

THE PUBLIC DEFENDER OF GEORGIA
NATIONAL PREVENTION MECHANISM
THE CENTRE OF CHILD'S RIGHTS

SPECIAL REPORT ON MONITORING
OF SMALL FAMILY TYPE
HOUSES



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Introduction

In February and November of 2014, the Special Preventive Group of the Public Defender of Georgia, in the framework of the National Preventive Mechanism, and together with the Centre of Child's Rights conducted monitoring in 44 small family type houses (after as SFTH). Namely, in Tbilisi (13 SFTHs), Rustavi (2 SFTHs), Dusheti (1 SFTH), Akhmeta (1 SFTH), Telavi (3 SFTHs), Mtskheta (2 SFTHs), Khashuri (4 SFTHs), Gori (1 SFTH), Kaspi (1 SFTH), Gardabani (1 SFTH), Lagodekhi (1 SFTH), Sachkhere (Bajiti village, 1 SFTH), Ambrolauri (1 SFTH), Kutaisi (3 SFTH), Khoni (1 SFTH), Chkhorotsku (1 SFTH), Tsalenjikha (2 SFTHs), Batumi (1 SFTH), Ozurgeti (1 SFTH), Lanchkhuti (1 SFTH) and Zestafoni (1 SFTH).

The monitoring preparation period included: planning of the monitoring, determining the number of houses to be inspected and visits intended, also monitoring groups and number of its members, also, development of thematic questionnaires and aimed at focus groups.

At the next stage of the monitoring results were summarized, technical reports were drawn up and based on the latter, presented report and relevant recommendations was prepared. In addition, the results of the monitoring will be reflected in the Parliamentary report.

In February 2014, two groups of the monitoring were formed with participation of invited 8 experts of the National Preventive Mechanism (Maia Tsiramua, Qetevan Philauri; Qetevan Gelashvili; Irma Manjavidze, Kakha Miqadze, Nana Qoridze, Lali Tsuleiskiri, Ekaterine Qobesashvili) and 4 representatives of the Department of Prevention and Monitoring and the Centre of Child's Rights of the Public Defender (Daniel Mgeliashvili, Melita Maisuradze, Nino Atabegashvili, Rusudan Rogava). While two monitoring groups in November 2014 were composed of 4 representatives of the Department of Prevention and Monitoring of the Public Defender and the Centre of Child's Rights (Nikoloz Kvaratskhelia, Daniel Mgeliashvili, Tamta Babunashvili, Tamar Chkholaria), as well as 5 invited experts of the National Preventive Mechanism (Maia Tsiramua, Qetevan Philauri, Qetevan Gelashvili, Lali Tsuleiskiri, Nana Qoridze).

During preparation of the report below along with other materials technical reports prepared by members of the monitoring groups were also used. The monitoring of child care institutions were carried out in accordance with Child Care Standards¹. Compliance of situation in SFTHs with requirements stipulated in each standard was analyzed in details. Given the confidential nature of an interview, the report was drawn up in a way that prevents identification of a beneficiary of SFTHs.

¹ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

During conduction of the monitoring, while exercising authority granted by the Organic Law of Georgia on the Public Defender, a monitoring group was guided by the Constitution of Georgia, the UN Convention on the Rights of the Child, Child Care Standards and other relevant normative acts².

Results of the monitoring revealed that qualification of personnel, as well as violence towards children, right of beneficiaries to healthcare, their psychological/mental care, right to education, preparation for independent life in Small family type houses remain a problem.

In accordance to the first paragraph of the Article 20 of the Convention of the Rights of the Child: “A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State”. Also, the Article 27 of the same convention recognizes the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development”, while the third paragraph of the same article stipulates the obligation of the state to “take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing”.

A stable family is the foundation for well-being of a child. Today not every family in Georgia provides for needs of a child. In this case, it is the obligation of the state to assume responsibility of bringing up a child and provide adequate conditions for its development. One of the forms of state care is placement of a child in a small family type house and it aims at creating environment maximally approximated to a family atmosphere in the best of their interests. Every child under the state care placed in a small family type house should be provided with environment maximally approximated to a family atmosphere. Beneficiaries should receive service adapted to their individual needs. Individual approach to care is important in the process of child development and increases a prospect of an adolescent to completely realize its abilities.

² The Law of Georgia “On social assistance; the law of Georgia “On adoption and foster care”; Joint Order N152/n-N496-N45/n of the Minister of Labour, Health and Social Affairs of Georgia, the Minister of Internal Affairs of Georgia and the Minister of Education and Science of Georgia “On approval of child protection referral procedures” as of 31 May, 2010; Decree N52/n as of February 26, 2010 of the Minister of Labour, Health and Social Affairs of Georgia on approval of rules and conditions of placement in a specialised institution and removal from this institution;

Standard 1- Information on service³

According to the Third Paragraph of the Article 3 of the UN Convention on the Rights of the Child, institutions, services and facilities responsible for the care or protection of children should conform to the standards established by competent authorities. The first article of the Child Care Standards defines a list of documentation that should be kept by a service-provider and its accessibility for the interested stakeholders is to be ensured. ⁴

As defined by the law, Small family type houses (SFTTHs) presented detailed information sheets, licenses confirming their status as establishment conducting educational activities. They also have educational programmes developed that contain teaching methodology as well as agenda. The teaching programmes have not been developed as a single document in certain homes⁵. In most of the cases, internal regulations encompass all issues that are envisaged by Child Care Standards. A teaching programme had been presented in Batumi small family type house⁶ but the agenda is not represented comprehensively. Namely, a plan for the weekend is not defined. It should be noted that above-mentioned document is kept in the office of the organization-provider of the service. As to the internal regulations, it does not describe rules and methods of management of socially unacceptable behaviour on the part of beneficiaries, or issues of maintaining confidentiality, rules of conduct for children, volunteers and workers, also rules developed for the purpose of avoiding infectious diseases.

Internal regulations are accessible in almost all SFTTHs though there are certain shortcomings. Rules of conducts and methods of socially unacceptable behaviour are of general nature. Internal regulations were not presented comprehensively in several SFTTHs⁷ while in certain cases there is no one representing while in certain cases⁸ it was not presented at all.

SFTTHs have the following documentation: a journal for registration of accidents, a journal for recording facts of violence, a journal for recording of the trust box opening, a journal of records of adolescents' visits to cultural events, a journal of infectious disease records.

As a result of monitoring, it was revealed that the above-mentioned journals are not duly kept. The journal of expression is only accessible in several SFTTHs, and even they are without any remarks and thus and just are of formal nature.

An accident registry and journals of written records of activities carried out in response to facts of violence are empty in most cases that indicate to their formal nature. In most cases, according to monitors, teachers do not have a clear understanding of essence of an accident, and a journal has

³ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 1;

⁴ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards ;

⁵ Charity Humanitarian Centre "Abkhazeti", Lagodekhi, Baisubani village, SFTCHS of Society "Biliki".

⁶ Batumi Centre of education, Development and Employment, 106, 26 Maisi str., Batumi.

⁷ Charity Humanitarian Centre "Abkhazeti", Lagodekhi, Baisubani village; Charitable foundation "Caritas Georgia", Gldani village, 41b, 26 Maisi Str.

⁸ Association "SOS children's village - Georgia", block 3, 1 Herman Gmainer str., IV Nutsbidze Plato, Tbilisi.

registered cases of children running from their homes⁹. There are instances when teachers deny any kind of accident while documents (journal of transfers, personal cases, medical form N – IV- 100/a, and a doctor contact card) confirm their existence¹⁰.

A registry of placement of an individual in a specialized institution and his/her removal from this institution should be kept in all SFTHs.¹¹ In some cases, these documents are completed inadequately and in a manner that does not comply with standards.¹²

Special journals of a child's temporary absence from SFTHs are completed with violation of relevant regulations. A fact of unauthorized leaving of SFTHs in Norio¹³ by beneficiaries was recorded. There are cases when beneficiaries themselves instead of responsible person, sign in these journals¹⁴.

A positive assessment should be given to the fact that activities carried out in Ozurgeti¹⁵ small family type house (SFTHs) in response to an anonymous letter were conducted in accordance with legally-established regulations. Explanations also accompany a note and the actions carried out in response to letter are also indicated. A good practice example is a case conference that is attended by a manager of the home, care-givers, children and a social worker. Needs and tasks around all issues are discussed at this meeting.

Also, positive assessment should be given to a fact that a journal of conducted meetings are kept in Zestafoni¹⁶ small family type house where needs of children, meetings with a school headmaster are recorded. In addition, a parent's council is established at the home which together with a psychologist discusses needs of children.

Personal cases of all beneficiaries are kept at SFTHs. A monitoring group had an access to personal files of beneficiaries that included protocol decisions on placement of beneficiaries in an institution, an identity document of a beneficiary, an assessment form and a conclusion recorded by a social worker, also a child's health certificate. As a result of the monitoring, it was determined, no health certificates were found in personal files.¹⁷

In accordance with the Georgian legislation, documentations kept at Small family type houses include contracts with teachers. Though, in some cases, documents confirming qualifications were not present.

Recommendations to the Ministry of Labour, Health and Social Affairs of Georgia:

⁹ Association "SOS children's village - Georgia", Sachkhere, Bajiti village

¹⁰ Association "SOS children's village - Georgia", block 3, 1 Herman Gmainer str., IV Nutsubidze Plato, Tbilisi.

¹¹ Decree N52/n as of February 26, 2010 of the Minister of Labour, Health and Social Affairs of Georgia on approval of rules and conditions of placement in a specialised institution and removal from this institution, annex N3;

¹² Charitable foundation " Caritas Georgia", Gldani village, 21 b, 26 Maisi Str.; Society "Biliki, Khashuri, 24 Pushkin Str.; Society "Biliki, Gori, 20 Tavzhishvili str.; Society "Biliki, Khashuri, 1 Shola str.; Society "Biliki, Kaspi municipality, Metekhi village;

¹³ Association "Child and environment", Gardabani, Norio village;

¹⁴ "Caritas Georgia", Gldani village, 41 b 26 Maisi Str.;

¹⁵ NCE "Momavlis skhivi", 148 D. Aghmashenebeli str., Ozurgeti;

¹⁶ Association "SOS children's village - Georgia", Zestafoni, Kvaliti village

¹⁷ Association "SOS children's village - Georgia", block 7, 1 Herman Gmainer str., IV Nutsubidze Plato, Tbilisi

- Service-providers shall provide basic training for persons employed in Small family type houses(SFTHS) in line with a training course agreed with the Ministry of Labour, Health and Social Affairs of Georgia before starting their work and later to conduct regular qualification-raising trainings.
- To monitor provision of relevant documentation-keeping of documentation as stipulated in the annex N3, decree N52/n as of February 26, 2010 of the Minister of Labour, Health and Social Affairs of Georgia “On approval of adoption of the regulations and conditions of placement of a child in a specialized institution and his/her removal from this institution” and the first article of Children Care Standards (Standard N1 – information on service).

