

Foster care system



Institute for Social Well-Being and Research
in partnership with UNICEF, Tdh-L, IRC, Bethany,
Handicap International, LUMOS, French Embassy

Revised edition

Port-au-Prince Haiti - 1st quarter 2017

Placement device

at

HOST FAMILY

*Every child
counts!*

**Institute for Social
Wellbeing and Research
(IBESR)**

in partnership with

- **UNICEF;**
- **Tdh-L;**
- **IRC;**
- **Handicap International;**
- **LUMOS;**
- **French Embassy.**

*Revised edition Port-au-
Prince Haiti - 1st
quarter 2017
1st edition, 2013*

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LIST OF ACRONYMS AND ABBREVIATIONS

BPM: Brigade de Protection des Mineurs
(Minors' Protection Brigade)
CIDE : Convention on the Rights of the Child
DISE: Determination of the Best Interests of the Child
IBESR: Institut du Bien-Etre Social et de Recherches
IOM: International Organization for Migration
IRC: International Rescue Committee
MAST: Ministry of Social Affairs and Labor
NGO: Non-Governmental Organization
Tdh-L : Fondation Terre des hommes - Lausanne
UNICEF : United Nations Children's Fund
UNHCR: United Nations High Commissioner for Refugees

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Foreword by the Minister des Affaires Sociales et du Travail

Le Ministère des Affaires Sociales et du Travail (MAST) félicite l'Institut du Bien Etre Social et de Recherches (IBESR) pour l'élaboration du dispositif de familles d'accueil ; et remercie l'ensemble des partenaires pour leur précieuse contribution à cette initiative. Il s'agit d'une démarche hautement significative dans la quête de solutions de plus en plus efficaces, efficientes et durables dans l'intérêt supérieur des enfants privés de protection parentale.

Cette démarche permet valablement au Gouvernement, et à l'Etat d'Haïti, de répondre à une triple exigence : celle de la constitution requérant le droit à la famille à chaque enfant; celle de la loi du 15 mai 2003 - relative à l'interdiction de toutes formes d'abus, de violences et de traitements inhumains contre les enfants- offrant l'opportunité de recourir aux familles d'accueil pour ses fonctions supplétives au profit des enfants séparés de leurs parents; et celle instruite par la grave réalité de séparation familiale et la prise en charge pour une grande part inadéquate au niveau des maisons d'enfants, recommandant la mise en place d'alternatives viables à la prise en charge du groupe en question.

La question de la séparation familiale et du placement des enfants sont des sujets d'importance capitale pour le système de protection de l'enfance. Elle conditionne la situation d'un bon nombre d'enfants qui vont; des enfants abandonnés vers les enfants en institution en passant par les enfants de rue, les victimes de trafic entre autres; dressant un tableau que l'Etat tend à repeindre. Car si l'on devrait quantifier ce groupe représenterait une grande proportion des 24% d'enfants vulnérables du pays démontrés par EMMUS V.

Déjà, le Gouvernement a mis au point un ensemble de programmes sociaux visant la protection des enfants et des familles vulnérables. Aussi, un ensemble d'initiatives sont prises pour améliorer la qualité des services fournis à la population et aux enfants en particulier tout en cherchant, par ailleurs, à standardiser l'intervention de l'ensemble des partenaires du système. Ce dispositif récemment rédigé, vient renforcer ce vaste mouvement tendant à offrir des opportunités effectives aux plus vulnérables, sur tout le territoire national.

Le Ministère des Affaires Sociales et du Travail (MAST), en se référant à l'organisation du présent dispositif qui étale; notamment le processus d'identification, de recrutement et d'accréditation des familles d'accueil ; les critères de sélection des enfants qui vont en bénéficier et le processus d'accueil en lui-même; est conscient de la minutie avec laquelle les parties prenantes ont analysé la situation. Il convient de préciser que ce dispositif, offre à l'Institut du Bien Etre Social et de Recherches (IBESR) un cadre de référence claire pour piloter cette vaste entreprise qui nécessite un suivi de proximité constant et ampoulé. Aussi, tous les partenaires intéressés par la question, y trouveront les ressources nécessaires pour concevoir, mettre en œuvre et supporter toutes démarches s'y rattachant.

Le Ministère des Affaires Sociales et du Travail (MAST), à cette phase, entend remercier tout particulièrement l'Unicef, Terre des Hommes Lausanne et l'IRC, qui ont grandement apporté leur expertise technique à cette noble entreprise. Plus loin, en reconnaissant l'énormité de la tâche requise pour la mise en œuvre du dit dispositif, il saisit l'occasion pour souhaiter un bon travail à tous.

Charles JEAN-JACQUES
Ministre



Foreword by the General Manager of the Institute for Social Wellbeing and Research (IBESR)

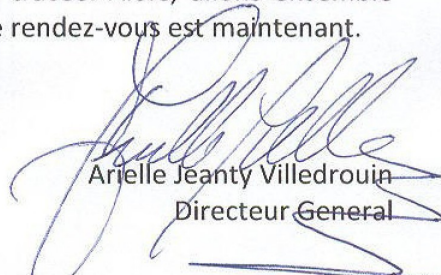
En tant qu'haïtiens, nous croyons profondément dans les valeurs sacramentelles de la famille. Notre constitution et nos lois en font un point capital. Nos mœurs, nos coutumes pleines d'histoires en font aussi écho. C'est la base cellulaire de la Société ; le microcosme social chargé en première instance de la socialisation primaire des enfants : les futurs gestionnaires de la chose publique.

Aujourd'hui, outre le renforcement des familles existantes, les pratiques de solidarité interfamiliale et le certificat de garde provisoire délivré en vue d'adoption, l'Institut du Bien Etre Social et de Recherches (IBESR) a recours à une nouvelle formule : les familles d'accueil. Nouvelle, puisque maintenant codifiée à travers ce que nous convenons d'appeler : « le dispositif de placement en familles d'accueil ».

Le dispositif de placement en familles d'accueil témoigne de la volonté de construire un système de prise en charge, de plus en plus riche d'alternatives au profit des enfants. Il est aussi prestement élaborer pour viser la problématique de la séparation familiale. Cette dernière étant la variable explicative la plus puissante qui sous-tend le tableau des vulnérabilités des enfants en Haïti. Conditionnée surement par différents vecteurs, notamment les catastrophes naturelles récurrentes; elle est substantiellement corrélative à la pratique irresponsable de certains hommes; qui ont des enfants à chaque carrefour, sans se soucier de la responsabilité qui s'en suit. Les géniteurs ambulants dixit Diem Pierre.

Cette dite situation nous renvoie d'emblée au bien fondé de la loi sur la paternité, la maternité et la filiation qui, par son application, permettra de maîtriser cet enjeu ; d'inciter un changement de mentalité et d'assurer une responsabilité sociétale dans laquelle chacun se sentira pleinement acteur. Nous devons nous affirmer comme des leaders de cette reconquête citoyenne.

Au moment où nous entamons le processus de renouvellement des politiques publiques reliées à l'Enfance ; nous sollicitons l'engagement de tous pour renforcer et ou recréer des repères consistants autour de ces dits ayants droits. Nous avons la conviction qu'il s'agit bien de grands chantiers qui s'ouvrent devant nous. En reprenant la question fondamentale du jour : « quel enfant et pourquoi ? »; nous sommes en passe de transcender les écarts dans la réalisation des droits de l'enfant. La voie d'un avenir meilleur nous est bien tracée. Alors, allons ensemble expérimenter le dispositif de placement en familles d'accueil ; le rendez-vous est maintenant.



Arielle Jeanty Villedrouin
Directeur General

Setting the scene

The family environment, when sufficiently protective, is a child's developmental framework par excellence. Strengthening children's family ties with their biological parents or legal guardians is therefore a priority.



The practice of institutionalizing children is very common in Haiti: the child is placed in an institution to be housed, fed and educated, with a view to finding a definitive and appropriate solution to his or her situation. This practice is often the first solution considered when responding to the needs of a child in a situation of family breakdown. These so-called temporary placements sometimes last until the child reaches adulthood. Informal placement with families is also sometimes considered by parents seeking opportunities (schooling, food, etc.) for their children.

However, after the 2010 earthquake, IBESR's assessment of these institutions showed that over half of them did not meet the minimum criteria for caring for children to ensure their proper development and full blossoming. With this in mind, the heads of

IBESR had to close down fifty (50) of the 750 residential centers in the country.

As a result, strengthening children's family ties with their biological parents or legal guardians appears to be a key priority.

priority. This is because the family environment, when sufficiently nurturing, is the developmental framework par excellence for a child, as illustrated by the study on alternative care in Haiti carried out by IRC with UNICEF support in 2010.

Thus, drawing on the practices of mutual aid and solidarity existing in the Haitian community, where people are accustomed to coming to the aid of children in difficulty, IBESR with the support of UNICEF, Terre des hommes-Lausanne, the International Rescue Committee (IRC) and Handicap International have developed the Foster Care Scheme validated in November 2013 by the Ministry of Social Affairs and Labor (MAST); which scheme having been presented to partners and communities. These partners

supported its implementation at central level and in two departments (West and South) through a pilot experiment conducted between June 2014 and June 2015.

As part of this inter-institutional cooperation in support of the Haitian state, and with the financial backing of the French Embassy and UNICEF, Terre des hommes-Lausanne proposed to facilitate the implementation of the Foster Care Scheme. Midway through the project, an evaluation workshop was organized with IBESR at national level and the other child protection actors involved in setting up the scheme (IBESR, IRC, UNICEF, HI, Tdh, Sofalam).

