

## **REGULATION**

### **No. 473/2012 Coll.**

of 17 December 2012

#### **on the Implementation of Certain Provisions of the Act on the Social and Legal Protection of Children**

The Ministry of Labour and Social Affairs stipulates the following pursuant to Section 58b (2) and (3) of Act No. 359/1999 Coll., on the Social and Legal Protection of Children, as amended by Act No. 401/2012 Coll. (hereinafter the “Act”):

#### Section 1

##### **Focus and Scope of the Assessment of the Situation of a Child and His or Her Family**

The assessment of the situation of a child and his or her family shall be based on an individualised approach to the child and be performed on the basis of:

- (a) An assessment of the child’s situation, which shall include the following:
  - 1. Identification of the extent of danger to the child’s rights and interests;
  - 2. Identification of the social, health or other risks, to which the child is exposed;
  - 3. An assessment of the child’s physical and mental development with regard to his or her age;
  - 4. An assessment of the course of the child’s education and preconditions for further education;
  - 5. Identification and assessment of the child’s needs and interests;
  - 6. Identification of the child’s qualities and abilities, and/or preconditions to acquire them;
  - 7. Identification and consideration of the child’s opinion and wishes respecting the child’s age and his or her mental capacity; and
  - 8. Other facts needed to assess the child’s situation in the specific case;
- (b) An assessment of the family’s situation, which shall include the following:
  - 1. An analysis of the family’s situation and the family environment;
  - 2. An analysis of causes of a family crisis;
  - 3. An assessment of the relationship between the child and the parent;
  - 4. Specification of the family’s needs;
  - 5. Identification of the family’s possibilities, namely in terms of relationships and the financial and social situation;
  - 6. Identification of the upbringing competences and preconditions of the parents to bring the child up and an assessment of potential risks in the child’s upbringing;
  - 7. An assessment of the family’s financial situation and resources; and
  - 8. Other facts needed to assess the family’s situation in the specific case;
- (c) An assessment of the family’s wider community, which shall include the following:
  - 1. Identification of possibilities in the wider family, including relationships and economic and social possibilities, and the applicability thereof in the family;
  - 2. Identification of possibilities in the family’s wider social community, including the availability and quality of social, medical, educational and community services and the location’s safety; and
  - 3. Other facts needed to assess the family’s wider community in the specific case.

#### Section 2

##### **Content of the Individualised Child Protection Plan**

- (1) An individualised child protection plan shall include the following:

- (a) A description of the causes of danger to which the child is exposed and the reasons for initiating social and legal protection;
- (b) The goals of the proposed measures, the means of achieving the goals and the efficiency indicators for individual measures;
- (c) The scope of the proposed measures needed to protect the child and of the assistance provided to the parents or other persons responsible for the child's upbringing;
- (d) The method of implementing the proposed measures and of exercising the child's rights and interests within the social and legal protection;
- (e) The methods of working with the family and the extent of interventions and assistance to the parents or other persons responsible for the child's upbringing in caring for the child and bringing him or her up, which include:
  1. Strengthening the family's role and function;
  2. Developing the care-related and educational capabilities of the family;
  3. Assistance in pursuing the social inclusion of the family;
  4. Assistance to children placed in substitute care and to their families, assistance to Carers and Registered Persons; and
  5. Strengthening the family's competences in the areas of education, preparation for classes and motivation to study;
- (f) The process of collaboration between a social and legal protection authority and other public authority bodies and other individuals and legal entities involved in resolving the child's situation;
- (g) The scope of collaboration between the parents or other persons responsible for the child's upbringing and social and legal protection authorities and other individuals, legal entities and public authority bodies involved in resolving the child's situation;
- (h) A time schedule for the implementation of the specific social and legal protection measures;
- (i) The method of evaluating and reviewing the implementation of the proposed measures needed to protect the child by the parents, other persons responsible for the child's upbringing, social and legal protection authorities and other individuals, legal entities and public authority bodies involved in resolving the child's situation, and other proposed measures needed to protect the child;
- (j) A plan of the child's education and a plan of preparation for a future job and independent life;
- (k) A preparation plan for the child's leaving substitute care; and
- (l) The method of monitoring the family after completing the work therewith.

(2) The form of intervention and assistance in caring for a child and bringing him or her up pursuant to subsection 1 (e) shall mean the following:

- (a) Consultations and professional counselling;
- (b) Therapy and mediation;
- (c) Mediation of professional services for families with children;
- (d) Legal counselling;
- (e) Support provided to children;
- (f) Assistance provided to families in improving their situation, including the acquisition of the skills needed to properly maintain a household;
- (g) Assistance provided to families in resolving social or psychological problems;
- (h) Assistance provided to families in resolving upbringing problems with children; and
- (i) Support of a family's social activities.