Standard 2 - Inclusion of care¹⁸

The article 2 of Child Care Standards ¹⁹ defines obligation of a service-provider to provide a beneficiary with a service that meets his/her needs and is in line with their abilities. Beneficiaries also should have an access to other services existing in the community. Beneficiaries, within the capabilities of an organization, have access to other services existing in the community. Children receive education – they attend school, vocational educational institution, college, as well as other classes. Though, taking into account their age and interests, their inclusion in various activities is different and depends on capabilities and place of the organization. With this respect, choice²⁰ is especially limited in regions. Older children have to travel to a centre of a region to access relevant resources. Younger children cannot travel independently to such distances.

Due to lack of human resources, a care-giver is also limited in their ability to personally take a younger beneficiary to a centre of the region.

In some cases, a care-giver cannot identify individual needs of a child. Needs of a beneficiary and importance of provision of relevant services are not written in details in an individual plan of service. ²¹. There were cases when beneficiaries were unable to take advantage of various services existing in a city (sport, dance, music). It should be hereby noted that inclusion in class, art-activities depicted in the agenda are not carried out in reality. ²²

¹⁸ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N2;

¹⁹ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards ;

²⁰ Association “SOS children’s village - Georgia”, Sachkhere, Bajiti village,; NCE “Momavlis Skhivi”, Lanchkhuti, Lesa village; Association “SOS children’s village - Georgia”, “ Chkhorotsku settlement, 24 Shengelia str.

²¹ Association “SOS children’s village - Georgia”, Ambrolauri, 8 Tsereteli str.; Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str’; Association “SOS children’s village - Georgia”, Tsalenjikha, Kvemo Mazandara village; Batumi Centre of Education, development and Employment, 106, 26 Maisi Str., Batumi;

²² Association “SOS children’s village - Georgia”, 17 Shalva Dadiani str., Kutaisi;

As a result of the monitoring, in some cases, fact of stigmatization of children of small family type houses, tendency of negative attitude towards foster children of SFTHs on the part of teachers and classmates in schools were identified.²³

Recommendation to the Ministry of Labour, Health and Social Affairs of Georgia:

- **To ensure access to necessary services for children living in Small family type houses in regions; to provide support of beneficiaries with additional resources.**

Standard 3 - Maintaining confidentiality²⁴

The Article 3 of Child Care Standards²⁵ envisages maintaining confidentiality of personal data on beneficiaries.

Confidentiality of correspondence, conversations, and personal meetings of beneficiaries of Small family type houses is more or less protected, though it should be noted that a beneficiary's room is mainly used for individual visits. For the purpose of greater extent of confidentiality of a conversation it is more appropriate to allocate a special room in every small family type house where it will be possible to conduct an individual work with a beneficiary, carry out confidential conversations and consultations with a child.

Personal files of beneficiaries of SFTHs are kept in care-givers' rooms, in places inaccessible to strangers. Confidential information about children is protected and is not discussed publicly though it should be noted that care-givers do not have full information on the subparagraph "h" of the standard 3.²⁶

Recommendations to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

- **To allocate a special room in every small family type house for the purpose of ensuring confidentiality of a conversation;**

²³ Association "SOS children's village - Georgia", Khoni, 28 Ip. Khvichia str.; NCE "Imedis skhivi", Lanchkhuti, Iesa village. Association "SOS children's village - Georgia", Sachkhere, Bajiti village; Society "Biliki", Khashuri, 20 Imereti str; Association "SOS children's village - Georgia", block 1, 1 Herman Gmainer str., IV Nutsubidze Plato, Tbilisi;

²⁴ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N3;

²⁵ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards ;

²⁶ "h) In case of termination of provision of care service for a child, information about the child is kept for the period of three years with a service-provider. In case an organization stops operation and beneficiaries are transferred to another service, all documentations are transferred to a new service-provider as agreed with foster and care agencies; but if a beneficiary returns to a biological family with the agreement (consent) of a legal representative of a child documentation is removed/destroyed."

- To develop a form of approval of a responsible person for issuance of personal information of beneficiaries of Small family type houses for the purpose of ensuring confidentiality;

Standard 4 - Individual approach to care²⁷

The Article 4 of Child Care Standards ²⁸ stresses importance of individual approaches in the care process that implies taking into account individual skills and needs of a child. Service for a beneficiary should be adapted to his/her specific needs and this requires provided activities to be based on strong sides of a child, his/her individual needs and resources.

The Article 25 of the UN Contention on the Rights of the Child lays a responsibility on a state through competent agencies to protect a right of a child placed in a care, to periodically assess conditions of his/her care.

Personal files are kept for every beneficiary of small family type houses. During the monitoring, certain problems were identified. Individual plans of individual development and service have just formal nature: they do not depict in details set goals, planned activities, expected results; they are very general and do not include individual needs and planned activities of a beneficiary. Terms of realization of a specific activity are often similar. Beneficiaries mainly are not involved in the process of development of their plans. There are cases when a child has a health problem that is not mentioned in his/her individual development plan²⁹.

Prior to immediate placement of a child, a social worker is obliged to provide detailed information on a personal file of a child to a provider, but it does not happen often. For example, during placement several children did not have health certificates NIV-100/a³⁰. Also, care-givers noted that several beneficiaries were placed in a home so that they did not have full information on them³¹. The monitoring revealed that a beneficiary was placed in one of the homes for two months with violation of the rule on placement in a specialized institution³².

²⁷ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 4;

²⁸ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards ;

²⁹ NCE "Momavlis Skhivi", Ozurgeti; Association "SOS children's village - Georgia", Zestafoni, Kvaliti village; Association "SOS children's village - Georgia", 17 Shalva Dadiani str, Kutaisi;

³⁰ Association "SOS children's village - Georgia", Sachkhere, Bajiti village; Chkhorotsku Settlement, 24 Shengelia str; NCE "Young Teachers' Association", 53 Aghmashenebeli str. Ozurgeti; Humanitarian Charity Foundation "Bress Georgia", 26 Kekelidze str., Kutaisi;

³¹ Association "SOS children's village - Georgia", Kvaliti village, Zestafoni;

³² NCE "Imedis Skhivi", Lesa village, Lanchkhuti;

Cooperation between a social worker and care-givers are superficial. Care-givers do not have full information on functions and obligations of a social worker.

Due to overloaded schedules, social workers have rare contact with beneficiaries of SFTHs and this fact creates a risk of non-comprehensive identification of needs of children. During the monitoring in eastern Georgia, tendency was noted that state social worker of “SOS children’s village” has “delegated” its authority to a social worker of Family Strengthening Programme. In some cases, a social worker of the mentioned project conducts visits to biological families of beneficiaries on his/her own will for the purpose of studying the situation in their families despite the fact that he/she does not have the authority to carry out such actions.

Individual development plans in several SFTHs were drawn up by social workers in January 2014, activities were planned for 6 months and thus they were subject to revision. New development plans could not be found in personal files of children.³³

There is no multidisciplinary approach - joint actions planned to resolve a problem - in acute cases.³⁴

Recommendations to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

- **To ensure retraining of personnel of SFTHs aimed at teaching appropriate maintenance of individual plans of service for beneficiaries. To take into account views of beneficiaries and care -givers in the process of development of these plans;**
- **To supervise conduction of individual development plans;**
- **To ensure timely provision of children’s documentations to an establishment during placement of a child in a small family type house, adequate risk assessment and defining alternative form of care taking into account genuine interests of a child.**

Standard 5 - Emotional and Social Development³⁵

The Article 27 of the UN Convention on the Rights of the Child recognizes the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. The 5th article of Child Care Standards³⁶ stipulates that environment in the care should provide for emotional

³³ Humanitarian Charity Foundation “Bress Georgia”, 26 Kekelidze str., Kutaisi;

³⁴ Humanitarian Charity Foundation “Bress Georgia”, 26 Kekelidze str., Kutaisi;

³⁵ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N5;

³⁶ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

and social development of beneficiaries, prepare them for independent life, support their social integration and strengthen their contacts with family.

Emotional and social environmental conditions, forms of care in (SFTHs) differ from each other and depend on financial capacities of a managing organization, also a model of general administration and management (British model³⁷, Polish model). In case of the Polish model, five care-givers work in a SFTHs and one of them occupies a position of a leader. Each beneficiary is under the patronage of a specific care-giver and that, in the opinion of experts, creates certain problems in the care process. One care-giver is not aware of needs, problems, vulnerability to stress and psychological and mental health of a child under the patronage of another care-giver and that in itself excludes development of one, general child care strategy.

Establishment of emotional and social environment promoting development of beneficiaries of Small family type houses significantly depends on skills and abilities of care-givers.

Participation of care-givers, as well as social services in a search for a biological family of a child, resuming and strengthening contacts with them constitutes a positive tendency. The main means of the contact with a family is telephone communication. Biological parents rarely visit beneficiaries; majority of children cannot remember the date of their last meeting with parents³⁸.

Following conversation with beneficiaries in a small family type house in Rustavi³⁹, there is an impression that duties are not divided among teachers in accordance with any common strategy; no common system of care and teaching of beneficiaries is evident there. We can say that the process is chaotic and, most probably, does not provide well-established service, structured environment for beneficiaries.

Beneficiaries of the majority of SFTHs are integrated in the community, school social structures, they visit schoolmates at home, often receive guests at their homes. Children have friends⁴⁰. For the purpose of developing their everyday skills children are engaged in household chores: they prepare meals, clean a house. In certain cases, there were identified cases of negative attitudes of school teachers and classmates towards beneficiaries of SFTHs⁴¹.

³⁷ British model is maximally approximated to a family environment – maximum 8 children are placed in a home, foster parents are in place during weekdays while at the weekend they are replaced by other care-givers (aunt and uncle); they eat meals together; foster parents have their own room.

³⁸ Association “SOS children’s village - Georgia”, Chkhorotsku settlement, 24 Shengelia str.

