).
- **Assess and review** policies and admin instructions in place that would guarantee a more effective, efficient and long-term functioning foster care service that would be available and offered for all categories of children in need of care and out of home family placements.
- **Assess and review** the role of National Panel for placement of Children in Foster Care and Adoption, in terms of performing their mandate and functioning.
- **Assess and review** the role of MLSW on monitoring the CSWs performance while managing the cases of children without parental care, influencing at CSWs and Basic Courts for solving the status of abandoned children;



- Assess what are the current challenges of CSWs in placing older children and different categories of children in foster care.
- Assess what are the current capacities of existing foster careers to foster older children and other categories of children in foster care e.g. children with special needs, children victims of trafficking, exploration, children from Roma, Ashkali and Egyptian communities.

Methodology

The methodology will be participatory and will include desk review and analysis, meetings, round tables/workshops, training, field visits and key informant interviews. Respondents to the assessment will be the representatives of the Ministry of Labour and Social Welfare, Centers for Social Work, Municipal Directorate of Health and Social Welfare, foster care families, foster care children, active NGOs working in the field of foster care, Children's Residential Houses and other relevant institutions, including donors and international partners.

Based on the assessment findings, the consultancy will produce a Report and Action Plan with clear recommendations and detailed actions that will contribute to amendment of new Law on Social and Family Services, with specific focus on foster care services. Recommendations should also address the modalities that would guarantee a more effective, efficient and long-term functioning of foster care system. The report will also include examples and best practices of alternative care system from this or other regions.

3. Main duties and responsibilities

The assessment will be conducted under the overall supervision of the Director and Project Manager of OFAP in close cooperation with MLSW/ Department of Social Policy and Family (DSPF)

The specific assignment tasks include the following tasks and deliverables during October 2019-May 2020

<u>Date</u>	<u>Task</u>	<u>Deliverables</u>
5 working days offsite	<p>Desk review and analysis including review of the relevant legal framework related to the Foster Care system, including regulations and administrative instructions regulating the placement of children in foster care and review of good practices around child protection and/or child rights from the region and globally.</p> <p>Developing the Training Module for foster care families and their specialisation on fostering children with difficult backgrounds, children with disabilities, abused and neglected young children.</p>	<p>Report from the desk review analysis.</p> <p>Methodology and questionnaires for individual and institutional interviews.</p> <p>Developing the Training Module for training of foster care families and their specialisation on fostering organised with professional CP.</p>
10 working days in Kosovo	<ul style="list-style-type: none"> • Review and assess the current situation of foster care in Kosovo and conduct all the necessary 	<p>- Methodology and questionnaires for individual and institutional interviews.</p>



3+3+4	<p>meetings, including interviews with relevant partners from different ministries, government level, municipal authorities, CSWs, foster parents foster children, and other child protection organizations present in Kosovo.</p> <ul style="list-style-type: none"> • Conduct two- day workshop for 40 CP representatives of social welfare structures (MLSW, CSWs, OFAP, UNICEF, NGO) to present and validate the findings of the assessment of foster care situation in Kosovo (existing legislation, sub legal acts, admin instruction, foster care procedures) and jointly agree on the further actions that need to be undertaken from the relevant actors for improvement and further strengthening of foster care system in Kosovo, especially for children with disabilities, younger abused children, children leaving care and specialisation and licensing of foster care families for fostering children from different backgrounds. • Conduct three -day TOT training with 20 CP representatives (MLSW, CSWs, OFAP) on the innovative approaches and methodologies to be used for the specializing, training and licensing of foster care parents to foster children with disabilities, abused, trafficking cases. After the TOT training, it is expected the participants to work together on training the interested, the active and newly recruited, foster care families. 	<p>Workshop Agenda</p> <p>Report with the findings and recommendations from the workshop</p> <p>Agenda of the planned participatory training</p> <p>Training module</p> <p>Report</p>
5 working days, offsite	Prepare and share the draft of Assessment Report and the Action Plan for review and comments by OFAP, MLSW/DSPF and other relevant stakeholders	Provide the first draft of the Assessment Report and Action Plan to strengthen the Foster care system in general and capacities of the relevant institutions in particular



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Main tasks of the International Consultant related to the assignment:

- Communicate regularly with the OFAP in a timely manner.
- Review documents provided by and other relevant stakeholders and follow suggestions and comments made by OFAP and MLSW/ DSPF and other relevant stakeholders and based on those modify and update content of the documents.
- Deliver documents and other deliverables on a timely manner as stated above in the action plan.
- Maintain a neutral and professional approach during the review process and during the overall course of the assessment.
- Ensure that lessons learned, problems and good practices are documented throughout the assessment and development of the action plan process and rapidly shared with the OFAP and MLSW/DSPF.
- Based on the comprehensive assessment findings, provide a comprehensive report with clear recommendations and detailed lines of the actions for further development and strengthening of foster care services for all categories of children in need of care and protection in Kosovo.

OFAP's role will be to:

- Share relevant documentation
- Organize meetings
- Review all submitted documents in a timely manner
- Monitoring the activities
- Ensuring the participation of the key actors

Estimated duration of the contract

The contract of the assignment should be for minimum of 9 months, preferable from 1st of November 2019 till July 2020.

Reporting Line

The International Consultant will report directly to the director of OFAP, Ms. Ibadete Krasniqi.

4. Qualifications and Competencies of the team members

Education

- A Master's degree in Social Work, Social Policy, Psychology, Public Administration, or other relevant disciplines.

Skills and Experience

- At least 5-8 years international experience in conducting assessments in the area of child protection systems approach;
- Professional experience in alternative care systems such as foster care and adoption;
- Excellent facilitation, team-building and interpersonal skills;
- Excellent analytical, oral and written communication skills;
- Proven experience in conducting assignments in complex institutional environments;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability



Knowledge of Kosovo and practical work experience in the country or the region is a strong asset;

5. Payment

Payment will be made based on a lump sum option at a P3/P4 level paid against deliverables. Financial proposals will be assessed on a fee per service basis based on OFAP rules and regulations.

6 Application

Selected candidates should submit the European CV in Albanian or English language accompanied by a Cover Letter and a brief proposal on the methodology of the work to be delivered. All of these should be submitted to the following e-mail address: ofap.kosova@hotmail.com no later than 15/10/2019 by 4:00 pm.