### Section 3

#### **Scope and Content of Training for Individuals Capable of Becoming Adoptive Parents or Foster**

### **Carers for Accepting a Child into the Family**

(1) Training for individuals capable of becoming adoptive parents or foster carers for accepting a child into the family shall include the following groups of topics:

- (a) Self-identification of the individuals capable of becoming adoptive parents or foster carers and getting to know their family system and social contacts;
- (b) Getting familiar with and exercising the rights and needs of a child in substitute family care;
- (c) Establishing cooperation with other experts;
- (d) Communication with the child and approaching the child respecting his or her dignity and human values;
- (e) Developing the child's skills and interests;
- (f) Satisfying the child's emotional, developmental, social and educational needs and caring for the child's health;
- (g) Contacts between a child in substitute family care and his or her parents and other close persons; and
- (h) Working with the children living in the applicant's family.

(2) Training for individuals capable of becoming foster carers providing temporary foster care shall further include the following:

- (a) The applicants' skills needed to cooperate with the child's family;
- (b) The process of delivering the child back; and
- (c) The content and form of regular reviews of the child's situation.

(3) Training of individuals capable of becoming an adoptive parent or foster carer shall take the following forms.

- (a) An individualised form involving the self-identification of individuals capable of becoming adoptive parents or foster carers in the areas of:
  - 1. Motivation for substitute family care;
  - 2. Functioning of the family system;
  - 3. Mapping of social contacts; and
  - 4. Expectations from the child placed into care; and
- (b) A group form primarily involving the adoption of skills and knowledge in the areas of:
  - 1. Substitute family care and the associated legal regulations;
  - 2. Development and needs of children, including the specific needs of a child in substitute family care;
  - 3. Children's rights, including the rights of a child in substitute family care and the right of a child to maintaining and developing family bonds;
  - 4. Support for the child in exercising his or her right to express his or her opinion and participate in making decisions related to the child;
  - 5. Rights and duties of the child's parents; and
  - 6. Rights and duties of foster carers.

### Section 4

#### **Minimal Scope of Counselling Provided Permanently or Temporarily to a Carer or Registered Person in Providing Personal Care for a Child Placed into Care**

A Carer or Registered Person shall be provided with the following counselling in their taking care of a placed child:

- (a) Resolving social or psychological problems;
- (b) Resolving problems related to caring for the child and to the child's health and upbringing;

- (c) Arranging care for a child with physical disabilities;
- (d) Educating the child, selecting and assessing possibilities for the child's further preparation for his or her future job and finding a suitable job;
- (e) Cultural and sports activities and other hobbies of the child;
- (f) Asserting the Carer's or Registered Person's and the placed child's entitlements in the areas of healthcare insurance, pension insurance, unemployment benefits, re-training benefits, state social support, benefits to those being destitute of resources, benefits for the physically disabled, public healthcare insurance, and asserting other entitlements and enforcing amounts due;
- (g) The use of social services;
- (h) Counselling provided in the period after a child's acceptance into the family of the Carer or Registered Person;
- (i) Counselling provided in the period of the placed child's return to the original family;
- (j) Preparing the placed child for leaving substitute family care and arranging for accommodation for the placed child leaving substitute family care; assisting the child in making arrangements with authorities, finding a job, managing financial resources and addressing other issues related to the child's independent life;
- (k) Dealing with the parents or other persons close to the child and maintaining and developing the child's contacts with the parents or other close persons; and
- (l) Improving the Carer's or Registered Person's professional knowledge and skills.

#### Section 5

### **Content, Focus and Method of Providing for Improvements of Knowledge and Skills in the Area of Upbringing and Caring for a Child for Carers and Registered Persons**

The process of improving the Carers' and Registered Persons' knowledge and skills shall focus on:

- (a) Acquiring new information and adopting new skills related to caring for a child;
- (b) Acquiring knowledge and adopting skills in caring for specific groups of children, namely children with different ethnic background, physically disabled children, groups of siblings and maltreated, abused or neglected children;
- (c) Providing care upon changes related to a child's education or development stages;
- (d) Handling crises;
- (e) A child's return to his or her original family and transition to a substitute family; and
- (f) Preparing a child for his or her independent life following his or her reaching full age and leaving substitute care, respecting the child's age and development and social needs.

#### Section 6

### **Social and Legal Protection Quality Standards**

(1) Social and legal protection quality standards followed in the performance of social and legal protection:

- (a) By social and legal protection authorities are attached to this Regulation as Annex 1;
- (b) By Charged Persons pursuant to Section 48 (2) (d) to (f) of the Act are attached to this Regulation as Annex 2; and
- (c) By facilities for children requiring immediate assistance are attached to this Regulation as Annex 3.

(2) The adherence to the quality standards shall be evaluated using a point system; one point shall be

awarded for each criterion met.

Section 7

**Effect**

This Regulation shall become effective on 1 January 2013.