³⁹ Child and Environment, 19 Baratashvili str., Rustavi

⁴⁰ Association “SOS children’s village - Georgia”, Tslenjikha, village Kvemo Mazandara; Association “SOS children’s village - Georgia”, Ambrolauri, 8 Tsereteli str.; NCE “Momavlis skhivi”, Ozurgeti, 148 D. Aghmashenebeli str.;

⁴¹ Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str.; NCE Association “Momavlis Skhivi”, Lanchkhuti, Lesa village; Association “SOS children’s village - Georgia”, Sachkhere, Bajiti village; Society “Biliki”, Khashuri, 20 Imereti str.; Association “SOS children’s village - Georgia”, Nutsubidze plato, 1 Herman Gmeiner st. Building N1.

Interior of several SFTHs lack comfort, creativity and does not form environment necessary for emotional and intellectual development of a child⁴². For example, a home in Batumi is not properly restored; furniture is old, uncomfortable and damaged. Children toys are limited just to dolls and several children books aimed at small children; there is no computer and internet and just one TV set in the home. During the monitoring process, children were engaged in mutual violent behaviour towards each other and noisy games that would turn into crying on the course of the whole day and care-givers were unable to manage their behaviour.

Several SFTHs only meet just basic needs of children; number of toys and books is small, as well as other items for cognitive, emotional and social development of children.⁴³

Individual plans of child development also are not very informative. Six-month plans often repeat same activity so that no concrete steps needed to achieve a certain objective are clearly visible and achieved results are not assessed. The planned activities do not always correspond to abilities and skills of a child and often only have a formal nature⁴⁴.

Despite obligations defined in internal regulations of a small family type house, teachers rarely or inadequately keep notes of everyday process of child care and education and they cite their workload as a reason for this. Existing notes do not provide information on resolution of problems with a specific child or their encouragement, contacts of care-givers of homes with teachers of beneficiaries' schools and activities carried out for the purpose of improvement of the educational process.

Recommendations to the Ministry of Labour, Health and Social Affairs of Georgia:

- **Social services should conduct more active work with respect to improvement of economic and social situation of biological families in order to enable improvement of contacts of a child with his/her biological family and for their later reintegration.**
- **To ensure multidisciplinary assessment of individual needs of a child, their actual reflection in individual development plans and development of indicators of achievement of set goals.**
- **Given acuteness of the problem, to establish planning of short-term individual activities. To elaborate indicators of assessment of achieved goals.**
- **To introduce strict monitoring in SFTHs on establishment and maintaining of appropriate environment for emotional and social development of a child defined by Child Care Standards.**

Recommendation to Batumi Education, Development and Employment Centre:

To provide:

⁴² Batumi Education, Development and Employment Centre, 106, 26 May str.,nBatumi; Association "SOS children's village - Georgia", Khoni, 28 Ip. Khvichia str.; Child and Environment, 19-30 Baratashvili str, Rustavi;

⁴³ Association "SOS children's village - Georgia", ", Chkhorotsku settlement, 24 Shengelia str.; Association "Georgian SOS children's village", Tslenjikha, village Kvemo Mazandara;

⁴⁴ Charitable Foundation "Caritas Georgia", 8 Bezhanishvili turn, Tbilisi; Humanitarian charitable foundation Bres Georgia, Dusheti, Nazi Shamauri 94;

- **Improvement of psycho - social environment in Batumi small family type house, with the active involvement of the psychologists and caregivers.;**
- **Training for teachers on child care issues;**
- **Active engagement of social services in child care process.**

Standard 6 - Diet⁴⁵

The article 6 of Child Care Standards⁴⁶ defines obligations of a service-provider in the process of provision of food to beneficiaries⁴⁷. A child under the state care should be provided with enough quantity of nourishment in accordance with his/her age.

The monitoring revealed that menus in SFTHs are not developed in accordance with the above requirements. Frequently, even genuineness of a menu was subject to doubts. Menu of SFTHs is formal, is not diverse and often does not correspond to a prepared meal⁴⁸, a list is long but a diet is unbalanced.

It should be noted that a menu developed by foster mothers/care-givers are not controlled by anyone. Care-givers determined portions of a child based on “family experience”. Thus, in some cases, a meal portion is not enough for a beneficiary of a specific age.

In many cases, children’s wish to be fed mainly with sausages, frozen dumplings (khinkali), to have large quantities of sweets are complied with. The above does not correspond to the best interests of a child, requirements of healthy growth-development of a body. A menu of one of SFTHs was especially abound with multitude of carbonated drinks⁴⁹, while large amount of fast-preparing packaged soup “Anakom” was found in a food storage room of one of the homes⁵⁰. The latter fact was explained by foster parents that it was children’s request.

The Child Care Standards indicate that a service-provider should not use restriction of food as a disciplinary measure. Rules of one of Small family type houses says that “if a child misses a breakfast intentionally his/her share will not be saved although there will always be small snacks in a kitchen”⁵¹. While as a result of a monitoring in another SFTHs it was revealed that if a child does not

⁴⁵ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N6;

⁴⁶ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

⁴⁷ Article 6 of Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

⁴⁸ “Charitable Foundation “Caritas Georgia”, “Mtsvane sakhli”, 2 Ersitavi str.; Humanitarian Charity Foundation “Bres Georgia, Dusheti, 94 Nazi Shamauri str.; “Society “Biliki”, Khashuri, SFTCHS 24 a Pushkin str.; “Caritas Georgia”, SFTCHS, Gldani village, 41b 26 Maisi Str. Charity Foundaiton “Momavlis gza”, Tbilisi. 92 Vazisubani str.;

⁴⁹ NCE “Momavlis Skhivi”, Lanchkhuti, Lesa village;

⁵⁰ Association “SOS children’s village - Georgia”, Chkhorotsku settlement, 2 Shengelia str.;

⁵¹ Society “Biliki”, Metekhi village, Kaspi;

wash up his/her dishes he/she will go to his/her room on a second floor and will not be allowed to come down until he/she apologizes and consents to wash up his /her plates. Such situation can last till the evening and a child might be left even without a supper. ⁵²

In some homes, there is three-meal diet determined instead of a four-meal one. It became known that in one of the homes relatives of foster parents eat meals with them in the SFTHS and due to this fact children are often left without enough food. ⁵³

During the monitoring, drinking water problems were also revealed. Most of SFTHS could not present a water-quality certificate. Also, in most cases, leaders of homes do not have information on safety of water they use. It was determined that in one of SFTHS where they use well water during 8 months of the year the well is dried and they are forced to use a village spring water. ⁵⁴

Service providers purchase food products for the use of home on the basis of agreements signed with trade centres and shops. Products can be purchased only in case of issuance of an electronic invoice. This is rarely possible in regions. Sometimes, only one shop in the entire community offers such service. Therefore, it becomes necessary to adapt the menu to choices existing in this particular shop. This limits access to and diversity of products and regular provision of homes with necessary products becomes problematic.

There were revealed problems with respect to purchase of food products in Small family type houses in regions. Namely, foster parents have to go to a nearby town to buy dairy and meat products. And this incurs additional transport expenses and human resources. Given this, they give priority to frozen meat products and sausages that are on sale in local shops and which usually do not have validity dates indicated. There were past sell-date products such as chicken, mince meat, stored in several homes. There was no validity dates indicated on meat products, minced meat, chicken thighs, sausages, fish⁵⁵; grains and dried beans were store in kitchen cabinets without stickers indicating their use-by dates. There was a fact of consumption of the previous day's meal in one of the homes. ⁵⁶

More or less kitchens are well-equipped in each home but there is no special ventilation system and anti-bug protection nets installed in any of them. In several of these homes dishes and kitchen utensils were old and damaged. ⁵⁷

Recommendation to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

⁵² NCE Charitable Foundation "Caritas Georgia", 41, 26 Maisi Str., Gldani village;

⁵³ Society "Biliki", Metekhi village, Kaspi;

⁵⁴ Association "SOS children's village - Georgia", Sachkhere, Bajiti village;

⁵⁵ NCE Charitable Foundation "Caritas Georgia" – Gldani village, 41, 26 Maisi str. SFTCHSs of Society "Biliki" and "SOS Children's village";

⁵⁶ "Caritas Georgia", "Ati-mnati"

⁵⁷ NCE "Momavlis Skhivi", Lanchkhuti, Lesa village; Society "Biliki", 20 Tavzhshvili str. Gori

- To develop a special food standard for small family type houses;
- To ensure regular training of teachers of SFTHs in issues of growth-development of children, storage and safety of food products and child's healthy and balanced diet;
- To take necessary measures to realize unhindered purchase of food products;
- To regularly monitor safety of water.

Standard 7 - Opportunities for recreational and leisure activities⁵⁸

The Article 31 of the UN Convention of the Rights of the Child protects the right of a child to rest and leisure. The article 7 of Child Care Standards⁵⁹ concerns obligations of a service-provider with regards to provision of opportunities for recreational and leisure activities.

The monitoring revealed that opportunities for recreational and leisure activities differ in small family type houses, on one hand, based on resources of a provider organization and, on the other hand, quality of inclusion of foster children. It should be noted that beneficiaries of all SFTHs are provided with the right to a seasonal holiday defined by the state standards.

Beneficiaries in most of SFTHs are engaged in unofficial activities. They go to sport, dance, and drawing classes. There are several problems in this respect. Namely, according to care-givers, children are soon bored with classes and often change between them. There are cases when a class that a child wants to go does not function in this area⁶⁰. Given this, it is important that access to general needs of beneficiaries is taken into account in specific cases especially when determining the place of SFTHs in a region.

They have a TV set and a computer in homes though computer in some of them had no connection to internet.⁶¹ The use of a computer is usually regulated. Each beneficiary spends average an hour before a computer.

Foster children spend their free time most frequently in front of a TV. During the monitoring it was revealed that majority of care-givers use restriction on working with a computer as a method of punishment. For example, during the time of the monitoring, a tendency was identified that majority of care-givers use prohibition of use of a computer as a method of punishment. According to children in SFTHs "Momavlis Gza"⁶², they were not using a computer as "it is not allowed – only grown-ups work with computers". At the SFTHs in Akhmeta, monitors⁶³ were told that children did not use a computer. This fact was explained by a foster father by citing "unhealthiness" of the computer as a reason. In

⁵⁸ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 7;

⁵⁹ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

⁶⁰ Association "SOS children's village - Georgia", Sachkhere, Bajiti village; Association "SOS children's village - Georgia", Chkhorotsku settlement, 24 Shengelia str., NCE Momavlis Skhivi", Lanchkhuti, Lesa village;

⁶¹ Association "SOS children's village - Georgia", Sachkhere, Bajiti village; Association "SOS children's village - Georgia", Levan II Dadiani Str. Tslenjikha;

⁶² "Momavlis gza" 92 Vazisubani str, Tbilisi;

⁶³ "Telavi Education, Development and Employment Centre, 1 turn 1 Vazha shavela str. Akhmeta;

addition, as we mentioned above, the monitoring revealed that not all small family type houses⁶⁴ have internet connection. And this directly concerns educational needs of beneficiaries.

