STANDARD SUMMARY PROJECT FICHE

1. Basic information

1.1 Project number: RO-9905-02
1.2 Title: Development of Child Welfare Services
1.3 Sub-programme: RO-9905, Strengthen Democracy, and the Rule of Law and Human Rights
   Twinning component: RO-IB-99-OT-03: Child protection, budget 1 M €
1.4 Background and Justification

In 1997, the decentralisation of the child welfare system started with the transfer of the residential care institutions to the specialised public services for child protection created at county level and with the creation of alternatives to placing children in the institutions. The general direction of change was appropriate, but only partially addressed the problem. A significant number of the residential care institutions for children have continued to be under the control of other ministries, making it very difficult to co-ordinate responsibilities, in relation to provision of minimum care standards and improvements in quality of care for all institutionalised children. Although the reformed child welfare system has the potential for the more efficient use of existing resources and the securing of real promotion of children’s rights, the inadequate provision of sufficient resources needed for the implementation of the reforms has affected the entire system. There has resulted in certain institutions a grave situation regarding children’s physical and environmental care conditions. As a result of these financial and administrative factors, living conditions in child care institutions seriously deteriorated in 1999. This deterioration led to the European Commission re-directing Phare 1998 assistance to cover the urgent provision of institutionalised children’s basic physical needs.

Giving top priority to child protection, in order to set the basis for further reform, the Romanian Government decided to create a single central authority, responsible for putting into practice respect for children’s rights, establishing policies relating to children in care and developing appropriate standards for all child welfare services and residential child care institutions including those for disabled children. The single authority - the National Agency for the Protection of Child’s Rights - created through the Emergency Ordinance no.192/1999 is responsible also for supervising and controlling the performance of all child protection services and institutions in accordance with the new standards. The main responsibilities of the Agency are:

- Development, implementation and co-ordination of a national child protection policy and strategy
- Securing the legal framework for the provision of services required by the national strategy
- Monitoring and evaluation of the implementation of the reforms and the quality of care in respect of children’s rights

However, the current major issue, with childcare and decentralisation, is the transfer to the Judets in July 2000, of responsibility for the residential element of all residential special schools, of the camin spital (hospitals for handicapped children), NPI’s, and for dystrophic centres. The precise number of children being transferred is not certain, but is thought to be about 42,000 in 248 residential institutions.

Departments for Child Protection under the County Councils now will have to include the transferred residential institutions into their County Child Welfare Strategy.
2. Objectives

2.1 Overall objective

The overall objective of the 1999 Phare programme is to develop and reform the child protection system in Romania through supporting Romanian authorities, mainly decentralised authorities, activities.

2.2 Specific objectives

Programme specific objectives include:

- Strengthening and diversifying services at local level through grant assisted projects
- Improving effectiveness and quality of care at local level through technical assistance at local level supporting the preparation and implementation of the grant assisted projects. Technical assistance will also be provided at central level in direct support of programme implementation
- Monitoring and evaluating the implementation of local projects to determine their appropriateness to national and local strategic requirements, and assessing the sustainability of services developed through the programme
- Ensuring that Romania’s overall social protection policies are effective in providing support to families with children at risk, and preventing abandonment and institutionalisation of children.
- Improving the Romanian population’s awareness of the importance of a family environment for children, the effects of child abuse and institutionalisation, and the existing support and services available to families facing difficulties in bringing up their children

The diversification of the activities of the local authorities in the protection of children’s rights through creation and development of a community integrated child welfare services’ network will be focused on prevention of child abandonment and institutionalisation as well as on de-institutionalisation. Local level activities shall also be consistent with a childcare strategy to be defined by each Judet (county).

Local strategies are defined in line with the national strategy adapted to the local identified needs and resources and approved through a decision of the County Council. The development process of local strategies is based on a general overview analyse of each county’s demographic characteristics or other relevant indicators (unemployment, health, school abandonment, juvenile delinquency rate etc) but also on the number and characteristic of the specific/target population which request any kind of support/intervention in the previous year/period. Starting from these issues, the design of local strategies underlines the main intervention areas, the necessary objectives and activities, identifies the human and financial resources and establishes deadlines for the accomplishment of the proposed goals.