The Minister:

**Ing. Müllerová**

## **Annex 1**

### **Social and Legal Protection Quality Standards Applicable to the Provision of Social and Legal Protection by Social and Legal Protection Authorities**

#### **1. Time and Local Availability**

##### **Criteria**

1a A social and legal protection authority shall arrange the efficient provision of social and legal protection in the needed scope throughout the territory of its district.

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1b The period of performance of social and legal protection shall be accustomed to the needs of those to whom social and legal protection will or can be provided in the future or on whom it is focused, namely children (hereinafter the "Target Group"). The personal provision of social and legal protection shall be arranged every business day; non-stop emergency services shall be arranged for outside regular business hours and on weekends and bank holidays.

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Criteria 1a and 1b shall not be assessed for a social and legal protection authority constituted by a municipal authority, regional authority, the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

#### **2. Premises and Conditions**

##### **Criteria**

2a The performance of social and legal protection shall be arranged on premises facilitating communication with vulnerable children and families. A social and legal protection authority shall arrange for such premises for the performance of social and legal protection that will create optimal conditions for the performance of social and legal protection and the capacity of which will be adequate in terms of the number of consultations related to the performance of social and legal protection.

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2b The social and legal protection authority shall have appropriate material resources and equipment with regard to the performance of social and legal protection both on and off the site. These resources shall primarily include a sufficient number of cars, mobile phones, laptops, cameras and other means of recording needed for fieldwork.

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2c The social and legal protection authority shall have appropriate resources and equipment to work with persons from the Target Group to whom social and legal protection is provided (hereinafter the "Client"), namely with regard to needs of children.

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2d The social and legal protection authority shall have appropriate sanitary conditions created and personal protective means available for employees assigned to the social and legal protection authorities to perform social and legal protection.

#### **3. Awareness of the Performance of the Social and Legal Protection of Children**

##### **Criteria**

3a The social and legal protection authority shall publish internal rules and procedures as developed by the authority to meet these social and legal protection quality standards in providing social and legal protection in a

way enabling remote access or in any other appropriate way.

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3b The social and legal protection authority shall have information on the scope and conditions of providing social and legal protection prepared in a form that is clear and understandable to the Target Group. This information shall be publicly accessible.

#### **4. Staffing of the Social and Legal Protection Authorities**

##### **Criteria**

4a The social and legal protection authority shall have prepared the number of job positions specified within the organisational structure and job profiles of individual employees assigned to social and legal protection authorities to provide social and legal protection.

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4b The number of employees shall be adequate to the district administered by the social and legal protection authority. In calculating the adequate number of employees of the social and legal protection authority, the criterion influencing the demands on the provision of social and legal protection of children in the administrative district of the social and legal protection authority shall be considered.

The basic criterion shall be at least one employee for 800 children (persons below 18 years of age) who have been registered for permanent residence in the administrative district of the social and legal protection authority.

A manager shall be included in the number of employees as appropriate with regard to his or her involvement in work with Clients.

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4c The social and legal protection authority shall have written authorisations and duties for individual job positions related to the performance of social and legal protection in place within the organisational structure based on the internal guidelines, namely with respect to substitute family care, social guardianship for children and youth and the protection of maltreated and abused children, and shall make sure that the particular job positions are strictly designed for the performance of social and legal protection.

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Criterion 4b shall not be assessed for a social and legal protection authority constituted by a municipal authority, regional authority, the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

#### **5. Hiring and Training**

##### **Criteria**

5a Each employee assigned to a social and legal protection authority shall meet competence requirements for the performance of a position of a social worker in line with the Social Service Act and shall be professionally qualified to be engaged in social and legal protection.

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5b The social and legal protection authority shall have written rules for hiring new employees assigned to social and legal protection authorities to perform social and legal protection prepared.

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5c The social and legal protection authority shall register a new employee assigned to the social and legal protection authority and performing social and legal protection for a special professional competence exam within the deadlines specified by legal regulations.



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5d The social and legal protection authority has written rules in place applicable to the training of new employees performing social and legal protection.  
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5e The social and legal protection authority shall specify if it will accept students and other individuals for secondment or voluntary work at its site. The social and legal protection authority shall enable the secondment or voluntary work of students or other individuals on the basis of a contract and after passing appropriate training.  
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Criteria 54 and 5c shall not be assessed for a social and legal protection authority constituted by the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

## **6. Professional Development of Employees**

### **Criteria**

6a A manager of a social and legal protection authority assigned to perform social and legal protection shall regularly assess his or her subordinates who participate in performing social and legal protection.

The manager assigned to the social and legal protection authority shall be reviewed by his or her direct superior at least on an annual basis.