Then, at the end of the project, a capitalization exercise on the practices developed and lessons learned was carried out. Recommendations and proposals were made to IBESR and its partners on ways to motivate families to get involved in caring for their children. Capitalization also enabled recommendations to be made on the tools of the system and the activities carried out in the field. To this end, the process of capitalizing on the experiences of the pilot phase led to the revision of the foster care system and its tools.

The review of the system between as part of the de- to meet the needs of the to the recommendations made during the capitalization of the pilot phase of the Foster Family placement alternative project in 2015.

The ultimate goal is to have a harmonized tool that takes into account the diverse concerns of community members and leaders, child protection stakeholders and the general public. agents involved in the implementation of the place-family mentality .home.



To this end, this revision is part of the need to respond to the recommendations made during the capitalization of the pilot phase of the project on the alternative of placement in a foster family, as well as on the orientations of the system. The final objective is to have a harmonized tool that takes into account the various concerns of community members and leaders, child protection stakeholders and agents involved in implementing the scheme, in order to best meet the expectations expressed during the pilot phase.

Device Review Committee (November 2016)



Introduction

A comprehensive approach to care vulnerable children

Validated by the Ministry of Social Affairs and Labor since 2013, *the Foster Care Dis-positive* is part of a comprehensive approach to the care of vulnerable children initiated by the Haitian state. This approach involves the adoption of measures likely to improve the care of children in situations of family breakdown, victims of abuse, violence or maltreatment. The child is placed with a foster family pending the adoption of lasting solutions, such as family reunification, long-term placement or national adoption with a family when reunification is impossible.



The need to improve and monitor the care of children

The foster care system is part of an overall deinstitutionalization approach, which consists in adopting measures likely to improve the care of children in situations of family breakdown.

Children in situations of family breakdown are very vulnerable and require special attention.

In Haiti, the first solution envisaged for children in situations of family breakdown is to place them in children's homes to ensure their basic needs, and sometimes their schooling. Most of the children's homes for separated and/or unaccompanied children have not been able to guarantee their protection. Many of them do not meet the required operating and reception conditions: lack of trained and competent staff, health problems, lack of access to education. Children are often victims of abuse and deprived of the possibility of reconnecting with their biological parents. It is therefore essential to find appropriate alternatives to meet the needs of children in situations of family breakdown or abuse.



All over the world, children in situations of family breakdown are extremely vulnerable. Subject to abuse and exploitation (factors detrimental to their development¹), they require special attention. As mentioned above, for decades the most common response to this problem has been to place these children in institutions, such as "children's homes"².

However, experience in Haiti shows that this option does not guarantee effective care for children. This is because the weaknesses mentioned undermine the fundamental rights of children, as defined by the Convention on the Rights of the Child (1989). Thus, monitoring and improving

1. Convention 182 of the International Labour Office.

2 Children's homes or residential centers: children's homes are public or private, secular or religious institutions empowered to receive and care for minors, including i) orphaned children, ii) abandoned children and iii) children with physical or mental disabilities (Glossary: IBESR, Annuaire des Maisons d'Enfants en Haïti, 2012).



childcare is a prerequisite for good child development.

Towards the creation of new forms of hospitality

Some 30,000 children live in children's homes, according to data issues from the census program of children living in institutions initiated by IBESR in 2010, with the support of protection partners. As more than 80% of these children are not orphans, family tracing and reunification is a priority for IBESR and its partners. However, the reunification process is often long and complicated (only 4,000 children were reunited between 2010 and 2013). In line with the provisions of the International Convention on the Rights of the Child³ (ICRC) and the Guidelines for the Protection of Children, alternatives to institutional care must be found for children who cannot be reunited with their families.

To this end, states that have ratified the CRC have committed themselves to developing new forms of care for children in situations of family breakdown. By ratifying the CRC, the Haitian government has committed itself to supporting and strengthening all measures designed to promote the well-being and best interests of children.

The foster family as a bridge to the biological family

Foster care (short- or long-term) is a solution adopted by many countries, based as it is on a widespread social practice of natural or spontaneous solidarity. As the family is the best place for a child to develop, be cared for and educated, the foster family takes over from a biological family in difficulty, deficient or absent.

In 2010, the Haitian government, through the Institut du Bien-Etre Social et de Re-cherches (IBESR), whose mission is to respond to the many and varied social problems of the underprivileged sections of the Haitian population - particularly vulnerable children - initiated an evaluation of the care standards of all children's homes.

To this end, a directory drawn up in 2012 and regularly updated classifies these facilities according to the quality of existing services, with a view to their possible accreditation by the State. The directory contains 775 centers, of which less than 50% meet minimum care standards. Between 2011 and 2013, 50 of these facilities were closed due to maltreatment and

Family reunification is a priority for IBESR and its partners.

The foster care option becomes a sustainable care alternative when it is impossible to reunite children with their families.

3. United Nations resolution 64/142 of February 24, 2010.

gross negligence.

In May 2012, IBESR set up an inter-agency Working Group to develop a Foster Care Scheme. This group includes IBESR, UNICEF and international and national organizations, including Terre des Hommes Lausanne (Tdh-L), International Rescue Committee (IRC), Handicap International, Beyond Borders, Zamni Timoun.

The scheme presented in this document summarizes all the guidelines adopted during the Working Group meetings and is based on the experiences piloted in Haiti by Tdh and IRC from 2010 to 2013 in collaboration with IBESR and UNICEF. The scheme was developed at a national workshop in September 2012 and then validated by the Ministry of Social Affairs and Labor (MAST) in November 2013. It was revised in 2016 after the pilot experience conducted between 2015 and 2016.

The device itself is divided into two parts: first, it outlines the protection issues and the problematic of placement in Haiti and then presents the placement system with a host family.

DOCUMENT STRUCTURE: Foster care system

The system itself is divided into two parts: firstly, it describes the problems of protection and placement in Haiti, and secondly, it presents the foster care system.

The first part focuses on protection issues and the different options generally adopted in Haiti for the care of separated or unaccompanied children. Some of these options, such as the restavèk system and institutionalization, have failed to guarantee effective protection for vulnerable children. Haitian law and a number of international conventions ratified by Haiti favor the placement of such children with foster families, but this placement must be carried out in strict compliance with the principles of children's best interests, child participation, non-discrimination and confidentiality.

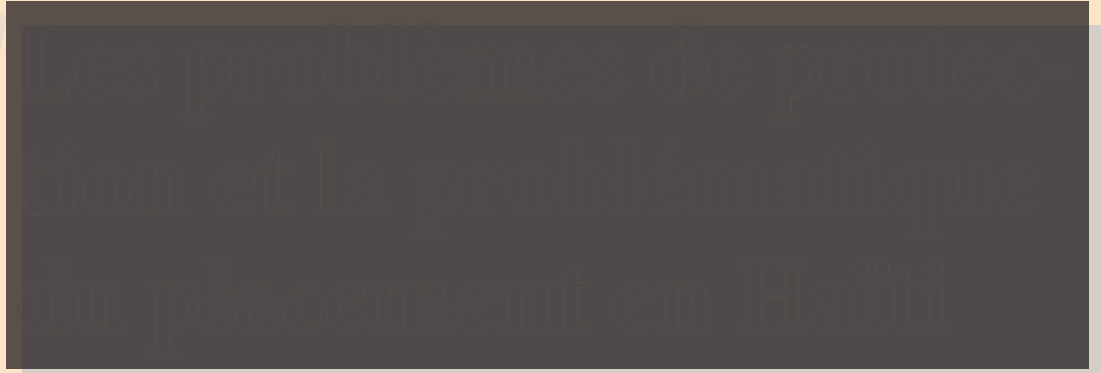
The second part deals specifically with the regulation of the foster care system in Haiti. These regulations cover all aspects of the system, including the child placement process, categories of children eligible for foster care, types of placement, criteria for selecting foster families with a view to their accreditation, family support, etc.

This document is a training tool for agents involved in the process of setting up foster families. It can also be seen as a tool for raising community awareness of the foster care alternative. The Institute of Social Welfare and Research (IBESR) is the body responsible for coordinating and overseeing the dissemination and distribution of the document.



Part

1



Separated or unaccompanied children are extremely vulnerable. They are exposed to a whole range of dangers: abuse, violence, exploitation... Hence the need to enable them to rejoin their family or to be placed in a protective family environment.

Indeed, the family is the main place where children are protected. Allowing children to live in their own family environment is the best way to guarantee their protection. When this option proves impossible, foster care should be used, a system based on fundamental principles (best interests of the child, child participation, non-discrimination, confidentiality). Foster care is therefore designed to guarantee comprehensive care for children in situations of family breakdown.