All programme activities should take into consideration important general principles such as:

(i) Full respect for children’s rights as defined in the UN Convention on the Rights of the Child
(ii) Support to families at risk, in order to ensure and to strengthen parental responsibility and reduce the need for children to come into the care system
(iii) The prevention of situations that inhibit the child’s individual development
(iv) The involvement of the community in the assurance of the respect of children’s rights
(v) The accessibility to all social groups of the child welfare services
(vi) The continuation of the reform process in the child protection field (as a component of the social protection system) focusing on the decentralisation of the child protection activities, on the prevention of the abandonment, on the de-institutionalisation of the institutionalised children and movement away from dependence on an outdated ‘medical’ model of care.

Local initiative projects financed through this programme (see further down) shall be selected according to a competitive process taking into account specific criteria elaborated during the planning phase of the programme. Accordingly, resources will be allocated to Judets proposing the most competitive and adequate projects, in the context of well defined judet strategies.

The programme shall also take into consideration and fulfil the political criteria stipulated by the Accession Partnership short-term priority, “guarantee adequate budgetary provisions for the support of children in care and reform of the system for treatment of children with handicaps”. It will also take into consideration the medium-term priority requiring Romania to “consolidate, reform and improve the conditions for the children in care”.

3. Programme Activities

All components of the 1999 Phare programme on Child Protection Reform (25 MEURO) will be focused on the strengthening of the decentralisation process of child welfare activities. Within each judet a combination of measures to be supported under components 3.1 and 3.2 is likely to be appropriate.

3.1. The creation and development of community integrated child welfare projects at local level

This component will allow the development of a range of diversified services (Annexe 2) with a special accent on activities intended to prevent child abandonment and institutionalisation, targeting the following main areas:

- The prevention of child abandonment, abuse or neglect
- The prevention of the institutionalisation of the children in difficulty, children with handicap/disabilities
- The protection of children in need/with handicap, disabilities in family type care
- The de-institutionalisation of children in residential care

These activities will be implemented through grant assisted projects financed under the Phare programme. The implementation arrangements for this funding mechanism and the project selection criteria are detailed in § 4. (Implementation Arrangements). This range of services will provide support, counselling and education to families at risk and in need, and to their children. This will contribute to maintaining/reintegration the children in their families and at the same time in the social structure of the community. This will involve a combination of diversified services to be provided for children in difficulty and their families with a diversified system/mechanism of incentives in order to prevent the child abandonment.

Support for specific projects will be provided in the context of local authorities demonstrating their commitment to development of child protection services. Allocation of adequate local budget to sustain the services developed under this programme will be a condition for the selection of projects (refer to 4.).
Projects within this component will include the following types of activities:

- Implementation and replication of the new child welfare services, including innovative pilot projects, based on newly established national norms and quality standards. The projects will aim at closing down large institutions and will test and diversify a mechanism of incentives in order to prevent child abandonment.
- Provision of initial and on-going training of staff according to the identified needs of local projects financed under this programme (different types of staff and necessary set of skills required for the future projects). Particular attention will be paid to the training of social workers and foster parents.

3.2. Restructuring/rationalisation of the residential care institutions

This component will address reform of residential care by their reorganisation into community integrated child welfare services (Annexe 2), on the basis that a child shall be placed and kept in residential care only for sound medical/social reasons and in her/his best interests. Funds under this programme will be used to support actions designed to ensure that institutions are operated consistently with new standards, which are currently being developed by the NAPCR to be adopted nationally. Institutions being transferred from other ministries will be treated as priority institutions (dystrophic centres, camin spitals, special need schools, neuro-psychiatric units and homes for mentally and physically handicapped children).

Care will be paid to ensuring that such investments do not contribute to the mere maintenance and physical rehabilitation of the existing old-style institutions (especially those in remote areas) and the maintenance of unacceptable practices in institutionalisation. The selected projects must contribute to reducing the number of institutionalised children.

These activities will be implemented through grant assisted projects financed under the Phare programme. The implementation arrangements for this funding mechanism and the project selection criteria are detailed in 4. (implementation arrangements).