The review shall primarily focus on determining and meeting personal professional goals and on needs for further professional development.  
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6b The social and legal protection authority shall have developed written individualised training plans for individual employees assigned to the social and legal protection authority to perform social and legal protection.  
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6c The social and legal protection authority shall provide for the ongoing training of employees assigned to social and legal protection authorities to perform social and legal protection in the scope of at least six business days every calendar year in the form of employees assigned to social and legal protection authorities to perform social and legal protection attending educational courses accredited by the Ministry of Labour and Social Affairs. The training of the employees assigned to social and legal protection authorities to perform social and legal protection shall be based on the individualised training plans and shall focus on improving professional competences.  
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6d The social and legal protection authority shall provide the support of a competent independent expert to the employees assigned to social and legal protection authorities to perform social and legal protection who are engaged in direct work with Clients.

## **7. Prevention**

### **Criteria**

7a The social and legal protection authority shall look for and monitor vulnerable children; it shall demonstrably coordinate, and/or create conditions for the performance of, preventive activities in its administrative district.  
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7b Within preventive activities, the social and legal protection authority shall cooperate with other individuals, legal entities and public authority bodies, namely territorial self-governing bodies, Charged

Persons, social service providers, representatives of schools and schooling facilities, the Police of the Czech Republic, the Probation and Mediation Service, courts, the prosecuting attorney's offices, healthcare service providers, and/or other individuals, legal entities and public authority bodies involved in caring for vulnerable children based on local needs and conditions. All parties mentioned above can use a team for children and youth as a form of cooperation within the matter mentioned above.

## **8. Accepting Information, Assessing Urgency and Assigning Cases**

### **Criteria**

8a The social and legal protection authority shall consistently apply procedures appropriate for accepting information on new cases and registering them.

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8b Each case of the social and legal protection authority shall be assessed in terms of the urgency thereof.

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8c Each case shall be assigned to a particular case coordinator who shall manage the process of performing social and legal protection in the particular case.

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8d Each employee assigned to a social and legal protection authority to perform social and legal protection and each probation officer for children and youth shall work with a maximum of 80 families and 40 families, respectively; when working with Carers and Registered Persons, 40 families shall be the maximum.

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Criterion 8d shall not be assessed for a social and legal protection authority constituted by a municipal authority, regional authority, the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

## **9. Dealing with Clients, Assessments and an Individualised Child Protection Plan**

### **Criteria**

9a In dealing with Clients, the social and legal protection authority shall follow the fundamental principles of the performance of social and legal protection and shall primarily:

- Respect an individualised approach to all Clients;
  - Follow the particular needs of each Client;
  - Support Clients' independence;
  - Apply an individualised approach to the needs of each Client;
  - Promote caring for children;
  - Strengthen the social inclusion of Clients;
  - Strictly follow human rights and fundamental freedoms;
  - Support contact with the natural social environment; and
  - Inform Clients of procedures applied in the performance of social and legal protection.
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9b The social and legal protection authority shall arrange for services needed to deal with persons with specific needs, or shall agree on cooperation with individuals and legal entities to outsource the services.

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9c The social and legal protection authority shall carry out a basic assessment of a child's needs and the family's situation (hereinafter the "Assessment") in all cases, namely at the moment of a child's being entered

into the register of children specified in Section 54 of the Act; the Assessment shall focus on whether a child specified in the following sections of the Act is involved: Sections 6, 54 (a) and 54 (b), or whether the child was entered into the Children Register for other reasons. If the Assessment's results indicate that a child specified in Section 6 of the Act is involved, the social and legal protection authority shall carry out a detailed assessment.

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9d The social and legal protection authority of a municipal authority of a municipality with extended powers shall prepare an individualised child protection plan if a detailed assessment was conducted and the results indicated that a child specified in Section 6 of the Act is involved; the social and legal protection authority shall review and subsequently close the plan.

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Criteria 9c and 9d shall not be assessed for a social and legal protection authority constituted by a municipal authority, regional authority, the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

## **10. Inspection of Cases**

### **Criterion**

10a The social and legal protection authority shall provide for regular inspections of cases.

## **11. Risky and Emergency Situations**

### **Criterion**

11a Employees assigned to social and legal protection authorities to perform social and legal protection shall be ready to handle risky and emergency situations and shall be demonstrably advised as to situations that may occur in connection with the performance of social and legal protection, including procedures for the resolution thereof.

## **12. Documentation on the Performance of the Social and Legal Protection of Children**

### **Criteria**

12a The social and legal protection authority shall apply the system of preparing, maintaining, registering and archiving documentation, including the maintenance of electronic documentation on Clients and other persons in the social and legal protection information system.

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12b Records of the social and legal protection authority shall be kept in a way that makes the records understandable to the Client.

## **13. Processing and Filing Complaints**

### **Criteria**

13a The social and legal protection authority shall have rules in place for the filing, processing and registration of complaints in a form understandable for all Clients.

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13b The social and legal protection authority shall inform Clients and other persons of the possibility of filing a complaint in a way understandable to the Clients and other persons.

**14. Interconnectedness of Social and Legal Protection and Other Entities**

**Criteria**

14a The social and legal protection authority shall mediate and recommend the services of other individuals and legal entities to Clients based on their needs in compliance with the support goals specified in the individualised child protection plan.