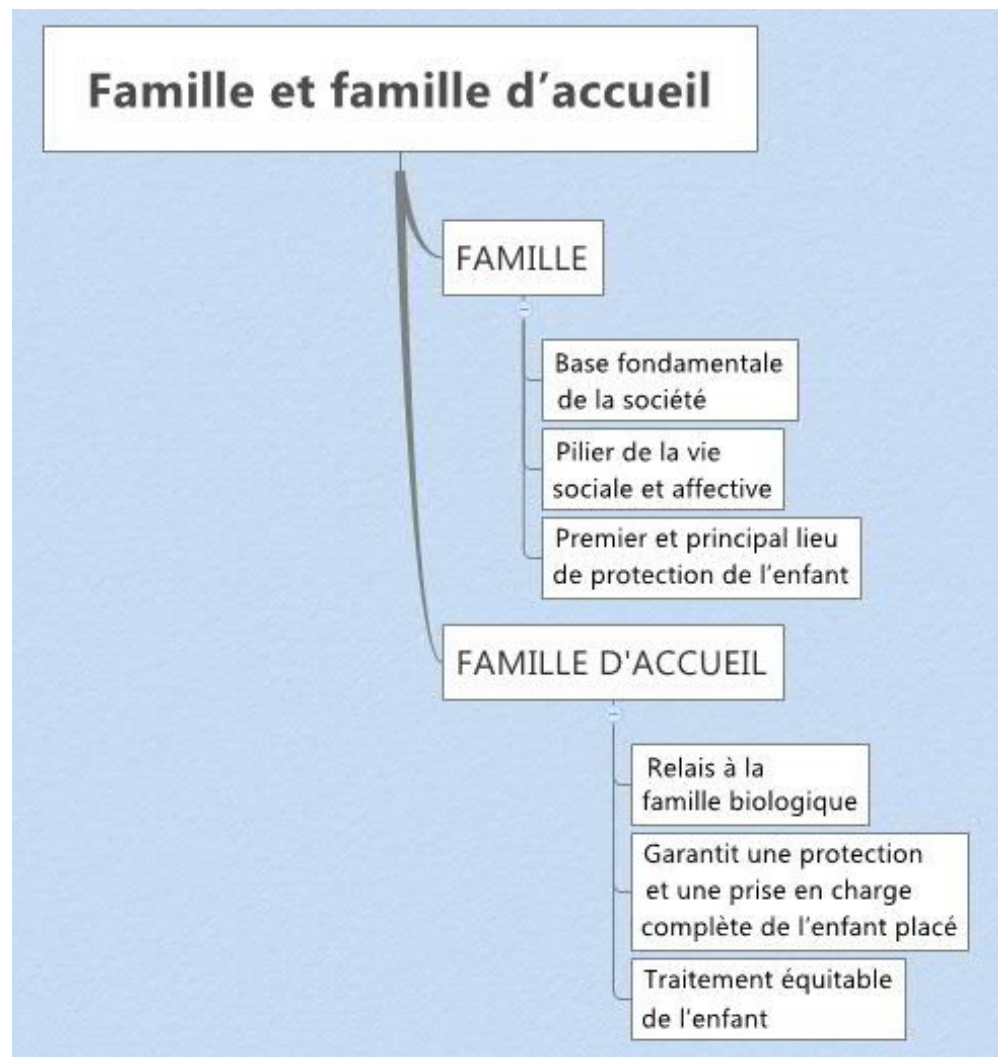


1 THE CONCEPTS OF FAMILY AND FOSTER FAMILY

The family environment is the main place where children are protected. The State must protect the family and ensure that every child grows up in a family environment. When a child is deprived of the assistance of his or her biological parents, the State has an obligation to provide special protection for the child, ensuring that he or she can benefit from alternative family care or placement in an appropriate institution.

Long-term foster care is used when reunification is not possible. family is proving impossible.

Foster care is strictly in the child's best interests. This requires foster families to guarantee and respect all the rights of the child in their care.



1.1. The importance of family

As the fundamental basis of ^{society}⁴, the family is the pillar of social and affective life, even if its forms change over time and from place to place. It is the

4. See article 259 of the 1987 Haitian constitution.



first and foremost place of child protection. This is why family reunification remains the best solution for the proper care of separated or unaccompanied children. However, family reunification is not always possible.

1.2. Family

A foster family is a voluntary family that takes in one or more children - in its own home - with whom it has no biological link. They are identified and selected according to a protocol and specific, rigorous criteria established by the Haitian government. The family is trained and supported throughout the fostering period, to strengthen its ability to provide adequate care for the child. Foster families differ from families or individuals who spontaneously take in children without being legally registered.

Placing a child with a foster family is "part of a relationship of assistance and solidarity. [The foster child] must enjoy the same privileges and prerogatives as the other children in the family. He or she must be treated as a member of that ^{family}⁵" and must keep - as far as possible - ties with his biological family.

Foster care is based on four fundamental principles: the child's best interests, the child's participation, non-discrimination and the child's right to be heard. discrimination, confidentiality.

2 THE PRINCIPLES HOSPITALITY FUNDAMENTALS

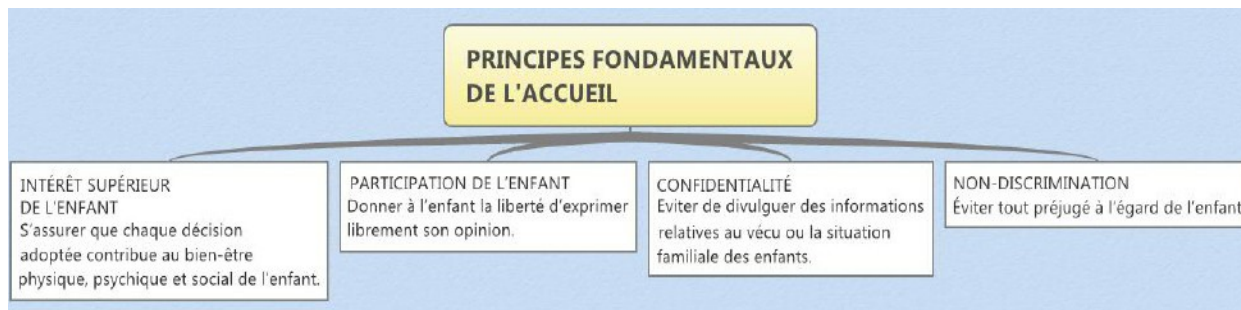
2.1. The best interests of the child

In all circumstances, this means assessing the child's situation and ensuring that the decisions considered and adopted contribute to his or her physical, psychological and social well-being. Research into deficiencies in maternal ^{care}⁶ has shown that children who lack stable relationships, benevolent attention and appropriate care suffer from disorders that affect their physical, psychological and/or social development.

⁵ "Loi relative à l'interdiction et à l'élimination de toutes formes d'abus, de violences, de mauvais traitements ou traitements inhumains contre les enfants", Le Moniteur, N° 41, June 5, 2003.

⁶ R. Spitz, "De la naissance à la parole - la première année de la vie", PUF, 1968; J. Bowlby, "Attachement et perte. vol 1, L'attachement", PUF 2002; D. Winnicott, "L'enfant et le monde extérieur", Payot, 1988.





The child's best interests must be reassessed at every stage of his or her care. Children, especially the very young, must be able to live with their families, outside group homes. When this is not possible, there must be a "substitute family" or care by reliable and stable reference persons, with whom the child can find a secure environment favorable to his or her development.

States Parties shall assure to the child capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the evolving capacities of the child. age and maturity.

2.2. Participation

Children must be allowed to express their views freely on all matters affecting them, and their opinions must be taken into account. Article 12 of the International Convention on the Rights of the Child (1989) stipulates that "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

To this end, the child shall in particular be given the opportunity to be heard in any judicial or administrative proceedings affecting him or her, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law".

The child is an integral part of the choices made in his or her regard. The child's views on the possibility of living with a foster family, as well as those of the foster family's biological children - taking into account their age, ability to express themselves and level of maturity - must be actively sought and, as far as possible, taken into account in the placement ^{process}7 right up to the final decision.

2.3. Non discrimination

As the principle of non-discrimination is at the heart of the protection, no

⁷ Tools for implementing the foster care system, Tools 1 - Definitions: matching



no child or family can be discriminated against, regardless of geographical, ethnic or social origin, skin color, gender, language, religion, political or other opinion, wealth, medical condition or autonomy.

Particular attention will be paid to the processing of files for children with special needs, to ensure absolute respect for this principle.

2.4. confidentiality

The foster family is obliged to exercise discretion with regard to information concerning the experiences and family situation of the children in its care. What has happened and is happening in the child's biological family is strictly confidential.

However, we can't prevent the child from talking, and the neighbors from asking questions when they see a new child and observe the social workers' visits. It is then possible to inform the neighbors about the objectives of the foster care without divulging confidential information. Foster families must be aware of the serious consequences of divulging information about the child and his family, which could be prejudicial to the child.

In addition, the foster family may not grant interviews or allow reports, with or without images, about the children they foster, without the accord from IBESR, the state body responsible for placement.

3 THE HISTORY OF CHILD PLACEMENT IN HAITI

3.1. The lakou system

In Haiti, it's impossible to talk about the family without referring to the lakou, a system of residence for family members and a familial gathering place with an annual festival uniting all its members. According to Rémy Bastien⁸, what is fundamental to the lakou is the willingness of all individuals within the group to cooperate; this cooperation being one of the foundations of Haitian peasant culture.

Over the past few years, poverty, fragmentation and the exodus

⁸ BASTIEN Remy, Le Paysan haïtien et sa famille (1985).

The lakou, a system of residence for all family members, has been disrupted by a number of factors, including poverty, the rural exodus and so on. This fragilizes the family and parentality.



rural areas have disrupted the lakou system, leaving many families without the support and shared parental responsibilities traditionally offered by the lakou. On the one hand, the country is home to many single-parent families, headed mostly by women - 40.3% of families nationwide, 45.9% in metropolitan areas and 37.0% in rural areas⁹ - but also by fathers, who are too isolated to care for their children adequately. On the other hand, some 9% of children born in Haiti in 2012 had mothers aged between 15 and 17¹⁰.

The weakening of the family and parenthood, due to factors such as the stress linked to the responsibility of ensuring the daily survival of family members, can lead to educational attitudes that are often marked by neglect, physical and/or psychological abuse.

Designed from the outset as a way to improve conditions children's existence, the restavèk system soon became a form of trafficking children.

3.2. The restavèk system

Very often, parents living in isolated rural areas or in precarious social, family or economic situations entrust the care of their children to other families. Originally conceived as a means of sending children to live in the city with members of wealthier families, so that they could receive an education and live in better

Institutionalization does not solve the problem of the vulnerability of these children.