Projects within this component will include the following types of activities:

- Implementation of restructuring/rationalisation of residential care institutions as well as procurement equipment and material in order to improve the living condition of children in need, especially the disabled, in the context of a judet child welfare strategy on restructuring/development of services, which demonstrates the necessity of provision of residential care for severely handicapped children
- Provide initial and on-going training of necessary staff according to the identified needs of local projects being financed within this programme (different types of staff and necessary set of skills required for the projects)

Projects within this component shall be consistent with the Judet child welfare strategy.

3.3. Technical Assistance

Technical assistance will cover two distinct categories of activities:
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- Support to local authorities (Judet & municipality level) for the preparation, the submission and the implementation of projects
- Support to national level authorities for programme management, (covering in particular calls for proposal process and the project selection process) and the monitoring of projects

Technical assistance will provide the above mentioned support according to the implementation arrangements described in the present project fiche and in any further programme documentation (Programme Implementation Manuals, financing agreements between CFCU and County Councils/Municipalities).

3.4. Twinning Project

The twinning project will aim at using EU Member States expertise in facilitating co-operation between the Ministry of Labour and Social Protection services (at central and local level) with childcare departments (at central and local level), to ensure that Romania’s overall social protection policies are effective in providing support to families with children at risk, and preventing abandonment and institutionalisation of children. For the purpose of this twinning project, the MoLSP will have to work closely with the NAPCR, to define key issues and modalities for co-operation. The twinning partner will assist in the development of effective common strategies, strengthening the mechanisms for co-operation in the implementation of policies, (particularly as regards co-operation between services ‘on the ground’ at local level), and provide training for central and decentralised staff of the MoLPS and NAPCR. The twinning partner will also assist the government in the preparation of secondary legislation for the introduction of any agreed changes to the benefits system, including family allowance system, which will aim at preventing abandonment at source. This activity should be closely co-ordinated with World Bank support for the reform of the social protection system.

Guaranteed results of the twinning
- mechanisms for co-operation in the implementation of social assistance policies established,
  (particularly as regards co-operation between services ‘on the ground’ at local level)
- increased efficiency of the social care services, at local level
- appropriate family allowance system introduced
- necessary secondary legislation developed
- selected staff of central and local services of MoLSP and NAPCR trained on social policy, planning and strategic design, social rights, quality control and management issues

The duration of the twinning will be eighteen months. The Pre Accession Advisor (PAA) will be seconded to the MoLSP, but will work in close co-operation with the NAPCR. Short term expertise, e.g. for drafting of legislation and training, will be required.

Profile of the PAA
- at least 5 years experience in the management of social assistance/child protection services at national or decentralised (local) level
- good working knowledge in English and or French, knowledge of Romanian is an advantage
- good interpersonal and co-ordination skills

3.5. Public Awareness Campaign for the development of children protection in Romania
The objectives of the Public Awareness Campaign component include:
- Population awareness on the importance for a child to be brought up in a family environment
- Population awareness on effects of child abuse and institutionalisation
- Society informed on its role and responsibilities regarding childcare
- Society informed on existing opportunities and services for families who cannot bring up their children

The Public Awareness Campaign shall target the following groups:
- General Population
- Women
- Parents
- Youth
- Children
- Professionals groups (doctors, nurses, staff of child welfare services/residential institutions, social workers, priests and teachers…)
- Media professionals

Targeted groups should be informed and advised on:
- Negative effects of institutionalisation
- Effects of abandonment
- Women rights, pregnancy, domestic violence and effects of repeated abortions
- Social rights
- Sexual education and contraception
- Children’ rights
- Family planning
- Family counselling
- Foster families
- National adoption
- Social workers role in preventing child abandon/institutionalisation
- Other alternatives aimed at keeping children at home
- How to obtain assistance and services available for the targeted groups (see scope of the work)

This Public Awareness Campaign shall be delivered by existing media on a programme duration of no more than two years. It is understood that there is no requirement to develop a sustainable functional structure. This component should be developed and practised by people/organisation with intimate knowledge of Romanian media and culture and knowledge of international media means.

4. Institutional framework

The programme will support the implementation of the overall policy lines defined by the High Level Donors Group set up under the auspices of the Prime Minister and incorporated by the Government of Romania in its National Strategy Concerning Child Welfare 2000 - 2003.

Responsibility for the overall co-ordination and management of the programme rests with the NAPCR.