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14b The social and legal protection authority shall pay substantial attention to the preparation of children above 16 years of age who have lived in an institution, substitute family care or in the care of probation officers for independent life.

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Criterion 14b shall not be assessed for a social and legal protection authority constituted by a municipal authority, regional authority, the Ministry of Labour and Social Affairs or the Office for the International Legal Protection of Children.

## **Annex 2**

### **Social and Legal Protection Quality Standards Applicable to the Provision of Social and Legal Protection by Charged Persons pursuant to Section 48 (2) (d) to (f) of the Act**

#### **1. Goals and Work Methods of a Charged Person**

##### **Criteria**

1a A Charged Person shall have the mission, goals, Target Group and principles of his or her work defined in writing in a form understandable to the Target Group with whom he or she works. The Charged Person shall have published a listing of the activities in which he or she has been engaged on the basis of an authorisation.

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1b The Charged Person shall have written internal rules defining a potential conflict of interest of the Charged Person's employees and persons from the Target Group, including the rules for resolving such situations.

#### **2. Protection of Rights and Protected Interests**

##### **Criteria**

2a 1. The Charged Person shall strictly follow human rights and freedoms, namely the children's right to privacy, dignity and family life.

2. The Charged Person shall have written rules in place to prevent the violation of fundamental rights and freedoms defined in writing, namely remedial mechanisms and procedures toward an employee who would violate the fundamental rights and freedoms.

3. The Charged Person shall always seek the child's opinion and take due consideration thereof.

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2b The Charged Person shall protect the child from maltreatment, abuse and neglect. The Charged Person shall have a procedure to prevent such situations and to be applied upon discovering such situation (both on the part of the parent or another person responsible for the child's upbringing, and an employee of the Charged Person) specified in writing.

#### **3. Premises and Conditions**

##### **Criterion**

3a The Charged Person shall create material, technical and sanitary conditions corresponding to the scope of activities provided by the Charged Person. The premises must meet the needs of the Target Group, must be adequate to the purpose and must respect the need for privacy.

#### **4. Awareness of the Performance of Social and Legal Protection and Activities of the Charged Person**

##### **Criteria**

4a The Charged Person shall inform the Target Group of the provision of social and legal protection by the Charged Person in an understandable way.

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4b The Charged Person shall have written rules and procedures in place specifying when the provision of social and legal protection to the Target Group can be denied. These rules must not be discriminatory.

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4c The Charged Person shall publish internal rules and procedures prepared to meet these social and legal protection quality standards in providing social and legal protection in a way enabling remote access or in any other appropriate way.

**5. Supporting Natural Social Community**

**Criteria**

5a The Charged Person shall support a child in maintaining relationships with a natural social community.

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5b The Charged Person shall support the establishment and development of contacts and social relationships with the child’s relatives or persons close to the child, if in the child’s interests, and shall have written rules as to how and when the contact between the child and these persons is conducted and how to prepare the child, foster carers, the parents, persons responsible for the child’s upbringing, the child’s relatives or persons close to the child for the contact.

**6. Staffing**

**Criteria**

6a The Charged Person shall have the organisational structure, the number of job positions, qualification requirements, personal suitability requirements and job profiles of individual employees specified in writing.

6b The organisational structure and number of employees shall be adequate to the scope of the provided services and needs of the Target Group.

6c The Charged Person shall have the authorisations and duties of individual positions within the organisational structure determined in writing.

**7. Hiring and Training**

**Criteria**

7a Employees of the Charged Person and other individuals engaged in the direct provision of social and legal protection in the name of the Charged Person shall meet the qualification requirements and shall be without a criminal record.

7b The Charged Person shall have written internal rules in place applicable to the hiring and training of new employees.

7c The Charged Person shall have written internal rules applicable to the engagement of persons who have not established an employment relationship with the Charged Person, namely volunteers and those on secondment.

**8. Professional Development of Employees**

**Criteria**

8a The Charged Person shall have a written procedure in place applicable to regular reviews of employees, which primarily includes determining and meeting personal professional goals and needs for further professional development.

8b The Charged Person shall have written individualised plans of further education for individual employees prepared.

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8c The Charged Person shall have a system of financial and moral rewards for employees prepared.  
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8d The Charged Person shall provide its employees with the support of a competent independent expert.

## **9. Work Procedures of the Charged Person**

### **Criteria**

9a The Charged Person shall have written work procedures and methodologies in place to guarantee the due and professional performance of activities carried out on the basis of an authorisation throughout the period of the authorisation's validity. The Charged Person shall develop these procedures and methodologies for the purposes of working with the Target Groups.

9b The Charged Person shall have written internal rules in place to implement and evaluate the preparation, including the content, form and deliverables of group and individualised training and the method of working with applicants in all stages of the preparatory process.

9c The Charged Person shall always have a social worker appointed to work with the child and the Carer or Registered Person.