⁹ Institut Haïtien de l'Enfance (IHE), Morbidity, Mortality and Use of Services Survey, EM- MUS V, 2012.

¹⁰ Institut Haïtien de Statistique et d'Informatique and Centre Latino-Américain de Démographie (don- nées 2012).



Under these conditions, the *restavèk* system "has become a form of child trafficking and modern-day slavery. Intermediaries, known in Creole as *koutchye*, are paid to find children for host families". Very often, these placements place the children in a situation of domesticity and exploitation.

This phenomenon is estimated to affect between 150,000 and 500,000 children in Haiti, the majority of whom are girls. Among the 3,105 separated children supported by Tdh, IRC and their national partners from 2010 to 2012, 229 (7%) were in a situation of domesticity. The institutions involved in this scheme have taken this issue into account in the drafting of this document and its tools, in order to ensure the full protection of children within the approved foster family network.

3.3. Placement in children's homes

Other parents entrust their child(ren) to children's homes, believing that the latter will give their children the opportunity to eat, attend school and, in some cases, learn a trade. This placement is conceived as an "act of protection" by parents who feel unable to ensure a decent future for their child.

In recent decades, the institutionalization of children has become common practice, with the proliferation of private establishments, facilitated by the virtual absence of state regulation and control. There are still many cases of abuse of trust by parents and abuse of children, such as definitive separations without the consent of the family of origin, and physical, psychological and exploitative violence of all kinds.

3.4. Early experiences of foster care

As part of its protection strategy, and convinced that in most cases the family remains the best place for children to develop, the Haitian government, through IBESR, has begun to think about alternatives to institutional placement. Foster care has been identified as an appropriate alternative to institutionalization. Experiments piloted by Tdh and IRC in partnership with IBESR and UNICEF have demonstrated the feasibility of such care for children in Haiti.

In order to take stock of the different experiences, retain lessons learned and decide on perspectives, a workshop brought together the players involved in the search for alternatives to institutional placement in May 2012. The workshop's conclusions were clear: the placement of children in foster care must be pursued within a framework and system that organizes and regulates the care of children.

THE FIRST EXPERIMENTS

1

An experiment piloted by the terre des men - Lausanne

As early as 2010, an initial pilot project was set up by Tdh in collaboration with IBESR in Grand Goâve and Les Cayes, where, by March 2013, twenty families had taken in twenty-six children (15 boys and 11 girls, aged from a few days to 17 years, for an average duration of 20 months). Ten of the twenty host families have since been integrated into a national adoption process. A follow-up and support mechanism has produced convincing results in terms of quality of care and involvement of the foster families.

The main lessons learned are as follows:

- a. Drawing up an ongoing training plan:*** One of the prerequisites for fostering a child is the drawing up of an ongoing training plan for the foster family's referents (and possibly other family members), and the family's long-term commitment to this approach;
- b. Social worker support:*** One of the fundamental conditions for placing children is the support provided by the trained social worker. Placement takes place at the outset (in the choice of families) but also during the process.
- c. Material support:*** As of 2010, Tdh chose to select foster families who were financially able to meet the child's basic needs (food, housing, schooling, healthcare, etc.) They did not receive any additional financial support. On the other hand, during the placement and support visits, if the social worker identified any needs that had arisen, he could provide material support (hygiene kit, school kit, payment of major medical expenses, equipment to meet the specific needs of certain children such as mobility aids, hearing aids, etc.).
- d. Foster family network:*** *In terms of* support for foster families, the creation of a network of families in specific geographical areas has added value in terms of sharing practices and experiences. The monitoring of children in care also benefited from the network, as the social worker had access to information from different sources (e.g. children from other families).



e. Specialized foster families for children with special needs: Children with eating disorders, chronic illnesses (HIV/AIDS, diabetes or illnesses requiring regular care), or behavioral difficulties were placed in "specialized" foster families. For example, two of the parents identified were both social workers and teachers who were better qualified to deal with children with special needs).

Until now, foster care has been a suitable alternative for young mothers and young people over the age of 15. This is because children's homes very often refuse to take in young people over 15. What's more, most children's homes are not equipped to take in young mothers who have broken away from or are in conflict with their families.

2 Experiment piloted by International Rescue Committee

Similarly, in the wake of the January 2010 earthquake, IRC, in collaboration with the Zamni Timoun Foundation, opened a foster care service in Port-au-Prince for separated children awaiting family reunification. This service welcomed 40 children (28 girls and 12 boys, aged 5 to 15) for an average of three months, renewable if necessary.

The majority of the children taken in were separated because of the earthquake, but also because of family difficulties or were in domestic care. All the children who passed through a foster family were subsequently reunited with their biological or extended family.

The selected families received initial training on child protection and their roles and responsibilities. They also took part in training on running a small business, and received financial support to set up or continue a small business. Afterwards, meetings were organized between the families so that they could share their experiences.

Lessons learned show that host families are supportive of each other, that the support of a psychologist is an added value, and that family selection criteria must be rigorous, particularly with regard to the families' financial income.



44.1. L

4

LEGAL ASPECT OF FOSTER CARE

he legal framework

The functions of parents are naturally expected of anyone who contributes to raising a child. In Haitian culture, this function traditionally falls to the parents, i.e. the fathers and mothers who have brought a child into the world, recognized it, and above all looked after it by providing day-to-day care. In certain circumstances and for various reasons, children may be separated from their parents. In such cases, the parental role is assumed by other adults in the extended family, by other families or by institutions.

The problem of family separation has always preoccupied the Haitian state, which has consequently supported a number of initiatives, including the Maison centrale d'arts et de métiers (1909), the Maison de rééducation (1938), the Centre d'accueil de Carrefour (1946, 1960), the Maisons d'Enfants (1971), the Centres d'accueil, d'observation et de traitement (1983) and the Famille d'accueil (2003), which is the focus of this article.

Every child must live in family. This family must be protected by the State.

The foster family provides a secure living environment for the minors placed with them, without taking the place of their biological family. It should be noted that foster families do not create legal ties such as filiation or parental authority.

4.2. Legal texts favouring the maintenance of family ties

Each of these texts touches, in one way or another, on aspects relating to foster families or authorizes their implementation. These texts encourage the maintenance and/or restoration of family ties, as well as the education of the minor concerned. They consider the accommodation of a child outside the family environment to be exceptional and temporary, and encourage the reunification of the child with his or her family. Ideally, every child should live with his or her biological family.

Under articles 259 and 261 of the amended 1987 Constitution, the State protects the family as the fundamental basis of society. The law ensures the protection of all children, who are entitled to the love, affection, understanding and moral and material care of their fathers and mothers.



The 1989 Convention on the Rights of the Child, ratified by Haiti in 1994, also guarantees the right of children to grow up in good conditions within their family. However, article 20 also stipulates that a child temporarily or permanently deprived of his or her family environment must have alternative care, which may take the form of foster placement. In the same vein, article 40 stipulates that a child suspected or accused of a criminal offence must benefit from a whole range of provisions, including care, guidance and supervision, counseling, probation and foster care.

The law ensures the protection of all children, who are entitled to the love, affection, understanding and moral and material care of their fathers and mothers.

Legal tools

The institutionalization of the foster family is governed by a set of rules. legal tools, including :

- **The Haitian constitution of 1987** amended (2011);
- **The International Convention on the Rights of the Child ;**
- **The Declaration on Social and Legal Principles** relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally, was adopted by General Assembly Resolution 41/85 of December 3, 1986.
- **The International Covenant on Economic, Social and Cultural Rights ;**
- **The law of October 18, 1901** on compulsory primary education
- **The Law of September 11, 1961** instituting and organizing Children's Courts;
- **The Law of May 15, 2003** on the prohibition of all forms of abuse, violence and inhuman treatment of children;
- **The Decree of December 8, 1960** obliges fathers and mothers or any person responsible for a minor to send him or her to school;
- **The Decree of September 14, 1983** regulating the procedure for recovery of maintenance claims and child custody;
- **The decree of November 4, 1983** on the organization of the Ministry of Social Affairs and Labor.

"A child may be entrusted to a foster family as part of a relationship of assistance and solidarity. They must enjoy the same privileges and prerogatives as the other children in the family. He must be treated as a member of this family", Article 3 of the law of May 15, 2003.

"Any person who, having found a newborn child, does not hand it over to the civil registrar, as prescribed by article 57 of the Civil Code, will be punished by six days to one month's imprisonment. The present provision is not applicable to anyone who has agreed to take charge of the child, and who has made a declaration in this regard before the Justice of the Peace of the place where the child was found", Penal Code, article 296.



4.3 Establishment of the host family

Certain socio-economic and even legal circumstances can compromise the balance of family life and the child's well-being within the family. If a child's family environment is not conducive to his or her development, the child and his or her parents should receive help and support from child protection services.

The foster family, instituted by the Law of May 15, 2003, is a recourse in child protection matters, for its supplementary role in raising children separated from their parents, and for its role in helping, protecting and showing solidarity with these minors in difficulty.

To this end, the Haitian legislator has established that "a child may be entrusted to a foster family" in the event of a report of abuse, maltreatment or violence. By resorting to foster placement, the State aims to prevent the child's development and health from being compromised if raised by failing parents. Other circumstances, such as child abandonment, can also lead to an administrative and/or judicial decision to place a child in foster care.



5 THE FOSTER CARE DECISION

the IBESR

5.1 Rôle Under the decree of November 4, 1983, and in particular article 139, protective measures, including placement, are taken jointly by the administrative body (in this case the IBESR) and the judicial authority.

The decision to place a child in foster care is taken by IBESR in cases of abandonment or reported abuse and neglect, as an immediate protective measure in line with its legal mission to guarantee the protection of women and children.