A journal of records of children's cultural and leisure activities are kept in SFTTHs. In majority of homes children are rarely taken to excursions and cultural events.

A problem is a library that would meet needs and interests of all age-group beneficiaries in small family type houses. In this respect, a positive assessment can be given to Small family type houses of "SOS children's village" and SFTTHs of Charity Foundation "My home"⁶⁵.

Recommendations to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia and provider organizations:

- **To systemically ensure inclusion of beneficiaries in various classes in accordance with their interests and needs, to work on strengthening motivation of children, provision of finances and transport for them;**
- **To take into account needs of beneficiaries and relevant resources existing in the local community when determining placement in a small family type house.**

Standard 8- Education⁶⁶

The right to education is enforced by the national and international legislation. According to the article 28 of the UN Convention on the Rights of the Child, a child has a right to receive education and on the basis of equal opportunities the state is obligated to support realization of this right. The article 3 of the Law of Georgia "On general education" defines main goals of the state policy in general education sphere, including establishment of the principle of openness and equal access to general education, development of inclusive education, etc. The above obligations acquire special importance when they concern children under the state care. The article 8 of Child Care Standards⁶⁷ defines those obligations that a service provider has towards a child with respect to full realization of the right to education.

Children study independently in majority of small family type houses. Additionally, in most cases they need additional teaching, especially in a foreign language and math. And the above is not usually provided by a service-provider.

⁶⁴ Small family type house of Caritas Georgia, Gldani village, 41 b, 26 Maisi str.; Association "Caritas" – "Imedis Skhivi", block 2, 2 Eristavi str.; "Young Teachers' Association", SFTCHS of Ozurgeti;

⁶⁵ Charity foundation "Chemi Sakhli", 9a Kipshdze str. Tbilisi;

⁶⁶ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N8;

⁶⁷ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

In the majority of homes, beneficiaries talk about facts of violence on the part of teachers. There are cases of bullying as well and several foster children mentioned that they feel hatred towards school.

Adolescents do not wish to continue education and are mainly oriented to vocational education. This fact is explained by care-givers by laziness of foster children. Only two out of six children placed in small family type house in Chkhortosku⁶⁸ go to a public school. The rest of them stated that they had finished 9 classes and did not want to continue education. At the moment, several foster children are not engaged in neither formal nor informal education process at all. Four beneficiaries of the mentioned home are at home and engage themselves with a computer. They neither receive education, nor study any profession and engage in any other work.

It should be noted that various organizations help Small family type houses in provision for educational needs but not even they are able to meet needs of all beneficiaries. Resolution of this problem can depend solely on charity of these organizations. Development of a systemic approach of the state towards this issue is of paramount importance.

As a result of the monitoring, negligence of teachers, deficit of educational skills of beneficiaries, inadequate level of educational development, lack of communication and social skills, in general, were identified in a SFTHS in Khoni⁶⁹. Despite this picture, only one child is included in the programme of inclusive education who wrote an application on refusal to continue education.

As a result of the monitoring it was revealed that majority of beneficiaries-pupils of a small family type house in Batumi⁷⁰ need additional teaching and inclusion in the programme of inclusive education. Academic backwardness was revealed in these children – they were unable to follow the education programme and needed intense work. A fact that a development teacher is working regularly with three beneficiaries of this home can be assessed as a positive practice. Though, the above does not completely meet needs of all children living in this home.

Libraries existing in such homes experience lack of fiction books; books there are old and not very diverse, at that they do not correspond to age and interests of children in most cases; existence of libraries in homes is just a formality.

Especially problematic is the situation of children with special educational needs. Frequently, they do not have special teachers; they study independently; activities planned for them do not correspond to their individual educational needs.

The monitoring of Small family type houses made it apparent that in certain cases, part of personnel of SFTHS does not have knowledge of inclusive education. They do not know what activities are needed to be realized to protect the right to education of children with special educational needs.

⁶⁸ Association “SOS children’s village – Georgia”, Chkhorotsku settlement, 24 Shengelia str.;

⁶⁹ Association “SOS children’s village – Georgia”, 28 Ip. Khvichia str., Khoni;

⁷⁰ Batumi Education, development and Employment Centre, 106, 26 Maisi Str., Batumi;

It often happens that a provider cannot ensure preparation of a beneficiary for high education exams. In these cases, they periodically turn to free preparatory courses, also, to volunteer students⁷¹.

Along with identification of beneficiaries that need individual educational plan, it is important to carry out real implementation of a developed plan. In order to ensure the above, a small family type house is obligated to cooperate with an educational institution and monitor the process. In this respect, a role of a school is also notable. During the monitoring, several cases of negligence towards their obligations on the part of a school were revealed.

The monitoring revealed that practically full majority of beneficiaries remain ignorant of the UN Convention on the Rights of the Child; rising of awareness of beneficiaries and care-givers on the issues of rights of a child is necessary.

Recommendations to the Ministry of Labour, Health and Social Affairs:

- **To ensure training of personnel on procedures necessary for development of an individual educational plan for beneficiaries of special educational needs and questions of control of implementation of these procedures;**
- **To ensure cooperation between service providers and educational institutions to identify educational needs of beneficiaries;**
- **To ensure additional systemic and skilled teaching of beneficiaries in required subjects;**
- **To ensure that information is provided to beneficiaries and care-givers on the rights of the child and mechanisms of protection of these rights.**

Standard 9 - Healthcare⁷²

According to the paragraph 1 of the article 9 of the Child Care Standards⁷³, beneficiaries should be growing up in the environment that encourages healthy lifestyle and appropriate attention is paid to state of their health.

Access to medical service in children educational institutions are carried out in accordance with the article 135 of the Law of Georgia “On healthcare”, which stipulates that the state provides medical care in establishments for orphaned children and children otherwise deprived of parents, children with physical and mental disorders.

According to Child Care Standards⁷⁴, a service provider is obliged to ensure access of beneficiaries to the process of immunization and medical preventive examination⁷⁵. In respect to immunization of

⁷¹ Humanitarian Charity Foundation “Bres Georgia”, 26 Kekelidze str., Kutaisi;

⁷² Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N9;

⁷³ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

beneficiaries, all beneficiaries have undergone age-appropriate vaccination in small family type houses. Children also receive seasonal flu vaccination. During the conduction of the monitoring, there were several cases of complication following a flu jab of several beneficiaries. Children were taken to a hospital where their condition was assessed and treatment assigned⁷⁶.

Care-givers are not informed about actions to be taken for prevention and spread of viral infection. Isolation of infected children often is not possible in SFTHs.

Beneficiaries are undergoing preventive examination that is confirmed by a presented form N IV-100/a. Purchase of medications is carried out in accordance with a doctor's prescription. As to the issue purchasing medications, there appears to be a problem of access to pharmacies for Small family type houses that are situated in villages. Generally, homes have a small supply of medications in homes. There were no items of first aid kit in one of these homes at all⁷⁷. According to the internal regulations, medications should be stored in a specially allocated place but in several homes children also had access to medications⁷⁸.

With regards to access to medical service, there were certain problems identified, including a problem of territorial access. In some cases, a medical centre where beneficiaries of a small family type house are registered is situated far from the home that makes it difficult to monitor health conditions of children and provide suitable care for their health. ⁷⁹

As to healthy lifestyle need for more educational activities have been revealed. Despite the fact that part of care-givers has undergone educational trainings with regards to issues of reproductive health they still experience problems with beneficiaries of the opposite sex. In majority of homes, beneficiaries smoke, children are less engaged in sport and health-boosting activities; care-givers cannot independently deal with difficult behaviour of beneficiaries. ⁸⁰

Outpatient medical service for beneficiaries of SFTHs in eastern Georgia is mainly provided based on the territorial principle in primary healthcare facilities, while hospital care is provided for them in hospitals in Tbilisi and regional medical centres.

⁷⁴ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

⁷⁵ "a" subparagraph of paragraph 2 of the article 9;

⁷⁶ Association "SOS children's village – Georgia", 3 turn to the East-South entrance Youth Ave. House N1, Kutasi;

⁷⁷ Association "SOS children's village – Georgia", "Tsalenjikha, Levan II Dadiani str.;

⁷⁸ Association "SOS children's village – Georgia", 17 Shalva Dadiani str, Kutaisi.; Association "SOS children's village – Georgia", 8 Tsereteli str., Ambrolauri; Association "SOS children's village – Georgia", Kvaliti village, Zestafoni; Association "SOS children's village – Georgia", SFTCHS Nutsubide 4 m/d, 1 G. Gmainer str.; SFTCHS Khashuri, 20 Imereti, Society "Biliki";

⁷⁹ "Caritas Georgia", Tbilisi, 8 Bezhanishvili str., SFTCHS "Satnoeba";

⁸⁰ Association "SOS children's village – Georgia", 17 Shalva Dadiani str., Kutaisi;

Batumi Education, Development and Employment Centre, 106, 26 May Str., Batumi;

During placement of beneficiaries in SFTHs it is obligatory to present a health certificate (medical document form N IV- 100/a)⁸¹ along with other necessary documents. There were cases registered when beneficiaries were placed in SFTHs without the mentioned medical form⁸². There are cases when, while changing between homes, transferring of medical documents of a child to a place of residence is delayed and this, in its turn, hampers provision of medical service for this child.⁸³

In some cases, health certificate - form N IV-100/a is not properly completed and that interferes with the process of treatment. Also, it does not present a real picture of health condition of a beneficiary, prevents early diagnosis of an illness, in case of such.

A role of a social worker in the sphere of administration of health care to a child remains a problem. In most cases, a clause “health condition” in individual development plans drawn up by a social worker is completed formally. During reviewing individual plans, assessments are repeated that does not reflect a real health situation and needs of a child. This circumstance indicates to a deficit of cooperation between social workers and care-givers.