## **10. Agreement on the Performance of Foster Care**

### **Criteria**

10a The Charged Person shall have written internal rules in place for the purposes of entering into, amending and terminating agreements on the performance of foster care, specifying namely who is authorised to enter into, amend or terminate the agreement, defining elements to be included in the agreement in addition to the essential elements required by the Act and specifying attachments to be delivered to the Client together with the agreement. In entering into, amending or terminating the agreement, the Charged Person shall apply a procedure that will make the content and purpose understandable to persons from the Target Group.

10b The Charged Person shall have written rules in place for the purposes of assessing the achievement of the goals of the agreement on the performance of foster care.

10c The Charged Person shall plan the course of a child's placement in foster care with the child, the Carer or Registered Person, the child's family, the relevant social and legal protection authority of a municipal authority of a municipality with extended powers and other entities. This process shall be based on an assessment carried out by the social and legal protection authority of a municipal authority of a municipality with extended powers and the individualised child protection plan prepared by the social and legal protection authority.

10d The Charged Person shall have a follow-up training plan prepared for Carers and Registered Persons with whom the Charged Person has entered into the agreement on the performance of foster care; the plan shall focus on the development of the competences of the Carer or Registered Person and the improvement of the quality of the provided foster care.

**11. Provision of Information**

**Criteria**

11a The Charged Person shall regularly inform the child, the Carer or Registered Person, the child's family, the social and legal protection authority of a municipal authority of a municipality with extended powers, and/or other authorised entities on the course of the social and legal protection and on the implementation of the child protection plan.

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11b The Charged Person shall have written internal rules in place for the purpose of referring the cases of the children and families with whom it works among the Charged Person's employees.

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11c The Charged Person shall have a written procedure in place for the purposes of the employees' obtaining and sharing information on the performance of social and legal protection with regard to the children and families with whom they work.

**12. Change of Situation**

**Criterion**

12a The Charged Person shall have written rules and procedures in place for the purpose of handling significant changes in the lives of children and families, including the child's leaving the original or substitute family.

**13. Documentation on the Performance of Social and Legal Protection**

**Criterion**

13a The Charged Person shall have rules in place for the purpose of keeping written and/or electronic file documentation on the persons with whom the Charged Person works, namely rules for opening, closing and lending a file, viewing file documentation, making copies of a file and rejecting applications to view a file kept on a child and families.

**14. Processing and Filing Complaints**

**Criterion**

14a The Charged Person shall have written rules in place for the filing, processing and registration of complaints regarding the quality or method of provision of social and legal protection, and shall publish such rules. The Charged Person shall primarily inform the Target Group of how to file a complaint, whom to contact, who will process the complaint and how, and within what deadline it will be processed.

**15. Risky and Emergency Situations**

**Criterion**

15a The Charged Person shall have risky and emergency situations defined in writing together with the procedures to be applied in resolving such situations, and shall demonstrably introduce these rules to employees. The Target Group shall also be familiar with these rules to the necessary extent.



**16. Improving the Quality of the Performance of Social and Legal Protection**

**Criteria**

16a The Charged Person shall have a written system in place for the purpose of regular reviews of the adherence to the quality standards and ongoing inspections and evaluations of the method of performing the social and legal protection.

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16b The Charged Person shall have written internal rules in place for the purpose of obtaining feedback from the Target Group, a municipal authority of a municipality with extended powers and other cooperating individuals, legal entities and public authority bodies.

## Annex 3

### **Social and Legal Protection Quality Standards Applicable to the Provision of Social and Legal Protection by Facilities for Children Requiring Immediate Assistance**

#### **1. Goals and Work Methods of Facilities for Children Requiring Immediate Assistance**

##### **Criteria**

1a A facility for children requiring immediate assistance shall have its mission, goals, Target Group and principles of its work defined in writing and published in a form understandable to children, their parents or other persons responsible for the child's upbringing and other relatives or close persons of the child.

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1b The facility for children requiring immediate assistance shall have written work procedures and methodologies in place to guarantee help for and protection of the child aimed at stabilising his or her situation and providing for his or her return to the family. The work procedures and methodologies shall primarily contain the methods of working with a vulnerable child and his or her family and the procedures applicable to conducting an interview with a child and in assessing the child's needs.

#### **2. Protection of Rights and Protected Interests**

##### **Criteria**

2a 1. The facility for children requiring immediate assistance shall strictly follow human rights and freedoms, namely the children's right to privacy, dignity and family life.

2. The facility for children requiring immediate assistance shall have rules in place to prevent the violation of fundamental rights and freedoms defined in writing, namely remedial mechanisms and procedures toward an employee who would violate the fundamental rights and freedoms.

3. The facility for children requiring immediate assistance shall always seek the child's opinion and take due consideration thereof.