In addition, the competent judge may order or pronounce a placement or protection measure for an accused minor aged over 13 and under 16, unless a criminal conviction has been handed down. The IBESR then becomes the placement authority, in accordance with article 12 of the law of September 7, 1961, which stipulates that the judge may entrust the child (for placement purposes) to any of the IBESR's other reception sections. This gives him the prerogative to place the child with a foster family.

IBESR is the only authority competent to approve foster families.

5.2 Relationship between host family and biological family

The foster family does not take the place of the child's parents. Their role is solely to fulfill the main functions required for the child's healthy development: ensuring the child's daily life, schooling, leisure activities, any treatment he or she may need, and emotional support. Foster care provides the child with elements that his or her parents are unable to provide at a given time: basic care, a structured living environment, a safe social environment, diversified and committed relationships.

According to the 2003 law, foster children must enjoy the same rights and prerogatives as other children in the family. According to article 1 of the Decree of December 8, 1960: "All fathers and mothers, or any person responsible for the child's education (...) are obliged to send the child to school". The foster family does not have parental authority. The biological parents or the legal representative retain this authority. Depending on the IBESR's assessment of the biological parents' situation and/or on an order from the competent judge, the child may be reintegrated into his or her family.

5.3 Reception administrative framework

The structure of the present system meets the requirements of the United Nations child protection guidelines, which stipulate that "The registration, authorization and supervision of all persons (except in "informal" settings) and establishments caring for children should be de rigueur".

To this end, a contract must be signed between the IBESR (in its capacity as administrative authority responsible for child protection) and the foster family. It sets out the conditions and duration of the placement, the responsibilities of each party, and the coordination arrangements between the foster family, IBESR and, where applicable, the partners. It also sets out the measures to be taken and the means of recourse in the event of non-compliance.

Immediately after the placement, the IBESR must take its decision to the competent judge. If the child is abandoned, parental authority is given to the State. If the child is abandoned, parental authority is given to the State; if the biological family is known, it concerns parental authority.



2 Presentation Part 2 positive foster care

of



the Dis-

The Fostering Scheme defines the mechanism for implementing the foster care alternative. It is divided into two parts:

- *The system itself*, which regulates the identification, selection and accreditation process, as well as the placement of children and...
- *Tools* that establish the mechanism for assessment, monitoring, family control and placement.

The Foster Family Placement Scheme is a key administrative tool in the formal implementation of child foster care in Haiti. It is mainly used to regulate informal placement practices in Haiti, some of which lead to children living in exploitative situations.

Its pilot phase has been implemented since the second half of 2014 jointly by IBESR and its mandated protection partners as part of their efforts to propose alternative solutions to institutionalization for children in situations of family breakdown.

6 HOST FAMILY ACCREDITATION PROCESS

Once accredited, foster families are made aware of child protection issues. They are also informed about the placement system.

Before

being

6.1. Identifying potential host families

Potential host families can be identified by a variety of means, including discussion groups, awareness-raising sessions, radio/TV broadcasts aimed at communities, community organizations, women's, human rights or children's associations, local or religious authorities. Child protection committees, community representatives or associations can help raise awareness of the scheme and assist IBESR in identifying foster families.

The aim of the awareness-raising sessions is to present the foster care system and the main principles of child protection. These sessions will take into account children's vulnerabilities, how to access additional information and provide participants with information on the process of setting up foster families.

After the awareness-raising session, the social worker organizes an individual or group meeting with interested families to help them better understand foster care and the roles and responsibilities of a foster family, and to take into account their expectations. These meetings are preferably held at the IBESR office.

After the individual or group interviews, the social worker assesses the families concerned by means of various surveys.

6.2. Criteria for selecting host families for accreditation

a. Host family selection criteria

1. Be a single woman (with or without children) or a heterosexual couple (with or without children). In the latter case, both spouses must have been in a relationship for at least two (2) years;
2. Written consent from both spouses ;
3. Be between 25 and 60 years of age (for both spouses). However, the family



- remains eligible if one of the spouses is over 60;
- 4. Be of Haitian nationality (at least one of the spouses);
- 5. Consideration of the opinions of the child(ren) living in the household. In this case, discussions will take into account the child's capacity for discernment;
- 6. Have never been convicted of a criminal offense (for both spouses) and have a criminal record for both spouses;
- 7. Be financially capable of welcoming one or more children into your home and providing overall care without requiring financial support.

The first seven criteria are mandatory for the selection of candidate families. They must provide the necessary supporting documents (CIN or NIF, criminal record, letter of commitment or any other documents deemed useful). The social worker then opens a file and assigns a provisional code to the potential host family. Interviews will be conducted by at least two agents (two from IBESR or one IBESR agent accompanied by an agent from a mandated protection partner) trained in the Foster Care Scheme and in interview and investigation techniques.

b. Additional criteria

- 8. Favourable ***family investigation report*** confirming that the family:
 - has the physical space and security to welcome the child, good sanitary and hygienic conditions, a bed/sleeping area and personal storage space for the child;
 - demonstrates good educational and protective practices;
 - shows a willingness to provide the same treatment to all children in the household;
 - lives in an area where basic infrastructures (school, health and rehabilitation center when necessary, social services/ IBESR) are accessible;
 - guarantees access to education;
 - does not have an exploited child at home;
 - has the availability to take care of the child on a daily basis/ensures that the child is not left to fend for himself;
 - is ready to meet the basic needs of the child in its care: such as health care and rehabilitation, safety, nutrition and recreation;
 - accepts the conditions of the Foster Care Scheme (training, regular support from social services).
- 9. ***Survey report on the overall health of all adults and children*** living with the foster family, confirming that they are capable of caring for a child.

Before being accredited, foster families are made aware of child protection issues. They are also trained in the placement system.

Three stages in the process identification:

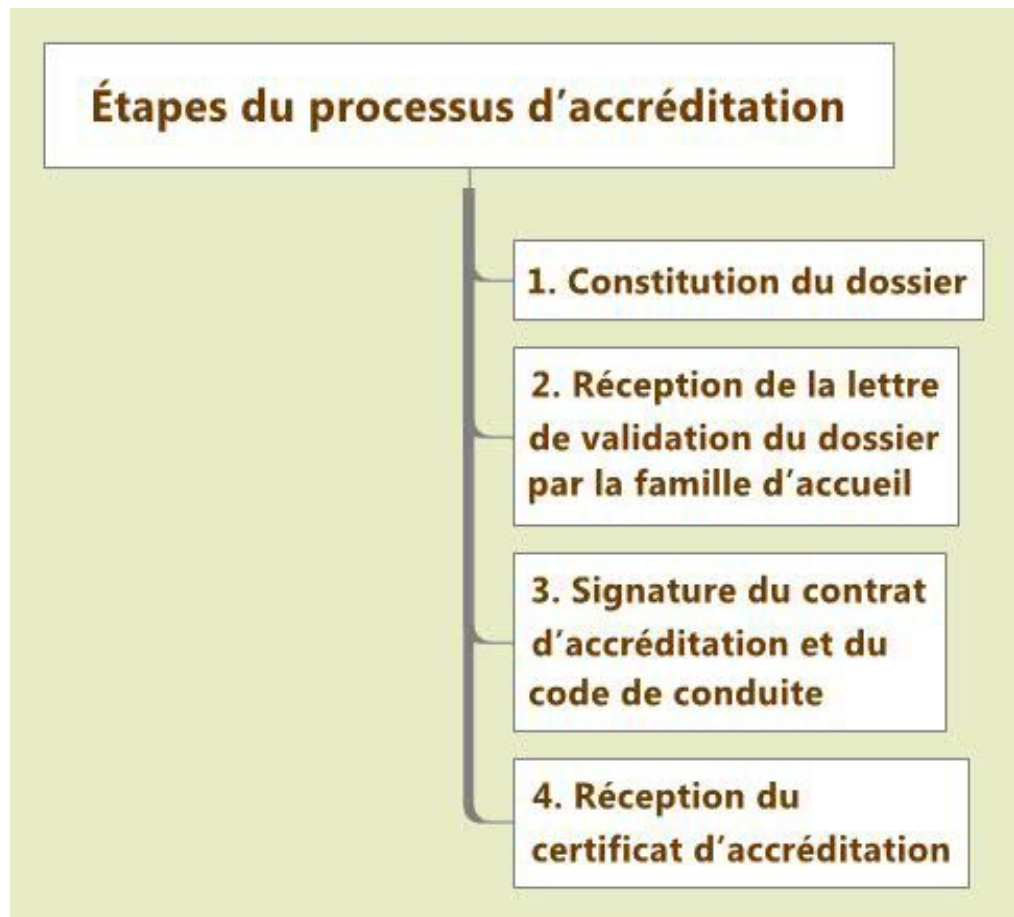
- a. Raising awareness;*
- b. Individual and/or group meetings;*
- c. Integration.*

Sen- sibilization sessions to introduce the Fostering Dis- positive take into account children's vulnerabilities, ways of accessing further information and will provide participants with information on the fostering process.

10. *Report of two favorable neighborhood surveys* confirming that the host family is known in the community for its sense of responsibility, good morals and good character.

6.3. Accreditation and renewal process

The accreditation process comprises several stages: compilation of the dossier, receipt of the letter validating the dossier from the applicant family, signature of the accreditation contract and code of conduct, and issue of the accreditation certificate.



a. File creation

After conducting the various investigations and obtaining all the administrative documents from the family, a copy of the file compiled by the social agents will be sent by the IBESR Departmental Coordinator, after he has validated it, to the Social Welfare Department, which will analyze it and send it to the Social Welfare Department for validation and subsequent approval by General Management, with the support of the Legal Adviser.