All medical documentation in Small family type houses of “Bres Georgia” was kept with a doctor and a social worker and the above fact interfered with observation of the dynamics of health of beneficiaries.⁸⁴

Medical service for beneficiaries of Small family type houses are provided by a state insurance voucher though as it was mentioned in reports of previous years of the Public Defender, in the framework of voucher-funding, characteristics and needs of children and adolescents are not taken into account and this influences effectiveness of access to medical service. As a result of the monitoring, it was revealed that there were cases when children required medical assistance and intervention but provision of medical service was delayed due to insurance-related problems.

In adolescent age, disorders of endocrinology maturation and puberty are frequent. Also there is a frequent need for correction of vision and purchase of glasses. The monitoring revealed that dentist’s assistance in Small family type houses remains problematic since insurance package does not cover this service. It is an obligation of a service-provider to provide dentist treatment for beneficiaries.

Recommendations to the Ministry of Labour, Health and Social Affairs:

- **Preventive medical examinations to be carried out taking into account full medical and social anamnesis of a child which should be reflected in a medical form N IV—100/a. The above mentioned actions should not have a formal character. The state agency for medical activity**

⁸¹ Decree N52/n as of February 26, 2010 of the Minister of Labour, Health and Social Affairs of Georgia on approval of rules and conditions of placement in a specialized institution and removal from this institution, article 6;

⁸² “Association Our house Georgia”, Khashuri, 1 Shola str., Charitable Foundation “Caritas Georgia”, Addr.: 8 Bezhanishvili turn. “Caritas Georgia”, SFTCHS “Ati Mnati”, 2 Eristavi str.;

⁸³ “Caritas Georgia”, 8 Bezhanishvili turn., Tbilisi; “Imedis Skhivi”, Charitable Foundation “Caritas Georgia”

⁸⁴ Humanitarian Charity Foundation “Bres Georgia”, 26 Kekelidze str. Kutaisi;

regulations should ensure that medical documentation - form N IV-100/a of beneficiaries of Small family type houses are kept appropriately. Inclusion of records of a child's weight and height in the form to be made mandatory.

- To provide adequate medical treatment for beneficiaries in a timely manner;
- To monitor proper implementation of functions and duties stipulated in the document issued by the social services agency of the Ministry of Labour, Health and Social Defence "On distribution of functions and duties of a social worker and a service provider in a small family type house" and keeping of individual development plans adapted to individual needs of a child.
- During placement of a child in a small family type house in an urgent manner, health condition should be assessed immediately to prevent a risk to health of beneficiaries
- To support establishment of a healthy lifestyle; to increase a role of physical activities and sport in everyday life of beneficiaries of SFTHs.
- To fully comply with requirements of infection control; to ensure information is provided to care-givers and beneficiaries on infectious diseases;
- To ensure documenting reception of medications in Small family type houses and their safe keeping.

Standard 10 - Feedback and protest procedures⁸⁵

According to the article 10 of Child Care Standards⁸⁶, a service provider should create a simple and clear procedure for a child and his/her legal representative for a feedback and expression of protest on quality and form of service.

As a result of the monitoring, it was identified that often a journal of records of activities carried out in response to expressed opinions is kept in small family type houses. In majority of cases, records are registered but it is not clear on what dates relevant responses were conducted and what an outcome was. Sometimes this document may even be completely empty. Thus, it is often just a formal procedure.

With the view of provision of feedback, there are complaint boxes in SFTHs which stand empty most of the times. Procedures of feedback and protest are not much encouraged by a service-provider and service-recipients do not use this right due to lack of information.

A complaints' box is erected in a visible place in a small family type house. Beneficiaries who were interviewed by monitoring experts state that they rarely use the box. During the monitoring, a feedback and complaints journal in almost all homes were either empty or inadequately kept. We should

⁸⁵ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 10;

⁸⁶ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

specifically mention with this respect a SFTHS in Batumi⁸⁷. A box was situated in a place inaccessible for children. It did not have a sign. It was clear that it represented an absolutely useless item in this home. Monitors found that a feedback journal was empty.

Beneficiaries placed in a small, family-type home in Chkhorotsku ⁸⁸ are not informed that they can express their opinion and protest against quality of service. There is no advance-agreed procedure that will allow a beneficiary or his/her legal representative to state their opinion anonymously.

Recommendations to provider organizations:

- **To fully define procedures of feedback and protest in documentation of small family type houses, to inform beneficiaries on the rules of feedback and protests and to record each case appropriately;**
- **To ensure realization of the right of beneficiaries to feedback and protest through provision of information to them, simplification of regulations, use of anonymous feedback questionnaires and systematic interactive discussions of emerged problems.**

Standard 11 - Protection against violence⁸⁹

The Article 11 of Child Care Standards⁹⁰ defines the right of the child to be protected against violence. “All beneficiaries are protected against all forms of violence (physical, psychological, sexual, economic, coercion) in both care and outside it” and it obligates the provider “to know and be guided by the current legislation”, “in case of necessity, to ensure conduction of relevant activities to provide psycho-social support to beneficiaries” and “to register all facts or statements on violence, as well as measures taken in response to them, in a special journal, in a written form”.

Legal safeguards of protection against violence

According to the Article 19 of the Convention on the Rights of the Child, “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”

⁸⁷ Batumi Education, Development and Employment Centre, 106 , 26 May Str., Batumi

⁸⁸ Association “SOS children’s village - Georgia”, Chkhorotsku settlement, 24 Shengelia str.

⁸⁹ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N11;

⁹⁰ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

According to the Article 36 of the same convention, it is the obligation of the states parties to the convention to protect the child against all forms of exploitation prejudicial to any aspects of the child's welfare, while the subparagraph "a" of the Article 37 defines that no child shall be subjected to torture or other cruel, inhuman and degrading treatment or punishment.

The content of obligations envisaged by the above-mentioned articles was explained by the United Nations Committee on the Rights of the Child in its general comments N8 that was adopted by the committee in 2006. The committee calls on the states to ensure timely response to eliminate any forms of physical violence against minors.⁹¹ The above-mentioned comments of the committee define that discipline shall be clearly separated from violence. The latter, as opposed to the former, causes some degree of pain, discomfort and humiliation.

The General comments N8 of the Committee on the Rights of the Child present relevant definitions for forms of violence towards minors. "Corporal" or "physical" punishment is defined as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. It shall be also expressed in various forms, though any of them are considered as a degrading treatment.⁹²

In the view of the committee, there are other non-physical forms of punishment that are also cruel and degrading and thus incompatible with the Convention. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child. That, in the view of the committee clearly contradicts goals and principles of the Convention on the Rights of the child⁹³.

It must be mentioned that the Council of Europe developed the 2012-2015 Action Plan in the children's rights sphere where protection of children against violence represents one of the most important issues. The above-mentioned report especially stresses importance to combat violence against minors and zero tolerance towards such facts.⁹⁴

On one hand, dysfunctional character of biological families of beneficiaries of small family type houses, complex traumatic stress, including experience of violence, institutional upbringing and frequent change of forms of upbringing, resulted in psychological/mental vulnerability of children and put relevant state services before concrete challenges. While, on the other hand, results of the monitoring conducted in small groups homes in 2013 showed that despite the fact that majority of personnel involved in child care had undergone training in issues of child care, protection of children against violence and management of difficult child behaviour, problems still exist in this direction in SFTHs and their elimination represents a task that needs to be promptly dealt with by the state.

⁹¹ General Comment N 8, *the Right of the Child to Protection from Corporal Punishment and other Cruel or Degrading Forms of Punishment*, Committee on the Rights of the Child, 2006, Para. 2.

⁹² General Comment N 8, *the Right of the Child to Protection from Corporal Punishment and other Cruel or Degrading Forms of Punishment*, Committee on the Rights of the Child, 2006, Para. 11.

⁹³ Same as above

⁹⁴ Council of Europe Strategy for the Rights of Child (2012 – 2015), *Committee of Ministers*, No.: CM (2011)171, 2012, PP. 5-6.

Problem of identification and documenting of facts of violence in SFTHS

All SFTHS have a journal or a special book for registration of facts of violence but records there do not correspond to reality in SFTHS. They are formal and facts of violence are not appropriately registered there. There are no violence prevention activities conducted - a problem is not jointly discussed and feedbacks are not assessed; there are no cognitive/educational thematic meetings; mutual care of children towards each other, as well as joint playing, group psychotherapy of behavioural management, etc, are not encouraged.

There is a note in a journal of registration of violence in one of the Small family type houses⁹⁵ dated 2013 regarding a statement made by a child on violence carried out towards him/her on the part of a foster father. No further examination of the issue on the part of people responsible for care of the child, or initiation of necessary measures for prevention of violence and psycho-social rehabilitation of the child experiencing traumatic feelings were carried out. Instances of violence conducted by the above-mentioned foster pair were also included in the Public Defender's Annual Report 2012 though the above-mentioned pair continued to work in the SFTHS even during the current monitoring.

In the words of beneficiaries and care-givers of SFTHS, positive forms of behavioural management and non-violent forms of restriction of behaviour are usually used in practice. Though, such methodology/management principles are not documented. Neither are there notes on the use of them. None of the documents in personal files of a beneficiary or a personal note of a care-giver include information on use of encouragement or any positive forms of restriction. In the words of beneficiaries, restriction can concern use of computer. For example, members of the Special Preventive Group recorded a fact in a SFTHS of "Caritas Georgia"⁹⁶ during the monitoring when all beneficiaries were restricted from use of computer on the course of almost the entire month. Beneficiaries of a SFTHS in Kurdgelauri⁹⁷ village are actively involved in cleaning and household chores. They say that they have a duty roster established. It was revealed that mainly children are working while adults help out that is clearly defined from daily notes of care-givers. Although care-givers deny practice of punishment of beneficiaries in any form, care-givers' notes and interviewing process revealed that restriction to leave a house, verbal assaults, shutting up in a room and threats are often used as punishment methods, along with charging children with performing household chores.

Care-givers experience difficulties in identifying emotional needs of beneficiaries. With respect to identification of mental health problems and adequate response to them we should note a small family type house in Akhmeta⁹⁸ where due to inadequate assessment of acuteness of the problem or insufficient professional help four beneficiaries were left without adequate service. Another notable circumstance is emotional state of one of the beneficiaries who as he/she himself/herself noted, has often been a victim of mocking of classmates in a school because of his/her living in a SFTHS. A personal file of the child includes a report of care-giver which describes suicidal thoughts of the child. Despite the fact that care-givers regularly visit a school and help children to overcome problems it would be appropriate to have a psychologist working with the child and providing professional help to the minor. Other two

⁹⁵ Batumi Education, Development and Employment Centre, 106, 26 May str., Batumi;

⁹⁶ Charitable Foundation "Caritas Georgia", house 1, 2 Eristavi str.;

⁹⁷ Charity Humanitarian Centre "Abkhazeti", Kurdgelauri village, Telavi;

⁹⁸ Telavi Education, Development and Employment Centre, Turn 1, 1 Vazha-Pshavela Str., Akhmeta;

beneficiaries who are hurt by removal from their families and express protests towards their parents also require professional help of a psychologist.