In accordance with its mandate, the NAPCR completed the legislative framework with provisions regarding a system for co-financing Programmes of National Interest from both the central budget and county councils budgets, and also concerning the reorganisation of the residential care institutions
under the subordination of other ministries within the structure of the specialised public services for child protection.

A system that enables the Agency to co-finance Programmes of National Interest is now set up, through the transfer of funds from its budget to the budget of the county councils and local councils of the Bucharest municipality, respectively, based on specific bilateral conventions. According to the identified priorities, the main objectives of the defined Programmes of National Interest are:

- support for the specialised public services for child protection in order to ensure their operation,
- the promotion of the child’s right to family life,
- restructuring of the residential care institutions
- social reintegration of the street children

The financial mechanisms of the child protection system has been completed with regulations concerning the contribution of the local community from which the protected child came, in order to define and to exploit an additional source of finance for county and local child protection services. This process started with a decision of the President of the Agency, which defined the criteria for establishing the community of origin of the child, and continues with the promotion and approval of a governmental decision about the procedure for the payment of this contribution.

The government decision concerning the transfer of certain residential child care institutions to the specialised public services for child protection, lists those institutions to be transferred and specifies that the appropriate budget must also be transferred within the given time scale, from the Ministries which currently have control of the institutions and the child protection. The governmental decision not only mentions each institution that is transferred, but also the fact that the transfer of the financial sources should be done in the same time, from the budget of the ministries to which this institutions were subordinated to, in order to ensure their proper functioning.

In addition to these normative acts, the Romanian Government approved the National Child Protection Reform Strategy, elaborated by the Agency for period 2000-2003. The document is starting from the Agency’s mission and being based on primary action principles, specifying the objectives, the types of priority activities, the assessment indicators and the results expected in the process child protection reform in the above mentioned period.

One of the most important actions, which started the implementation of the strategy in accordance with the requirements of the European Commission, was the promotion and approval of basic quality care standards (for placement centres and foster-care) and best practice guidance for a number of diversified services, to improve the quality of provided care as well as to define a holistic approach in the organisation and functioning of these services.
5. **Budget** *(indicative figures only, to be finalised)*

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<thead>
<tr>
<th>Budget</th>
<th>Local level</th>
<th>National level</th>
<th>TOTAL PHARE</th>
<th>National Co financing</th>
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<tr>
<td>▪ Creation and development of community integrated child welfare projects at local level and reinforcement of the organisational capacity at local level.</td>
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<td>19 MEURO</td>
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<td>▪ Restructuring/rationalisation of the residential care institutions</td>
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<td>Technical assistance</td>
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<td>▪ Support to the preparation, the submission and the implementation of projects</td>
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<td>▪ Support to the selection (including call for proposal process) and the monitoring of projects</td>
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<td>Twinning component</td>
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<td>Public Awareness Campaign for the development of children protection in Romania</td>
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<td>2.6 MEURO</td>
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<td>TOTAL</td>
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N.B. The funds related to national co-financing are contained within the newly created National Interest Programmes of the government.

6. **Implementation Arrangements**

6.1 **Overall programme implementation arrangements**

The programme will be implemented according to Phare DIS procedures and rules. The Implementing Agency, responsible for contracting and financial management for all components will be the CFCU. The implementing authority, responsible for the technical aspects of the programme, will be the NAPCR, apart from the twinning component for which the responsibility will belong to the Ministry of Labour and Social Protection.

6.2 **Specific implementation arrangements for 3.1 and 3.2**

For the components 3.1 and 3.2, projects will be financed through a grant scheme. Only projects in partnership with public authorities (judet and municipal) will be eligible to propose projects for financing under the grant scheme.

Costs eligible for financing under the grant scheme may include salaries, and running costs, investments and training costs. The grant scheme will respect the Phare Regulation with regard to the digressivity of financing of operational costs (projects will be designed on the basis of a phasing out of Phare support for salaries and running costs, which will be progressively covered by local public finance within a specified time period).
The grant scheme does not aim at full national coverage, but intends to develop a substantial body of experience of implementation of improved child care policies in at least 10 judets, which demonstrate capacity and willingness to make the necessary efforts.

Projects will be selected and managed under Phare DIS procedures and rules, and in particular rules for grant schemes, through national call(s) for proposals and transparent and competitive selection procedures.