The file will be reviewed and possibly accredited within two weeks of acknowledgement of receipt. A file code for the accredited host family is assigned by General Management and communicated to the Departmental Coordinator.

b. The candidate family receives a letter validating their application.

After analyzing and validating the application, the Social Works Department submits it to IBESR's General Management for accreditation. Once validated, the candidate family receives a letter informing them of the validation of their file and the steps that will be taken to finalize the accreditation process.

c. Accreditation contract and code of conduct

Once the letter has been received, the candidate family receives an accreditation contract. The contract is first signed by the candidate family, then by the departmental coordinator, and then forwarded to General Management for validation and signature. The contract specifies the roles and responsibilities of the host family and IBESR, and the conditions under which the placement will be supervised, based on a schedule of visits by IBESR staff or a mandated protection partner.

The contract also includes an attached Code of Conduct, which is a general condition of accreditation. This Code of Conduct clarifies the family's duties towards its children. It is designed to provide protection against malpractice and potential false allegations. Any infringement of children's rights and failure to comply with the Code of Conduct will result in immediate termination of the Accreditation Contract and, if necessary, legal action. The introduction of this Code of Conduct supports the determination of IBESR and its partners to build a protective environment for children. Accreditation is valid for one year, renewable once and every five (5) years thereafter, as long as the family wishes.

Accreditation is valid for one year, renewable once, then every five (5) years as long as the family wishes.

IBESR must be informed by the host family of any changes in the family's socio-economic situation, composition, location or other factors. These changes will be evaluated, and the placement revised if the selection criteria for host family accreditation are no longer met. Any suspicion of maltreatment, neglect, exploitation, sexual abuse or other infringement of children's rights will result in immediate suspension of the accreditation process pending the outcome of an emergency investigation.

d. Accreditation certificate and badge

Once the accreditation contract has been validated and signed by IBESR's General Management, the family will receive an original copy of the contract, followed by an accreditation certificate and a host family badge.

The certificate of accreditation can be presented at a ceremony organized by IBESR and a mandated protection partner, or simply given to the family individually.

If the family does not wish to renew the accreditation contract, the certificate and badge are automatically cancelled.

implemented as a priority.

Stages in the investment process

- Open a file;
- assessment and analysis of the child's situation;
- discussion with the child;
- drawing up an investment plan
- development of the child's life project.

File creation:

- information about the child;
- identification of its major vulnerabilities and the actions already taken and those to be



following stages: opening a file in the event of a report, assessment and analysis of the child's situation, discussion with the child, development of a placement plan, development of the child's life project.

7.1. Open

In the event of a referral, a file will be opened for any child who may require protective intervention by IBESR and/or its protection partners as part of the implementation of the Foster Care Scheme.

This file includes information on the child and the identification of his or her major vulnerabilities, as well as the actions already taken and those to be prioritized. If the child requires intervention, the process will be continued.

7.2. Assessment and analysis of the child's situation

The assessment and analysis of the child's situation and needs must take into account the child's expectations. Interviews will be conducted as soon as the child is able to express him/herself, in order to identify his/her needs. If necessary, the IBESR agent will be accompanied by a resource person.

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The process of placing a child involves the



to facilitate communication with children with special needs. When the child has an extended family, IBESR should guide the process towards the use of a family council.

For children requiring particularly sensitive decisions, following analysis of the situation by IBESR and/or the mandated protection partner, a Determination of the Best Interests of the Child (DISE) committee meeting may be convened to decide on the option to be taken. Decision-makers with the appropriate expertise will be involved to identify and weigh the relevant factors in order to assess the best solution; this process will be documented and validated by the committee. This will apply to cases where the social agent cannot find a suitable solution and for decisions requiring complex procedural safeguards and/or additional protective measures.

In complex protection cases, a BID may be carried out if there are conflicting factors and rights that complicate the assessment of the child's best interests. If the decision to place the child in foster care is considered to be in the child's best interests, the process will continue.

7.3. Participation from the child

Once the placement option has been identified by IBESR, the child is informed of the foster care opportunity. A discussion is then held with the child on the next steps in the process, including the search for a suitable foster family and placement. The child's views and expectations are heard and considered.

7.4. investment plan

A placement plan will then be drawn up by the social worker and approved by the IBESR Departmental Coordinator. The placement plan must include: the date envisaged for the placement, the recommended duration, the frequency of accompaniment and periodic review of the placement, as well as the most urgent needs to be met during the placement.

7.5. The action plan

A child's life project will be drawn up with the child (and biological family, if applicable) by the IBESR agent (or mandated protection partner) to determine the short-, medium- and long-term objectives to be achieved, and the actions to be implemented. It also includes an action plan for all parties to identify sustainable solutions, and will be reviewed at least once a year. It is also strongly recommended that a medical examination

The children's views and expectations are heard and considered throughout the process.

Key elements of the investment plan:

- *planned placement date;*
- *recommended duration;*
- *the frequency of support;*
- *periodic review of the investment;*
- *the most urgent needs that must be answered during the placement.*

is facilitated by the social worker at this stage.

8 CATEGORIES OF CHILDREN THAT CAN BE ACCOMMODATED IN

The following categories of children are eligible for foster care:

8.1. For short term reception

a. Children whose parents are temporarily unable to fulfill their parental role, and for whom an extended-family solution has not yet been found, is not desired or is impossible. Placement is made with the consent of the biological parent(s) if they are able, or ex officio in the event of incapacity. In this case, the criteria are :

- *Prolonged hospitalization of parent(s) ;*
- *Illness of parents, particularly with risk of contamination (e.g. cholera);*
- *Parental imprisonment or imprisonment of one parent and inability of the second parent to parent ;*
- *Aggravated separation/divorce, major conflict between parents ;*
- *Death of one of the parents and inability of the second to assume custody of the child.*

b. Children neglected, abused or exploited by their biological families

- *Severely neglected children without access to minimal health care, nutrition or education;*
- *Exploited children, including children exploited for domestic or sexual purposes;*
- *Children living in the midst of a highly disruptive family conflict.*

c. Children temporarily separated from their biological family without documentation of permanent abandonment.

Particularly vulnerable children, such as pregnant or parenting girls, children with disabilities, children with chronic illnesses, children in prostitution, etc., will receive special attention and monitoring.



8.2. For long-term care

a. Fatherless and motherless children without extended family care;

b. Abandoned children with a declaration of abandonment from a competent judge without extended family care;

c. Separated children without extended family care in situations of specific vulnerability, such as :

- *abandoned children under 3 ;*
- *neglected and/or abandoned disabled children;*
- *single mothers ;*
- *children who cannot be reunited ;*
- *non-adoptable abandoned children.*

For these children, a stable solution will be ensured immediately, while family reunification efforts - with biological parents and extended family - continue.

d. Children whose parents suffer from an incapacitating chronic illness or disabling mental illness. The parents' incapacity must be confirmed by medical or psychological examinations.

*Short-term placement allows a foster family to take in a child for a-
fant in difficulty until a suitable long-term solution can be found.*

There are 2 types of investment

*a. Short-term investment :
Provi- sory fostering (for a few days, weeks or months) pending the child's return to his or her biological family.*

*b. Long-term placement:
When a foster family receives a child who will not be able to return to his or her biological family.*

In the case of long-term placement, the foster family undertakes to take care of and educate the child until he comes of age.

8.3. For short- and/or long-term accommodation

Depending on their vulnerability, street children, children with HIV and children in conflict with the law may be placed in short- and/or long-term care. The decision will depend on the social worker's recommendations.

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INVESTMENT TYPES

ent is done in two ways: short-term or long-term. Short-term placement can become long-term placement if reunification with the child's biological family is difficult or impossible.

9.1. Short-term investment

It takes charge of the child placed in care while waiting for a lasting solution, such as..:

- reunification/reintegration with the biological family in the broadest sense (biological parents or extended family);

"Matching is a step in the process that maximizes the chances of creating a deep bond between the two parties involved. Social workers who know the child and the families propo- will be the "matching" between child and family."

- long-term foster care ;
- national or international adoption.

Short-term foster care is generally aimed at children for whom no other lasting solution has yet been identified. In exceptional cases, the decision may be taken to place the child in an institution, if this is in the child's best interests.

The duration of a child's short-term foster care placement is based on an agreement ranging from a few days (in the event of a parent's illness, for example) to six months.

(6) months, renewable up to a maximum of one year. After one year, and following a documented assessment by the social worker, the placement will be considered on a long-term basis in order to stabilize the child in a family environment.

9.2. Long-term investment

The different stages of matching:

- choosing the family best suited to the child;
- informing the family and the child about the choice made;
- the placement form is signed by the family and the departmental coordinator;
- development of an action plan.

Long-term fostering takes place when all possibilities of a return to the biological (or extended) family have been explored, and fostering is identified as the most suitable solution for the child's situation, and may precede a possible national adoption. The decision is taken by the IBESR officer, during the process of determining the child's best interests.

Long-term fostering can follow short-term fostering, and can be carried out within the same family if both the child and the family agree. Long-term placement may be considered from the outset when an assessment of the situation shows that a return to the biological (or extended) family is not an option. A long-term solution that provides security for both the child and the foster family will be preferred, in order to offer the child reassuring and reassuring points of reference. Frequent changes of foster family are very often the cause of emotional and identification problems for the child. It is therefore essential to ensure that the most stable solution possible is found.

When adoption is possible, the foster family where the child is placed on a long-term basis, after an assessment of the situation by IBESR, is encouraged to do so in accordance with current adoption laws. If the foster family is unable or unwilling to adopt the child, and is unable to care for him or her until the age of majority, adoption by another family is recommended.