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2b The facility for children requiring immediate assistance shall protect the child from maltreatment, abuse and neglect. The facility for children requiring immediate assistance shall have a procedure to prevent such situations and to be applied upon discovering such situation specified in writing (both on the part of the parent or another person responsible for the child's upbringing, and an employee of the facility for children requiring immediate assistance), and shall follow the procedure in practical life.

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2c The facility for children requiring immediate assistance shall have written internal rules defining a potential conflict of interest of the facility's employees and children and their families, including the rules for resolving such situations.

### **3. Premises and Conditions**

#### **Criteria**

3a The facility for children requiring immediate assistance shall create material, technical and sanitary conditions for the provision of social and legal protection that would approximate the conditions in a natural family environment. The facility shall always stress the importance of a child's specific needs and his or her safety and privacy.

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3b The facility for children requiring immediate assistance shall have a residential ward separated from the non-residential part where consultations are provided and shall have a separate part where children's visits are conducted.

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3c The facility for children requiring immediate assistance established as part of a medical centre or a schooling special treatment facility shall separate activities performed within the social and legal protection from the activities of the special treatment institution, and shall make sure that children are always taken care of in compliance with the form of their placement and their needs.

### **4. Awareness of the Performance of Social and Legal Protection**

#### **Criteria**

4a The facility for children requiring immediate assistance shall inform the child, his or her parents or other persons responsible for the child's upbringing and other relatives or close persons of the child on the provision of social and legal protection by the facility for children requiring immediate assistance in an understandable way, namely on the course of the child's stay in the facility, and the rights and duties of the placed children, employees and the Director of the facility for children requiring immediate assistance.

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4b The facility for children requiring immediate assistance shall publish internal rules and procedures prepared to meet these social and legal protection quality standards in providing social and legal protection in a way enabling remote access or in any other appropriate way.

### **5. Supporting Natural Social Community**

#### **Criteria**

5a The facility for children requiring immediate assistance shall support children placed in the facility in maintaining relationships with a natural social community, namely in establishing and developing contacts and social relationships with the children's relatives and close persons.

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5b The facility for children requiring immediate assistance shall create opportunities for a child placed in the facility to use publicly-available services (school or pre-school, hobby groups outside the facility, etc).

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5c The facility for children requiring immediate assistance shall have written rules in place for the purposes of providing help and counselling to a placed child's family, namely it shall have possibilities and offers specified with regard to assistance in making arrangements related to the child or in arranging therapy and training in parental and other skills needed in caring for a child in line with the individualised child protection plan.

## **6. Staffing of a Facility for Children Requiring Immediate Assistance**

### **Criteria**

6a The facility for children requiring immediate assistance shall have the organisational structure, the number of job positions, qualification requirements, personal suitability requirements and job profiles of individual employees specified in writing.

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6b The organisational structure and number of employees shall be adequate for the scope of the provided services and the needs of the placed children. In addition to employees providing personal care to children, the facility for children requiring immediate assistance shall also employ one social worker for each ten placed children as a minimum; the social worker shall meet the professional competence requirements as specified by the Social Service Act.

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6c The facility for children requiring immediate assistance shall arrange medical care and a psychologist's help for the placed children. If the medical care and the psychologist's help are outsourced, the facility for children requiring immediate assistance shall publish who provides such care and in what scope.

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6d The facility for children requiring immediate assistance shall have the authorisations and duties of individual positions within the organisational structure determined in writing.

## **7. Hiring and Training Employees**

### **Criteria**

7a Employees of the facility for children requiring immediate assistance engaged in the direct provision of social and legal protection shall meet the qualification requirements and shall be without a criminal record in compliance with the Act on the Social and Legal Protection.

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7b The facility for children requiring immediate assistance shall have written rules in place for the purpose of hiring new employees and shall apply these rules in practical life. The facility for children requiring immediate assistance shall have written internal rules in place applicable to the training of new hires.

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7c The facility for children requiring immediate assistance shall have written internal rules applicable to the engagement of persons who have not established an employment relationship with the facility for children requiring immediate assistance, namely volunteers and those on secondment.

## **8. Professional Development of Employees**

### **Criteria**

8a The facility for children requiring immediate assistance shall have a written procedure in place applicable to regular reviews of employees, which primarily includes determining and meeting personal professional goals and needs for further professional development.

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8b The facility for children requiring immediate assistance shall have written individualised plans of further education for individual employees prepared.

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8c The facility for children requiring immediate assistance shall have a system of financial and moral rewards for employees prepared.

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8d The facility for children requiring immediate assistance shall provide its employees with the support of a competent independent expert.

## **9. Accepting Children into the Facility**

### **Criteria**

9a The facility for children requiring immediate assistance shall have written procedures in place for the purpose of accepting a child into the facility, the child's visits outside the facility, visits of the parents and other relatives or close persons of the child in the facility and for the purpose of providing for the child's personal, phone or written contact with the parents, relatives or other close persons, the contact being as close as possible; the facility for children requiring immediate assistance shall demonstrably introduce these procedures to the child, his or her parents or other persons responsible for the child's upbringing and the child's relatives or close persons, and shall follow these procedures in practical life.