Majority of one of SFTHs⁹⁹ experience difficulties at school. They have emotional and behavioural disorders and need qualified help, as well as individual programmes that will be adapted to their educational or mental health needs. This has not been implemented, unfortunately. A care-giver has been working in a home for several months. The person has not received trainings. It seems that a foster mother is in less contact with beneficiaries. It is a foster father who is more actively involved in relations with beneficiaries. A home leader was appointed several months ago. He/she is motivated to help beneficiaries – is actively involved in the life of the home, is taking children to school himself/herself, often organizes various activities, often takes children to a doctor. Though she/he has not undergone a relevant training and his/her efforts are not yet adapted to specific needs of beneficiaries.

Majority of beneficiaries have experienced psycho-mental violence and traumatic stress (leaving without care, neglect, death of a mother, psychological and psychical violence from parents, lack of food, experience of institutionalized upbringing, frequent change of care forms, etc).

One of the main problems for minors living in SFTHs is that individuals involved in child care cannot promptly identify psychological/mental problems of beneficiaries and provide adequate management independently, without specialist assistance. Thus, they fail to define needs of children before arrival of acute, manifested crisis, cannot identify problems and thus, cannot carry out preventive measures at all or they are trying to overcome the crisis by ignoring a problem, hiding it, delaying in time, “by scolding” beneficiaries or resorting to useless talks of general nature.

A foster mother in one of the small family type houses¹⁰⁰ said during a conversation with monitors that she did not like to take a child to a psychiatrist. She decided at her own discretion to stop giving a beneficiary a medication prescribed by a psychiatrist as she thought that the medication further aggravated the state of the child. It was observed by experts of the Special Preventive Group of the Public Defender that several children under care of this care-giver showed signs and symptoms of behavioural and emotional disorder. The care-giver obviously could not manage behaviour of beneficiaries independently.

In specific cases of emergence of difficult behaviour and serious psychological and mental problems of children in one of small family type houses¹⁰¹ care-givers apply to Psycho-Neurological Centre in Telavi where diagnostic assessment and monitoring of medication treatment is conducted though the child is not provided with psycho-social rehabilitation programmes

It should be noted that presence of difficult beneficiaries with clear behavioural disorders in cases when care does not ensure regulation of their behaviour, has a negative effect on other beneficiaries as well.¹⁰² The large part of care-givers lack knowledge of what effect traumatic experience has on child's development and his/her behaviour. In frequent cases, undesirable behaviour of children with difficult past is interpreted as “obstinacy”, “ungratefulness”, “genetics”, etc.

⁹⁹ NCE Association “Momavlis Skhivi”, Lanchkhuti, Lesa village;

¹⁰⁰ Association “SOS children's village - Georgia”, Zestafoni, Kvaliti village.

¹⁰¹ SFTCHS Charity Humanitarian Centre “Abkhazeti”, Telavi, Vardisubani village;

¹⁰² Humanitarian charitable foundation Bres Georgia, 26 Kekelidze str., Kutaisi

Caring for beneficiaries with significant behavioural and emotional disorders creates stress environment for care-givers. And this, after some time, results in their “burn-out” and they need intensive psychological intervention. Thus, such need is experienced not only by absolute majority of beneficiaries but also persons involved in their care.

Bullying

Bullying is a form of aggressive behaviour in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words or more subtle actions. The bullied individual typically has trouble defending him or herself and does nothing to “cause” the bullying¹⁰³.

Mutual violence has systematic character in majority of SFTHS and that creates inappropriate psychosocial environment significantly hinders normal dynamics of the upbringing process.

Cases of bullying were also identified in SFTHS. ¹⁰⁴ Fights between beneficiaries, physical punishment, subjugation/ humiliation, mocking, frightening, threatening, using bad language towards each other is a widespread practice there. Advices and appeals on the part of a care-giver are completely pointless; care-givers sometimes manage their violent behaviour by placing beneficiaries in separate rooms while sometimes they yell at children.

As it is apparent from notes of care-givers, facts of mutual aggression and bullying are frequent in a SFTHS in Martkopi ¹⁰⁵. The above home is meant for children with disabilities. During the monitoring there were five beneficiaries in the home and three of them had grave traumatic experience and mental health problems. As care-givers’ notes describe, behavioural disorders of beneficiaries and difficulties experienced by the personnel in dealing with them are clearly evident.

Mutual aggression among children –beneficiaries of a SFTHS in Baisubani ¹⁰⁶ is popular form of interaction that is confirmed by care-givers’ notes, surveys conducted among them and direct interviews of beneficiaries themselves. Violence among children is expressed in different forms. The notes of caregivers abound with records describing violence, especially violence exercised by older beneficiaries towards younger ones. According to registration journals, caregivers often fail to deal with the problem and they telephone a leader, a social worker and the patrol police to diffuse the situation.

¹⁰³ <http://www.apa.org/topics/bullying/>

¹⁰⁴ Poverty Defeat and First Aid Fund Charity House “Momavlis Gza”, 92 Vazisubani str. Tbilisi; SFTCHS Charitable Foundation “Caritas Georgia”, Gldani village, Tbilisi; SFTCHS Charity Humanitarian Centre “Abkhazeti”, Telavi, Vardisubani village; Batumi Education, Development and Employment Centre, 106, 26 May Str., Batumi; Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str.; Child and Environment, 19-30 Baratashvili str, Rustavi; Charitable Foundation “Caritas Georgia”, Kvemo kartli, Martkopi village; Association “SOS children’s village - Georgia”, Tsalenjikha, Levan II Dadiani str.; NCE Association “Momavlis Skhivi”, Lanchkhuti, Lesa village; Association “SOS children’s village - Georgia”, Sachkhere, Bajiti village;

¹⁰⁵ Charitable Foundation “Caritas Georgia”, Kvemo kartli, Martkopi village;

¹⁰⁶ Charity Humanitarian Centre “Abkhazeti”, Vardiubani village, Lagodekhi;

Majority of SFTHS in Khashuri¹⁰⁷ have a long experience of psychiatric trauma and psycho-mental violence. According to a leader, both beneficiaries and care-givers need but cannot get adequate psychological and psychiatric assistance.

Social service tried to diffuse difficult psycho-social environment and crisis in one of the Small family type houses¹⁰⁸ by dismissing one of beneficiaries who was known for his/her difficult and violent behaviour. But, as it was expected, psychological environment in the home has not changed. There were even cases identified such as disruption of school lessons, use of bad language towards classmates and school teachers, also beating of a beneficiary on the part of his/her classmates.¹⁰⁹

Beneficiaries of one of the Small family type houses¹¹⁰ had various kinds of physical damages that they received as a result of fights and psychical violence carried out towards each other. As it becomes clear from notes of care-givers, children express verbal and physical aggression and use bad language towards each other. The situation is the same in a SFTHS in Batumi.¹¹¹

Physical violence

According to assessment of the monitoring group, despite preventive measures (thematic trainings) facts of violence towards beneficiaries of SFTHS are still encountered.

Facts of violence on the part of care-givers towards beneficiaries were recorded in SFTHS “Momavlis Sakhli”¹¹² and “Chemi Sakhli”¹¹³.

According to information acquired during the monitoring, foster parents of one of the SFTHS¹¹⁴ showed aggressive attitude during the weekend. They exercised physical violence on three beneficiaries of small-age – they forced them to independently clean the entire house, clean toilets, wash up dishes; children were not allowed to leave the house. Following the visit of a monitoring group foster parents were dismissed from their position.

During examination of documentation of one of small family type houses¹¹⁵, a case was identified when on 23.02.2013 a beneficiary told replacing foster parents about violence carried out by a main foster father towards him/her. The patrol police was called. The examination conducted in Kutaisi did reveal any traces of violence. It seems that this was the end of activities of care-givers with regards to the fact of the statements issued by the child about violence on the part of the foster father.

¹⁰⁷ SFTCHS Society “Biliki”, 24a Pushkin Str. Khashuri,;

¹⁰⁸ Charitable Foundation “Caritas Georgia”, Gldani village, Tbilisi;

¹⁰⁹ SFTCHS Charity Humanitarian Centre “Abkhazeti”, Telavi, Vardisubani village;

¹¹⁰ Association “SOS children’s village - Georgia”, 28 Ip. Khvichia str., Khoni;

¹¹¹ Batumi Education, Development and Employment Centre, 106, 26 May str., Batumi;

¹¹² Poverty Elimination and Emergency Assistance Foundation Charitable Home “Momavlis Gza”, 92 Vazisubani str. Tbilisi;

¹¹³ NCE Charitable Foundation “My House”, 9a Kipshidze str, Tbilisi;

¹¹⁴ SFTCHS Charity Humanitarian Centre “Abkhazeti”, Telavi, Vardisubani village;

¹¹⁵ Association “SOS children’s village - Georgia”, Zestafoni, Kvaliti village;

Care-givers often treat information without objective data received from children about violence carried out toward them with suspicion and call violence between children as “children’s bickering”.

Especially notable is the situation in biological families of beneficiaries; information provided by beneficiaries and care-givers indicate to various types of violence in biological families and examination of which are incomprehensive in most cases. The situation in a beneficiary’s family is neither taken into account during temporary removal of the beneficiary. In this regards, active involvement of a social worker in the process of identification of and response to a problem of a child is important.

Recommendations to the Ministry of Labour, Health and Social Affairs of Georgia:

- To ensure development of standards of psychological/mental assistance to children under that state care; to carry out implementation of psychological support adapted to needs of beneficiaries through training of relevant personnel, establishment of mechanisms of supervision of the conducted work, development and timely initiation of adequate psychiatric help and psycho-social rehabilitation programmes;
-
- To develop psychological/social/pedagogical rehabilitation standards adapted to needs of each beneficiary of SFTHs, effective mechanisms of their implementation and indicators of result assessment;
- To elaborate effective mechanisms for implementation and control of standards defined by the state and internal regulations of SFTHs for the purpose of prevention of violence towards children;
- To ensure provision of regular trainings for service-providers and service-recipients in the issues of child’s rights and issues of prevention of violence towards children; to develop special psycho-rehabilitation programmes for care-givers to prevent “burning out“ of personnel;
- To pay special attention to social conditions of children in the period of their temporary placement in their biological families and prevention of violence towards them.