10 MATCHING AND WELCOMING A CHILD

Following the assessment and report of the Family Council (if applicable), if placement proves to be the best option in terms of the child's best interests, the process will follow several stages.



10.1. Choice of family

From the pool of previously identified and accredited host families, IBESR selects the one that best suits the child's situation. IBESR makes this choice taking into account the following factors:

- *The age of the child to be placed and the age of the foster family's biological children;*
- *Respect for the child's religion and culture;*
- *The home of the foster family, which must maintain links with the child's family of origin;*
- *The family's ability to meet its specific needs (accessibility, care and rehabilitation if necessary).*

Matching is a step in the process that maximizes the chances of creating a deep bond between the two parties involved. Social workers who know the child and the family will propose a "matching" between the child and the family. This proposal is validated by the departmental coordinator. After matching, the family and child are informed of the option identified by the social worker.

monitored closely by a social worker and/or psychologist, as well as receiving medical care.

*The
mandated social
worker must
regularly visit
the foster
family where
the child is
being cared for.
placed to
identify
potential needs
of the child.*

*Any suspicion
of abuse,
neglect,
exploitation,
sexual abuse or
any other
infringement of
the rights of a
child in our
care gives rise
to
an emergency
survey.*

*Where there is
evidence of
im- mediate
danger or
serious
violence,
including
abuse of a
sexual nature.
In the event of
sexual abuse, the
child is
immediately
placed with
another
accredited foster
family (or in
residential
centers as a last
resort) and*



In the event of an emergency placement, and pending a placement plan within forty-eight (48) hours, the child is immediately placed with an accredited foster family from the "pool" of foster families, under the authority of the IBESR Departmental Coordinator.

10.2. The investment form

The child's placement form will be signed by the foster family and the IBESR Departmental Coordinator, in which the foster family

undertakes to ensure the health, safety and protection of the child placed. There will be as many placement forms as there are children placed. The foster family will then be informed of the specific services available and the referral system in their area, so that they can meet the medical, social, psychological and rehabilitation needs of the foster child.

10.3. action plan

The action plan drawn up by the child himself/herself with the assistance of the IBESR agent (or mandated protection partner) will be shared with the foster family (and biological family where applicable) in order to clearly determine the short-, medium- and long-term objectives to be achieved, as well as the means to be implemented and the activities to be carried out in order to achieve them. The child's action plan for identifying lasting solutions will be reviewed and adjusted, if necessary, by all parties during the first support visit. It will be reviewed at least once a year.

11 THE PROCESS OF PLACING AND- MONITORING EN- FOSTER CHILDREN

11.1. Supporting families

a. First visits

Immediately after placement, the foster family will receive an initial visit, within a week, from the IBESR agent who made the placement request, and possibly the mandated protection partner. Thereafter, a visit will be made every week for the first two months, and then at least once a month. These follow-up visits will be carried out by an IBESR agent and/ or an IBESR representative.



or mandated protective partner.

The social worker in charge of the visit uses an accompaniment sheet to supervise the placement and support the implementation of the life project. The social worker's observations and discussions are also noted. An accompanying sheet is filled in for each visit.

It's often more interesting to meet with family members as a whole, to observe how they interact with each other. However, the child should be met alone periodically, to get a better idea of his or her point of view.

b. Follow-up in relation to the child's difficulties

1. School: If necessary, if the child encounters difficulties at school, the IBESR social worker or the mandated protection partner will meet with the child's teacher or the head of the school, as the case may be.

2. Health: If a child has health problems or impairments of any kind requiring medical/paramedical follow-up, the social worker will meet with practitioners (doctor, psychologist, child therapist). The minutes of these meetings will be included in the *Fiche 13 - Accompagnement de l'enfant placé en famille d'accueil*.

3. Difficulties in the foster family: If difficulties arise between the family and the child in care, the IBESR social worker or mandated protection partner will initiate family mediation and, if necessary, call in a psychologist and/or a sign language translator for children with hearing impairments. The IBESR social worker or mandated protection partner must be able to respond to the foster family's requests.

The foster family must immediately contact IBESR (or the mandated protection partner who informs IBESR) if the child appears to be in danger, runs away/runs away, has an accident or is seriously ill.

c. Suspected maltreatment, neglect, exploitation, abuse

Any suspicion of maltreatment, neglect, exploitation, sexual abuse or any other infringement of the rights of a child in our care will give rise to an emergency investigation. Once the matter has been referred, the IBESR departmental coordinator immediately informs the Call Center, which in turn alerts the Social Welfare Department, which in turn refers the information to the Social Service Department, which forwards it to the General Management. The departmental coordinator asks the social worker responsible for monitoring the child's placement to carry out an investigation within 48 hours of receiving the information.



In the event of evidence of immediate danger or serious violence, including sexual abuse, the child is immediately placed with another accredited foster family (or in residential centers as a last resort) and closely monitored by a social worker and/or psychologist, and undergoes medical treatment.

The IBESR social worker will submit the findings of the investigation within 48 hours to the departmental coordinator for any necessary action. The latter will have to decide whether or not to continue placing the child. He will then communicate the results of the investigation to General Management, via the Social Service Department and the Social Works Department, which will propose whether or not to maintain the foster family's accreditation.

Legal action may be taken against the host family by IBESR's General Management or by the Departmental Coordinator where appropriate. The host family will then lose its accreditation by decision of the General Management.

d. Relationship between foster family and biological family (parents or extended family members)

Relations between foster and biological families should be facilitated, except in the case of disputes where it is the social agent's responsibility to mediate between families.

Children placed in short-term foster care are taken in on a temporary basis, the primary objective being family reunification. Foster families may come to know and interact with their biological families.

The foster family may be in a complementary position with the biological family while awaiting reunification: for example, a short-term foster family may receive a father who wishes to meet his children but does not yet have a place to house them, or a biological family may need the foster family's advice to assess the stages in the reunification process, and so on.

A meeting place for host families from the same geographical area created.

On the other hand, as the foster family's environment must be a protective one, in the event of real or potential disputes or conflicts, it is the IBESR agent or the mandated protection partner who will play the role of mediator to enable the child to move from one family to the other. In this case, it is not advisable for the families to meet; the agent will be the "intermediary between the two families", and it is important to ensure that the child is not taken "hostage" by the two families.

e. Relationship between host families

In addition to visits to host families, we can organize meetings between host families living in the same geographical area. These



contests are an opportunity for families to share their experiences (problems and successes) and find solutions together.

These meetings are organized by IBESR staff and/or the mandated protection partner responsible for accompanying families. These meetings can also be organized as part of mandatory ongoing training sessions.

11.2. Support for families

In order to support the reception and integration of a new child into the family, and to take into account day-to-day difficulties (social, psychological, educational, economic), the skills of the family and the child need to be strengthened; material and/or financial support may be provided if necessary.

a. Skills enhancement

Welcoming a child into the home produces changes throughout the family, and it's essential to be aware of the conditions that will foster the child's integration. In addition, placement can sometimes lead to imbalances in the relationships between the two parties (foster family and child in care): alliances between biological children and the child in care, difficulty in accepting a "different" child, relational difficulties between foster parents and the child in care, and so on. Other specific problems, such as separation when the child leaves the foster family, or a child's learning difficulties, are subjects for reflection for all those involved in the placement.

Foster families are identified, assessed, selected and accredited. Their capacities are strengthened prior to matching and placement of the child. IBESR staff are responsible for foster family training (preparation for placement, mandatory ongoing training sessions), in collaboration with social workers from mandated child protection partners.

Preparing to welcome guests

Preparation for fostering takes place before and after accreditation. It is designed to provide an understanding of the role and responsibilities of foster families and child protection, and to address all aspects of fostering a child. The problems associated with separation and the violence and trauma suffered by children, the difficulties of integration and the various aspects of fostering will also be covered. A certificate of attendance will be provided.

An accredited host family must be pre-approved. ready to welcome any child. Hence the need for foster families to be able to should be started even before the "matching and placement of the child. The challenge is to provide caregivers with the necessary knowledge and resources to assume their responsibilities, improve their educational attitudes and their responses to the behaviors and needs of the children in their care.

A special section will address issues specific to the care of children with special needs: children with reduced mobility, with sensory or intellectual impairments, who have been victims of exploitation, abuse or violence, or who have suffered trauma. It must take into account the specific needs and achievements of the family and the child. This skills-building session will focus, among other things, on disability and inclusion mechanisms, medical and paramedical services and home rehabilitation techniques...

Continuous reinforcement

Skills enhancement includes both induction preparation and ongoing reinforcement.

a. Preparing to welcome guests

- Training activities for:
- Providing caregivers with the means to assume their responsibilities;
- Improve their educational attitudes and responses to the behaviors and needs of the children in their care.

b. Continuous reinforcement

- Revisiting the themes of welcome preparation;
- Exchanges between host families on their practices and difficulties.

Ongoing training is a prerequisite for IBESR accreditation renewal. Taking up themes from the preparation for fostering, or focusing on particular needs linked to the various types of fostering, ongoing capacity-building adds value to the quality of fostering and confirms foster carers in their status within the **foster care system**. These sessions also provide an opportunity for families to discuss their practices and difficulties. These reinforcement sessions do not lead to a diploma; only a certificate of participation will be produced at each level of acquisition.

Some foster parents may themselves live with a physical or sensory disability. In this case, their situation will need to be taken into account so that they can take part in the capacity-building sessions.

For children in care and foster children

From a methodological point of view, information sessions with children are conducted in an attractive format, using games or activities appropriate to their age and abilities. They are simple, concrete, short (especially for the youngest children), based on their questions, and always take into account the child's globality and complexity.