Clear and precise project selection criteria will be established, including project financial limits (floor and ceiling) which will take into consideration not only the quality and feasibility of project proposals, but also consistency with judet strategy (this is particularly the case for projects under 3.2). Selection criteria will be prepared by the NAPCR in the planning phase of the programme and endorsed by the EC Delegation.

The NAPCR will be responsible for ensuring that all eligible authorities are provided with full information about the selection criteria, project financial limits, the deadline and conditions of calls for project proposals, and administrative arrangements.

A national project selection committee will be set up under the chairmanship of the NAPCR. The composition and rules for the functioning of the Committee shall be agreed between the Agency and the EC Delegation. The Agency and the EC shall pay particular attention to the competence, integrity and credibility of the selection committee. The committee will assess the proposals received from judet and municipal authorities, and make recommendations to the NAPCR and the EC Delegation as to those which correspond to the eligibility criteria, and on priorities for financing. Priorities for financing will take account of programmes and project being implemented under financing from other sources (such as World Bank, Development Bank of the Council of Europe). Where project proposals envisage co-operation between judet or municipal authorities and NGOs, the committee shall pay attention to the competence, experience and probity of the concerned NGOs.

The selected projects will be implemented through financing agreements between the CFCU and the proposing local authority, to be endorsed also by the NAPCR. The decentralised nature of the programme requires local and municipal authorities to assume responsibility for management of project funds provided under the financing agreements. Guidelines on financial procedures will be established, taking account of Phare DIS rules for grant schemes, covering:

1. transfer of funds from the CFCU to judet/municipal authorities, including a standard format for financing agreements, and payment procedures and arrangements for financial accounting and operational reporting on project implementation, and,

2. arrangements for the financial management of projects by the judet/municipal authorities, ensuring clarity as regards the authorities approving and endorsing the local contracts and payments and arrangements for financial control in accordance with national legislation, as well as specific recommendations which may be made by the Commission.

Mechanisms and criteria shall be established for monitoring the satisfactory implementation of projects financed under this programme to ensure the value for money and effectiveness of the activities being supported.
The implementation arrangements, conditions and rules will be further specified in programme documents including technical assistance terms of reference, programme implementation manuals and programme financing agreements between the programme supervising and implementing bodies.

Projects proposed for improved services based on co-operation between local authorities and NGOs will be encouraged.

6.3 Implementation arrangements for Twinning

Beneficiary institution: Ministry of Labor and Social Protection
Contact person: Adina Dragotoiu, Director General MOLSP

7. Implementation schedule

- Start of tendering: November 2000
- Start of project activity: January 2001
- Project Completion: 31 December 2002

8. Equal opportunity

The field of child protection can be characterised by a much higher participation of women than men in all professions and all functions, throughout the country. In the project, all functions will be scaled and the relevant job descriptions will be prepared. In all reporting, statistics will be submitted on the proportion of men and women working for the Project and how gender issues were dealt with.

9. Conditionality

A specific commitment will be made by the Ministry of Finance about the provision of national budget finance to sustain areas of activity developed through the Phare support. While it is the responsibility of judet or municipal authorities to provide funds within their budgets to sustain activities developed through Phare support, the Ministry of Finance will ensure the effective functioning of national financial mechanisms to ensure that local budgets have adequate resources to meet the requirements for implementation of the new approach to decentralised services.

This process has already begun: the ratification of the Financial Memorandum regarding National Phare Programme 1999 signed between the European Commission and the Romanian Government and ratified in the Emergency Ordinance No 106-2000. The Ministry of Finance has already guaranteed financial support through the Agency for local authorities wishing to enter co-financing agreements with Phare Programme. Financing will also be supported through the current transfer of institutions to the Judet councils. Further conditionality includes guarantees that the local authorities progressively assume responsibilities for operating costs once the utility of the activities have been demonstrated.

The Government should ensure that the financial control system relating to local public budgets is put in place in accordance with the principles of the new legislation on financial control, and applied in
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relation to Phare and public funds provided for the implementation of reformed child protection policies.

At local authority level, the funds would be provided subject to respect for the standards and guidelines established by the Agency at national level. Projects would be subject to technical monitoring by the Agency concerning respect for programme guidelines and legally required standards.