Standard 12 - Care and Supervision ¹¹⁶

The article 12 of Child Care Standards defines obligations of a service-provider and protects the right of a child to be under appropriate care and supervision.

Internal regulations of SFTHs include procedures of managing difficult behaviour of a child and disappearance of a child that are in line with Child Care Standards. Care-givers, as well as beneficiaries, received trainings on issues of difficult behaviour, they are provided with relevant textbooks while “house rules” are hung on walls of SFTHs.

¹¹⁶ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N12;

SFTHs have “Child disappearance registry” but as the monitoring revealed it is mainly formally kept and not all cases are included in the journal.

In most cases, assessment and management of difficult behaviour of a child is stipulated in an individual development plan of a child but in reality the plan lacks multidisciplinary nature and a burden of responsibility is shifted onto a care-giver.

As a result of the monitoring, cases of sneaking-off of beneficiaries of SFTHs to their biological families were identified when care-givers had to search for them and bring them back to homes independently or with the help of social services and police.

Explanations cited as a reason for sneaking off to their biological families include missing their parents and siblings, rare visits of family members of beneficiaries of SFTHs caused by financial problems of the latter.

During the monitoring, special attention of experts was attracted by problems existing in SFTHs in Kutaisi¹¹⁷ and Khoni¹¹⁸ with regards to child care. Difficult behaviour of children that has been left unresolved and unattended for years has received a form of mutual violence between children and in separate cases - a form of a social behaviour. Children of SFTHs¹¹⁹ in Khoni often leave the home unauthorized and return late at night. In separate cases, a beneficiary does not return home even at night. Journal notes do not reveal knowledge of care-givers of children's reasons for leaving for a night, their problems or interests or a period spent outside the home. It neither shows what kind of educational work is carried out by a care-giver with children in every separate case.

Psychological support of a child in one of SFTHs¹²⁰ where majority of beneficiaries are distinguished for their difficult behaviour, has an occasional character and is only limited to rare consultations. Care-givers try to “manage” difficult behaviour of a child by “being offended” and by refusing to prepare meals despite a request from children. Caregivers often delegate their duties to beneficiaries.

Care-givers of the same SFTHs often fail to prevent beneficiaries from consumption of psychoactive substances. Facts of inebriation of beneficiaries were not recorded in a relevant journal. Persons involved in upbringing are trying to overcome this problem through violent methods: suppers are not prepared for beneficiaries, police is called, children are threatened with “sending to large children’s institutions”, etc.

There was a case when a care-giver was unable to manage difficult behaviour of children and he/she had to resort to so-called minor acts of violence, such as twisting ears, putting in a corner, restricting food, etc¹²¹ as a punishment.

¹¹⁷ Association “SOS children’s village - Georgia”, 17 Shalva Dadiani str., Kutaisi;

¹¹⁸ Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str.;

¹¹⁹ Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str.;

¹²⁰ Charitable Foundation “Caritas Georgia”, Gldani village, Tbilisi;

¹²¹ Association “SOS children’s village - Georgia”, house N8, Tbilisi;

In the words of beneficiaries and care-givers of SFTHs¹²², positive forms of behavioural management and non-violent forms of restriction of behaviour is used in practice. Though, such methodology/management principles are not documented. Neither are there notes on the use of them. None of the documents in personal files of a beneficiary or a personal note of a care-giver include information on use of encouragement or any positive forms of restriction. In the words of beneficiaries, restriction can concern use of computer. For example, members of the Special Preventive Group recorded a fact in SFTHs “Mtsvane Sakhli”¹²³ during the monitoring when all beneficiaries were restricted from use of computer on the course of almost the entire month.

With respect to behavioural management strategy, non-existence of one strategy has been identified, not to mention positive behavioural management model in SFTHs in Rustavi.¹²⁴ To regulate behavioural problems the main punishment or encouragement form is the use of computer. If we take into account that internet is the only means for an adolescent to pass free time, manipulating with computer increases risks of establishment of cyber dependence and presumably, does not constitute an effective method of regulating behaviour.

Care-givers do not appropriately encourage educational activities and vocational education is more actively promoted. As it was noted by beneficiaries and care-givers, the most applied forms of behavioural management in SFTHs in Telavi¹²⁵ are individual conversations on problematic issues, while “reading a book and then narrating the contents”, as well as restriction to watch TV are among the sanctions used. Despite the fact that care-givers consider such methods as effective and even appeal to results they bring, they are not well aware that method of punishment - “reading a book” may form an incorrect attitude of beneficiaries towards reading a book and intellectual work in general.

According to a caregiver in one of SFTHs¹²⁶, restriction of hobby is one of the forms of punishment. The care-giver even presented a protocol of a meeting where a decision on restriction of the use of a phone was made.

During conversing with care-givers and observing their communication with beneficiaries it was identified that system of restriction and encouragement of behaviour is completely chaotic in SFTHs of Charitable foundation “Chemi Sakhli”.¹²⁷

Despite the fact that teachers in the home¹²⁸ deny practice of any forms of punishment of beneficiaries, notes of care-givers clearly indicate that they use practice of prohibiting children from leaving the home and restricting their engagement in labour activities as forms of punishment; often delegate their duties to beneficiaries completely that turns into exploitation of a child.

¹²² Charitable Foundation “Caritas Georgia”, 8 Bezhanishvili turn; Charitable Foundation “Caritas Georgia”, “Mtsvane Sakhli”, 2 Eristavi str.; Humanitarian charitable foundation Bres Georgia, Dusheti, 94 Nazi Shamaauri str.;

¹²³ Charitable Foundation “Caritas Georgia”, “Mtsvane Sakhli”, 2 Eristavi str.;

¹²⁴ Child and Environment, 19-30 Baratashvili str, Rustavi;

¹²⁵ Humanitarian charitable foundation Bres Georgia, 6 Orbeliani Str., Telavi;

¹²⁶ SFTCHS “Divine Child Georgia”, Mtskheta, Tsilkani village;

¹²⁷ Charitable Foundation “My House”, 9a Kipshidze str, Tbilisi

¹²⁸ Charity Humanitarian Centre “Abkhazeti”, Telavi, Kurdghelauri village;

The atmosphere in one of SFTHs ¹²⁹ indicates that only basic requirements of beneficiaries are met here. In conversation with care-givers (foster parents) it was determined that a foster mother is less involved in the issue of bringing up of beneficiaries; most probably, she is just engaged in household chores and is less acquainted with problems of children. She believes that children living there do not have any problems, apart from the fact that they sometimes return home late. She is less aware of the issues such as individual needs of beneficiaries.

Recommendations to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

- To conduct multidisciplinary management of difficult behaviour of a child with active participation of a psychologist, and in case of necessity, a psychiatrist;
- To ensure active and effective involvement of social workers of municipal centres of social services in the process of care for beneficiaries of SFTHs;
- To ensure timely discussion and conduction of adequate measures on the issue of choosing the form of alternative care of the beneficiary in case of ineffectiveness of psychological/psychiatric/pedagogical/social activities conducted for the purpose of prevention of failure of child care process and violation of child's rights;
- To provide psycho-education for persons involved in child care.

Standard 13 - Preparing for independent life and leaving care¹³⁰

In accordance with the recommendation of the Committee of Ministers of the Council of Europe, after leaving the establishment, for the purpose of integration of the child with a family and public, the state should provide him/ her with support and adequate assistance¹³¹. The UN Committee on the Rights of the child calls of Georgia to introduce measures for further assistance and care for young people leaving care centres¹³².

The Public Defender of Georgia in his Parliamentary Report 2012 addressed the Ministry of Labour, Health and Social Affairs with a recommendation to ensure development of effective support programme for independent life for those beneficiaries with relevant needs who due to reaching majority are leaving small family type houses, including their provision with housing and employment.

¹²⁹ Association "SOS children's village - Georgia", Chkhorotsku settlement, 24 Shengelia str.;

¹³⁰ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 13;

¹³¹ Recommendation of the Committee of Ministers of the Council of Europe Rec(2005)5, to member states of the Council of Europe on rights of children living in residential institutions, with basic principles are: „a child leaving care should be entitled to an assessment of his or her needs and appropriate after-care support in accordance with the aim to ensure the re-integration of the child in the family and society“;

¹³²The 48th Session of the UN Committee on the Rights of the Child, CRC/C/GEO/CO/3, 2008, recommendation 37.

Child Care Standards obligate a service-provider to prepare a child for independent life and assist him/her in leaving its care.

As a result of the monitoring it is clear that in this direction the state has not carried out appropriate activities. As to service-providers, as opposed to previous years, they are more actively involved in planning of beneficiaries' future. But taking active steps on the part of the state is necessary.

Through their own resources or with the help from charity organizations, provider organizations are trying to give beneficiaries access to vocational education. Hereby, it should be noted, that "Natakhtari" Fund is helping orphaned children or children deprived of parental care to start independent lives. Representatives of the fund are working with homes, assess beneficiaries' needs and together with them determine their future plans. This process also implies involvement of a social worker. Despite this, it is provider organizations that carry the greatest part of the burden with the help of financial resources they manage to acquire from various sources.

Another issue that is not properly developed and defined in Small family type houses is the issue of involvement of biological parents in the process of preparation of the child for independent life.

During the monitoring, there was no clearly-defined plan of preparation of an adolescent in such establishments. Even individual plans do not present much regarding this issue. Working with beneficiaries in this direction and identification of their interests and needs represents clear necessity.

Majority of beneficiaries express their wish to receive vocational education. They have no interest to continue to high education since they want to have their own income as soon as possible and to meet independent life prepared.

Several beneficiaries of small family type house in Chkhorotsku graduated from relevant vocational classes. After attaining their majority they returned to their biological families where they found difficult living conditions. It should be noted that these young people are not provided with employment. There were also noted cases of early marriage that might have been caused by their being ill-prepared for independent life and wish to avoid return to their biological families.¹³³

It should be noted that majority of foster children have skills to care for themselves. They help their foster parents in everyday activities, are involved in preparation of meals as much as possible, clean their rooms and a house.