The information spaces must enable genuine exchanges with the children, and are also places for observation to see how they are evolving.

b. Material and/or financial support

The scheme does not provide financial support for foster families. This does not exclude the possibility of providing them with support if necessary.

Under this scheme, accredited foster families are financially able to provide for the child's food, accommodation and basic needs; they therefore do not benefit from additional material and/or financial support.



However, during the placement and support visits, if the social worker identifies with the family any needs that have arisen to facilitate the child's care, he or she will do everything possible to seek out any support that may be required, particularly through referrals to government social programs/managed protection partners.

Where appropriate, host families may receive material and/or financial support in the following forms:

- Hygiene products for the child in care (soap, shampoo, toothbrush, toothpaste, bath towel, sheets, underwear, clothes, shoes) as required;
- School equipment for all children in the family (notebooks, pencils, suitcases) according to needs;
- Payment of tuition fees at a school identified by IBESR for a period to be defined;
- Equipment to meet the specific needs of certain children: mobility aids (wheelchairs, crutches, prostheses), hearing aids, glasses, bedsores mattresses...
- Particular attention will be paid to the coverage of major medical expenses such as hospitalization, medical examinations, medication or rehabilitation care over the long term.

Foster families may be entitled to economic support to help them continue to care for the child in the following cases::

- If they are facing temporary economic difficulties (loss of income due to job loss, divorce, etc.),
- If they wish to give up a source of income to stay at home to look after a child with special needs (living with a disability, an illness requiring them to stay at home, etc.).

The social worker will regularly fill in a form to monitor the material and/or financial support provided to the foster family.

Basic themes of training sessions for children

- *Children's rights and duties, particularly in situations of placement;*
- *Possible and recommended links with the biological family;*
- *Definition of the foster family and its commitments to the foster child;*
- *Conditions for successful integration into the family ;*
- *The possibility of contacting the social worker in charge of the child's care to discuss any difficulties encountered.*

11.3. Close investment

a. Causes of closure

There may be several reasons for closing the placement, and in all cases we must ensure that the child understands and appropriates the decision taken.

Any of the following reasons may lead to closure of the placement



- Biological parents able to take back their child ;
- Extended family able to care for the child ;
- Disappearance of child not found after two months;
- Host family's wish to end foster care ;
- Proven mistreatment, neglect, exploitation and/or abuse by the foster family ;
- Inadequate matching after support from the social worker;
- Death of the child.

Consideration of the foster child's views is obligatory when making decisions about the closure of the placement and the after-care of the child. It is essential to ensure that the child can understand the decision, take ownership of it and raise with the social worker the aspects to be taken into account to facilitate the process.

The social worker, in collaboration with the foster family - if applicable - prepares and supports the child in this change through home visits, listening sessions and preparation of effects. If the child so wishes, the link with the foster family is maintained through visits or telephone conversations.

The social worker undertakes to offer psychosocial support to the foster family in order to best manage the departure of the foster child.

Closure of the placement following a short-term stay

If the reception is short-term, the agents who provide the support assess the conditions of the placement according to the progress made in implementing the action plan:

a. For children whose parents were temporarily unable to fulfill their parental role:

- Review of the biological parents' capacity to parent and reintegration into the biological family if they are able;
- If the biological parents are unable to fulfill their parental role, an extended family placement solution is sought, if desirable and possible.

If these two solutions are not feasible after one year in short-term foster care, the placement is transformed into a long-term placement with the same or another family, strictly after a documented assessment by the social worker.

b. For children who are victims of neglect, abuse or exploitation within their biological family:

- Review of family conditions and, if positive change is proven, reintegration into biological family.
- If the conditions of the biological family still present a risk, a solution is sought.



placement in an extended family if desirable and possible.

If these two solutions are not feasible after one year in short-term foster care, the placement is transformed into a long-term placement with the same or another family, strictly after a documented assessment by the social worker.

c. For children temporarily separated from their biological families:

- Review of family conditions and, if a change is proven, reintegration into the biological family;
- If the conditions of the biological parents do not allow immediate reunification, reunification with an extended family is possible and desirable.

If these two solutions are not feasible after one year in short-term foster care, the placement is transformed into a long-term placement with the same or another family, strictly after a documented assessment by the social worker.

Closure of placement following long-term care

If the reception is long-term, the agents who provide the support assess the conditions of the placement according to the progress made in implementing the action plan:

a. For fatherless and motherless orphans without extended family care: encourage national adoption, preferably by the foster family.

b. For abandoned children with a declaration of abandonment from a competent judge without extended family care: encourage national adoption, preferably by the foster family.

c. For separated children in situations of specific vulnerability, including abandoned children under the age of 3, neglected and/or abandoned disabled children, and single girl mothers:

- Review of the situation of the biological parents and, if a change is proven, reintegration into the biological family;
- If the conditions of the biological parents do not allow for immediate reunification, we look for an extended family solution, if desirable and possible.

If the above solutions are not feasible, encourage national adoption, preferably by the foster family, for children who have been abandoned or removed from their families.

d. Children whose parents suffer from an incapacitating chronic illness or disabling mental illness:

- Review of the physical and mental health of the biological parents and, if a change is proven, reintegration into the biological family;
- If the biological parents' state of health does not allow reunification, search for an extended-family solution, if desirable and possible.

If the above solutions are not possible, the long-term investment remains in place.

b. Disruption of the bond between the foster child and the foster family

Sometimes placements come to an unexpected end, unplanned in the life project. This can be a very difficult time for both the child and the foster family. The break in the bond between the child in care and the foster family may be the result of the family's difficulties in managing the child's commitments, difficulties linked to family resources.

Warning signs that a placement is at risk of being interrupted often appear at the very start of fostering. In such cases, the foster family must inform the social workers as soon as the first signals appear, so that together they can assess the situation and make a decision, through a series of home visits. It's important for the foster family to understand that hiding or minimizing these signals can be detrimental to the child's well-being, as well as that of the family itself, and can contribute to bond breakdowns.

If a placement is unexpectedly interrupted, it is necessary to organize a specific meeting to involve the foster family and the child in sharing experiences and emotions. Sometimes this can be a time to repair the relationship between the parties. In the event of a decision to place the child with another foster family, or to reintegrate him or her with the biological family (if possible and desirable), this meeting is a time to reflect on the events, and to assuage any feelings of guilt, rejection or failure.

12 ROLES AND RESPONSIBILITIES OF THE PLAYERS INVOLVED IN THE PROCESS

12.1. Institut du Bien Etre Social et de Recherches (IBESR)

IBESR is the key player in this scheme. As detailed in this document, IBESR is responsible for the overall implementation of the scheme at all stages. In certain areas, IBESR may work in partnership with protection partners mandated to support the implementation of the scheme (see below). To do so, the partner organizations must sign a memorandum of understanding with IBESR, including a delegation of responsibility for the implementation of the scheme.



to the implementation of these actions.

The signing or revocation of the foster family accreditation contract, the signing of the child placement form, the removal of the child from the foster family and the closure of the placement are the sole responsibility of IBESR.

12.2. Protection partners

IBESR's partner organizations can take part in the following activities during the course of the scheme:

- Basic training for social workers involved in this scheme: training the professionals whose job it is to meet and assess candidates for foster care, as well as to provide support, is essential.
- Ongoing training for social workers involved in this scheme, to support their professionalization. This is based on concrete issues encountered in professional practice.
- Identification and assessment of host families (interviews conducted by two people, including one from IBESR);
- Mass information on the *foster care system* ;
- Preparing host families for foster care / further training ;
- Identification and assessment of children in need of care ;
- Drawing up the child's life project ;
- Raising awareness among children in care and foster children;
- Accompanying the foster child ;
- Material and/or financial support for the host family, where applicable.

Conclusion

To develop and grow in the best possible conditions, a child needs to live in a protective family environment. But many children are deprived of the protection of their biological parents and of assistance capable of guaranteeing them adequate protection. These unaccompanied children are therefore highly vulnerable, exposed to a range of dangers (abuse, violence, exploitation, etc.) likely to compromise their right to life.

The Haitian state, together with its child protection partners, has an obligation to find a lasting solution to the vulnerability of separated children. Moreover, Haitian laws and the treaties and conventions ratified by Haiti, including the International Convention on the Rights of the Child (CRC), require the State to ensure the protection of all children. They are entitled to protection, affection and care, and must grow up in conditions conducive to their development.

IBESR studies have shown that institutionalization has failed to provide adequate protection and care for vulnerable children. This calls for alternative solutions. In such cases, family reunification remains the best option: separated children must be reunited with their biological families as a matter of priority, since the family is the first and foremost place of protection for children.

However, it must be recognized that a number of factors often make family reunification difficult, if not impossible. Hence the importance of foster care. A foster family is a family that receives

a vulnerable child with whom she has no biological link. Fostering is based on a relationship of sharing and solidarity, and strictly respects the best interests of the child placed with us. The child must be treated as a member of the family and protected from all discrimination.

Foster care is a mechanism implemented in many countries. In Haiti, this mechanism is regulated by the **F o s t e r** Care Scheme, a document drawn up in 2013 and revised in 2016 by IBESR staff, in collaboration with its mandated protection partners, including UNICEF, Tdh-L, Handicap International and Lumos. The 2016 revision of the Scheme provides a harmonized tool that takes into account the diverse concerns of community members and leaders, child protection stakeholders and agents involved in the implementation of foster families, with a view to best meeting the expectations expressed during the pilot phase.

Welcoming a child causes a period of imbalance in the family, the time it takes for the child to find his or her place among the children and all the members of the host family, which is why fostering is always "everyone's business". The foster family and social workers must help the child to develop his or her own complex history. It's part of a global protection policy that aims to reduce child abandonment, violence and neglect through prevention and education for all.