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9b The facility for children requiring immediate assistance shall have written internal rules in place for the purposes of entering into agreements on a child's placement into the facility, specifying namely who is authorised to enter into the agreement, defining elements to be included in the agreement in addition to the essential elements required by the Act, specifying attachments to be delivered to a statutory representative with whom the agreement has been entered into together with the agreement, and explaining the process of terminating the agreement. In entering into the agreement, the facility for children requiring immediate assistance shall apply a procedure that will make the content and purpose understandable to the child and the statutory representative(s).

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9c The facility for children requiring immediate assistance shall have written rules and procedures in place for the purpose of situations where a child's placement in the facility for children requiring immediate assistance can be rejected upon an agreement with the statutory representative. These rules must not be discriminatory.

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9d The facility for children requiring immediate assistance shall discuss the requirements, expectations, goals and purpose of a child's placement into the facility with the statutory representatives of the placed child, the child or a social and legal protection authority of a municipal authority of a municipality with extended powers; the facility for children requiring immediate assistance shall define the above in compliance with the child's best interests and in line with the performance of social and legal protection.

## **10. The Social and Legal Protection Plan for a Child Placed into a Facility for Children Requiring Immediate Assistance**

### **Criteria**

10a The facility for children requiring immediate assistance shall have written internal rules in place for the purpose of preparing a social and legal protection provision plan, and internal rules and procedures specifying the method of reviewing whether the plan has been implemented. The facility for children requiring immediate assistance shall prepare a social and legal protection provision plan in specific cases in compliance with the internal rules.

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10b The facility for children requiring immediate assistance shall have

written internal rules in place to regulate the cooperation of the facility with parents, social and legal protection authorities of municipal authorities of municipalities with extended powers and other entities in preparing a social and legal protection provision plan for children in the facility.

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10c The facility for children requiring immediate assistance shall have a social worker appointed for the purpose of preparing and reviewing the implementation of the social and legal protection provision plan for each child.

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10d The facility for children requiring immediate assistance shall have written internal rules and procedures in place for the purpose of a change in the position of the social worker or the employee providing personal care to the child.

## **11. Provision of Information**

### **Criteria**

11a The facility for children requiring immediate assistance shall have internal rules in place stipulating the method and scope of informing the child, the child's family, persons responsible for the child's upbringing or persons close to the child, the social and legal protection authority of a municipal authority of a municipality with extended powers, and/or other authorised entities on the course of the social and legal protection and on the implementation of the social and legal protection plan.

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11b The facility for children requiring immediate assistance shall have a written procedure in place for the purposes of the employees' obtaining and sharing information on the performance of social and legal protection with regard to individual children and families (the system of sharing information among employees who have been involved in resolving the child's and family's situation), and for the purpose of protecting the rights and justified interests of the child and his or her family members, namely protecting their privacy and personal data.

## **12. Termination of Care in a Facility for Children Requiring Immediate Assistance**

### **Criterion**

12a The facility for children requiring immediate assistance shall have written internal rules in place for the purpose of handling significant changes in the lives of children and families, including the termination of a child's placement in the facility for children requiring immediate assistance.

## **13. Documentation on the Performance of Social and Legal Protection**

### **Criterion**

13a The facility for children requiring immediate assistance shall have rules in place for the purpose of keeping written, and/or electronic file documentation on persons with whom the facility works, namely rules for opening, closing and lending a file, for viewing file documentation, for making copies of a file and for rejecting applications to view a file kept on a child and his or her family.

**14. Processing and Filing Complaints**

**Criterion**

14a The facility for children requiring immediate assistance shall have written rules in place for the filing, processing and registration of complaints regarding the quality or method of providing social and legal protection, and shall publish such rules. The facility for children requiring immediate assistance shall primarily inform the Target Group of how to file a complaint, whom to contact, who will process the complaint and how, and within what deadline it will be processed.

**15. Risky and Emergency Situations**

**Criterion**

15a The facility for children requiring immediate assistance shall have risky and emergency situations defined in writing together with the procedures to be applied in resolving such situations, and shall demonstrably introduce these rules to its employees. The placed children, their parents or other persons responsible for the children's upbringing and other relatives or close persons of the child shall also be familiar with these rules to the necessary extent.

**16. Improving the Quality of the Performance of Social and Legal Protection**

**Criteria**

16a The facility for children requiring immediate assistance shall have a written system in place for the purpose of regular reviews of the adherence to quality standards and ongoing inspections and evaluations of the method of performing social and legal protection.

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16b The facility for children requiring immediate assistance shall have written internal rules in place for the purpose of obtaining feedback from the Target Group, a social and legal protection facility of a municipal authority of a municipality with extended powers and other cooperating individuals, legal entities and public authority bodies.