Recommendation to the Government of Georgia:

- **To develop the state system that will promote employment and financial assistance to adolescent coming out of the state care until his/her full independence; to ensure provision of competent information to beneficiaries on planning of the future and professional course.**

¹³³ Association "SOS children's village - Georgia", Chkhorotsku settlement, 24 Shengelia str.

Standard 14 - Beneficiary-oriented environment¹³⁴

According to the UN Convention on the Rights of the Child¹³⁵, it “recognizes the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development”. The state, on its part, is obliged to provide adequate conditions for realization of this right. For adequate development of a child normal, family-like environment is needed.

According to the standard 14 of Child Care Standards, provision of care service is conducted in an environment that corresponds to an objective of care service and adequately meets needs of a beneficiary. Service is provided in well-equipped, clean and comfortable environment. Physical environment of service should be likened to family conditions to the greatest degree.

A small family type house in Tsalenjikha¹³⁶ has a damaged roof which leaks during rain and rainwater goes into a living room; during precipitation a kitchen wall is leaking in the home; a banister of inner stairs leading to the second floor is amortized in the building. While top lights are not working in Small family type houses in Lanchkhuti¹³⁷ and the village of Bajiti¹³⁸ so children have to use table lamps to study.

There is a specific smell due to dampness in SFTHS in Batumi¹³⁹. Walls are damaged and need restoration.

Taps, water supply and sewer systems need replacing in sanitation rooms in Small family type houses in Ambrolauri¹⁴⁰, Khoni¹⁴¹, Zestafoni¹⁴², Kutaisi. Special ventilation systems are not functioning in bathroom facilities of the above-mentioned homes either. Extraction systems are not functioning in kitchens of SFTHS in Kutaisi¹⁴³, village of Bajiti¹⁴⁴ and Khoni¹⁴⁵.

As a result of the monitoring conducted in February 2014, in eastern Georgia, certain problems were revealed in SFTHs, namely: due to roofs¹⁴⁶ and precipitation leaking¹⁴⁷ through them, ceiling and walls are damaged; windows and doors of the building are amortized¹⁴⁸ and because of this stable temperature cannot be maintained in the building; air extracting systems in a kitchen and a bathroom are not working; furniture has not been replaced since 2007 which leads to the situation when children have to

¹³⁴ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 14;

¹³⁵ The United Nations Convention on the Rights of the Child; article 27, part 1.

¹³⁶ Association “SOS children’s village - Georgia”, Tsalenjikha, Levan II Dadiani str.

¹³⁷ NCE “Momavlis Skhivi”, Lanchkhuti, Lesa village

¹³⁸ Association “SOS children’s village - Georgia”, Sachkhere, Bajiti village

¹³⁹ Batumi Education, Development and Employment Centre, 106, 26 May Str., Batumi

¹⁴⁰ Association “SOS children’s village - Georgia”, Ambrolauri, 8 Tsereteli str.

¹⁴¹ Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str

¹⁴² Association “SOS children’s village - Georgia”, Zestafoni, Kvaliti village

¹⁴³ Humanitarian charitable foundation Bres Georgia, 26 Kekelidze str., Kutaisi

¹⁴⁴ Association “SOS children’s village - Georgia”, Sachkhere, Bajiti village

¹⁴⁵ Association “SOS children’s village - Georgia”, Khoni, 28 Ip. Khvichia str

¹⁴⁶ NCE Charitable Foundation “My House”, 9a Kipshidze str, Tbilisi

¹⁴⁷ “Divine Child Georgia”, Mtskheta, Galavani village

¹⁴⁸ Organization “Partnership for Children”, appt 40/21, ground 7, block 1, 11 m/d, Rustavi

keep their belongings on chairs; a top light is not working in children's room¹⁴⁹, therefore children have to study on a table lamp light; there is no internet connection; water is supplied to the home by a schedule so they have to collect water in a basin that is situated in a room of 15 square metres and where ceiling and walls are damp and mouldy; temperature in the house does not meet required norms.

Recommendation to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

- **To ensure refurbishment and equipping of these Small family type houses and their replenishment with necessary furniture lack of which prevents establishment of appropriate living conditions for children.**

Standard 15 - Safety and sanitary conditions¹⁵⁰

According the Child Care Standard N15¹⁵¹, beneficiaries receive service in a safe environment where sanitary norms are met; a service-provider is obliged to keep cleanliness on a territory defined for the service, to store garbage in closed containers in a specially-allocated place.

Around one of care institution building ¹⁵² in Tbilisi, there is a car garage centre located where there are cars that are to be restored, where painting and other restoration works are under way, engine parts are washed with oil, there is a sharp specific smell around. In addition, 80 metres away from the institution building there is a gas station.

Tooth brushes of foster children are kept in a common open jar without any distinguishable sign attached to them or without any hygienically-protective shell in bathrooms in SFTHs. Given this it is perfectly possible that brushes can be mixed up, fall down or get contaminated in any other way which creates a health hazard.

In a yard of one of the small family type houses¹⁵³, there is an Asian-type lavatory of common use without a flush and a bathroom sink. The lavatory does not have any relevant hygiene items. The above-mentioned establishment has another 3.7 square-metres common-use bathroom in the building that is

¹⁴⁹ Humanitarian charitable foundation Bres Georgia, 6 Orbeliani str., Telavi

¹⁵⁰ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard 15;

¹⁵¹ Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards;

¹⁵² "Caritas Georgia", "Imedis Skhivi", 2 Eristavi str. Tbilisi;

¹⁵³ Telavi Education and Employment Centre, First Turn, 1 Vazha-Pshavela str. Akhmeta;

equipped with a toilet sink and a shower but given the above conditions need for additional bathroom facility is clearly apparent.

It should be also noted that garbage cans do not have tops in majority of children's establishments. The above concerns garbage cans placed in both outside and inside of the homes. During the monitoring, topless garbage cans full of trash were recorded in front of a kitchen door in a small family type house in Kutaisi¹⁵⁴. Part of the trash was also placed there on the floor that represents violation of sanitary norms.

Two¹⁵⁵ SFTHs in Tbilisi are situated on the second floor where one can reach from the outside by an open staircase. The above-mentioned stairs are paved with tiles; the staircase is not roofed and during precipitation chances of slipping on the stairs increase.

During the monitoring, it was revealed that in the number of homes there are no evacuation plans or they exist ¹⁵⁶ but are extremely outdated. Fire extinguishing equipment mostly is not kept in a visible place; care-givers and foster children are almost completely ignorant of dangers of natural disasters, possibilities of avoiding them or decreasing their damage.

During the monitoring it was revealed that there were no telephones in children's homes in Village of Gldani¹⁵⁷, Gori¹⁵⁸ and Khashuri¹⁵⁹. A telephone line is mounted in a hall in an establishment situated in Rustavi¹⁶⁰ but it does not allow access to mobile numbers. There are homes where due to bad reception children cannot watch TV programmes.¹⁶¹

Recommendations to LEPL Social Service Agency of the Ministry of Labour, Health and Social Affairs of Georgia:

- **To provide training of teachers on issues of management of risks of natural disasters;**
- **To develop evacuation plans of each small family type house that will be presented to both care-givers and beneficiaries;**
- **To provide fire extinguishing equipment to SFTHs; for this purpose, to establish a special corner.**
- **To ensure regular control of protection of sanitary norms.**

¹⁵⁴ Humanitarian charitable foundation Bres Georgia, 26 Kekelidze str., Kutaisi;

¹⁵⁵ "Caritas Georgia", 2 Eristavi str. Tbilisi; "Caritas Georgia", "Imedis Skhivi", 2 Eristavi str. Tbilisi;

¹⁵⁶ NCE Charitable Foundation "My House", 9a Kipshidze str, Tbilisi;

¹⁵⁷ "Caritas Georgia", 41b, 26 May Str. Gldani village;

¹⁵⁸ Society "Biliki", 20 Tavzishvili, Gori

¹⁵⁹ Khashuri, 1 Shola Str.; 20 Imereti Str. Khashuri; Society "Biliki";

¹⁶⁰ Child and Environment, 19/30 Baratashvili str, Rustavi

¹⁶¹ Child and Environment, 19/30 Baratashvili str, Rustavi

Standard 16 - Requirements towards personnel¹⁶²

According to the Article 16 of Child Care Standards, care and upbringing of beneficiaries in the care should be carried out by personnel of sufficient number and relevant skills.

Contracts with care-givers drawn up in accordance with norms defined by the Georgian legislation as well as documentation confirming their qualification are kept in SFTHs. As a result of the monitoring it was revealed that several Small family type houses did not have documentation confirming skills and qualification ¹⁶³ and not all care-givers in SFTHs had their labour contracts drawn up. ¹⁶⁴

The majority of newly-appointed care-givers have not passed training courses. ¹⁶⁵ Given this fact, the large part of them does not have full information on methodology of working with children and procedures regulating home activities.

Part of care-givers have undergone trainings in such spheres as: “Inclusion of health issues in child care reform”, “Prevention of human trafficking”, “On child care issues for care-givers in small family type houses”, “First-aid study seminar”, “Method of individual plan of working with a child and a family”, “Small family type houses– a step towards deinstitutionalization in Georgia”, “Managing difficult behaviour and strategies, case-management of individual development plans”.

Only a certificate confirming training “For personnel in SFTHs and children day care centres” was found in SFTHs in Batumi¹⁶⁶.

Adequate pay and working conditions of personnel remains a problem¹⁶⁷. Due to difficult working conditions, personnel change in SFTHs is frequent.

Hereby, it should be noted that care-givers have not received trainings in issues of adequate record-keeping. As a result of the monitoring, it was revealed that documentations are not kept in SFTHs in compliance with Child Care Standards.

Recommendations to the Ministry of Labour, Health and Social Affairs of Georgia:

- **To provide regular capacity-building trainings and thematic retraining courses for persons employed in small family type houses;**
- **To ensure adequate remuneration for personnel employed in small groups homes.**

¹⁶² Technical regulations approved by the decree N66 of the Government of Georgia as of January 15, 2014, on approval of child care standards, standard N16;

¹⁶³ Association “SOS children’s village - Georgia”, 8 Tsereteli str., Ambrolauri;

¹⁶⁴ Association “SOS children’s village - Georgia”, Zestafoni, Kvaliti village;

¹⁶⁵ NCE Association “Momavlis Skhivi”, Lanchkhuti, Lesa village;

¹⁶⁶ Batumi Education, Development and Employment Centre, 106, 26 May str., Batumi;

¹⁶⁷ See the Public Defender Parliamentary Report 2012, pp. 253-254.