

സർക്കുലർ

വിഷയം :- സാമൂഹ്യനീതി വകുപ്പ് - ICPS - Model Guideline on Foster Care - സംബന്ധിച്ച്.

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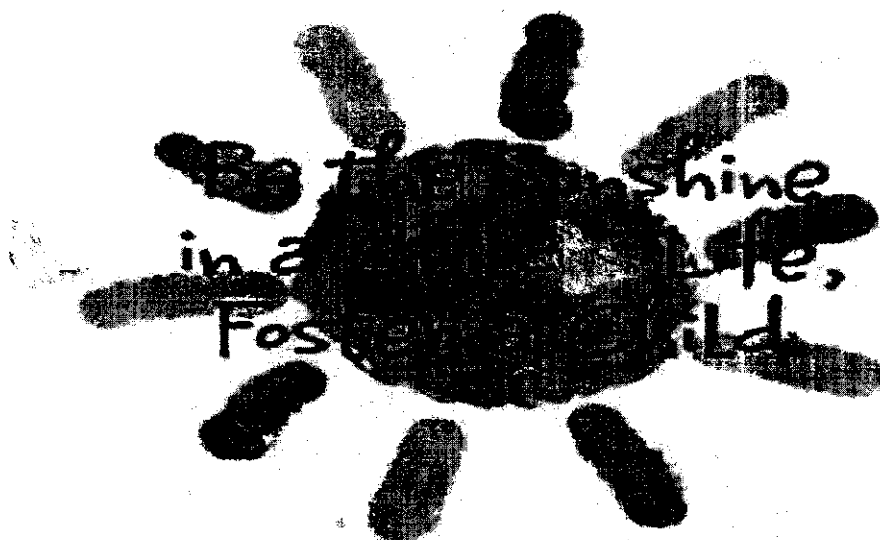
മേൽ സൂചനകൾ പ്രകാരം കേന്ദ്ര വനിതാശിശു വികസന മന്ത്രാലയം Model Guideline on Foster Care 2015 ന് രൂപം നൽകിയിട്ടുണ്ട്. ആയത് അറിവിലേയ്ക്കായി ഉള്ളടക്കം ചെയ്യുന്നു.

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പകർപ്പ്.

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- എല്ലാ സി.ഡബ്ല്യു.സി ചെയർമാൻമാർക്കും.
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*India has a well developed and strong family system. In many areas the traditional joint family system is still very strong where a child grows in the company of his/her own siblings, cousin and grandparents. The term “joint family” is used more commonly than “extended family” in the country. In situations where parents are unable to take care of children due to illness or any other reason, children are taken care of by the joint family i.e by the kins/relatives.*

*The present Guidelines are not aimed at institutionalising such informal family systems embedded in our socio cultural milieu and therefore do not cover such arrangements. In case, the extended family requires financial support in care of the child, the same may be provided through sponsorship of the child as provided for in Integrated Child protection Scheme(ICPS)itself or the family may be referred to other Schemes and Programmes of the Government that strengthen families. The Guidelines for Foster care aim to protect the well-being of children who are deprived of family care or who are at risk of being so.*

*The Guidelines derive strength from Section 42 of the Juvenile Justice (Care & Protection of Children) Act 2000, the Integrated Child Protection Scheme (ICPS) and the United Nations Convention on the Rights of the Child (1989). These Guidelines do not include pre adoptive foster care as Guidelines Governing Adoption of Children, 2015 will apply.*

## Chapter I: Preliminary

### 1.1 Short Title

These Guidelines may be called the **MODEL GUIDELINES FOR FOSTER CARE, 2015**.

### 1.2 Definitions

A. In these Guidelines, unless the context otherwise requires:

- (i). "Abandoned Child" means a child deserted by his biological or adoptive parents or guardians, who has been declared as abandoned by the Committee after due inquiry;
- (ii). "Act" means the Juvenile Justice (Care and Protection of Children) Act, 2000
- (iii). "Adoption" means the process through which the adopted child is permanently separated from his biological parents and becomes the lawful child of his adoptive parents with all the rights privileges and responsibilities that are attached to the biological child;
- (iv). "Aftercare" means provision of support, financial or otherwise, to persons, who have completed the age of eighteen years but have not completed the age of twenty-one years, to sustain themselves during the transition from institutional to independent life.
- (v). "Best Interest of child" means the basis for any decision taken regarding the child, to ensure fulfillment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development ;
- (vi). "Child Care Institution" means Children's Home, Open Shelter, Observation Home, Special Home, Specialised Adoption Agency and a Fit facility recognised under the Juvenile Justice (Care and Protection of Children) Act, 2000 for providing care and protection of children, who are in need of such services;
- (vii). "Child" means a person who has not completed eighteen years of age;
- (viii). "Committee" means the Child Welfare Committee constituted under section 29 of the Act;
- (ix). "Convention on the Rights of the Child" means the United Nation's Convention on the Rights of the Child;

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- (x). "District Child Protection Unit" means a Child Protection Unit for a District, established by the State Government under the Integrated Child Protection Scheme, which is the focal point to ensure implementation of the Act and other child protection measures in the district;
- (xi). "Foster Care" means placement of a child, by the Child Welfare Committee for the purpose of alternate care in the domestic environment of a family, other than the child's biological family, that has been selected, qualified, approved and supervised for providing such care;
- (xii). Foster carers/parents means persons/parents that has been selected, qualified, approved and declared fit by the Child Welfare Committee for the placement of the child under foster care;
- (xiii). "Group Foster Care" means a family like care facility for children in need of care and protection who are without parental care with the aim to provide personalised care and fostering a sense of belonging and identity, through family like and community based solutions;
- (xiv). "Guardian", in relation to a child, means his natural guardian or any other person, having, in the opinion of the Committee, the actual charge of the child, and recognised by the Committee as a guardian in the course of proceedings
- (xv). "Home Study Report" means a report containing details of the family of foster carer/parent, opting for individual or group foster care which includes social and economic status; family background; description of home; standard of living; current relations amongst the members of family; health status etc.
- (xvi). "Individual Care Plan " is a development plan for a child based on age specific and gender specific needs and the case history of the child, prepared if feasible in consultation with the child, in order to restore the child's self-esteem, dignity and self-worth and nurture him into a responsible citizen;
- (xvii). "Integrated Child Protection Scheme" means the scheme on child protection of the Central Government, being implemented through State Governments and non-governmental organisations;
- (xviii). "Kinship Care" is family-based care within the child's extended family;
- (xix). "Orphan" means a child – who is without parents or willing and capable legal or natural guardian;
- (xx). "Pre-adoption foster care" means a stage when the custody of a child is given to prospective adoptive parents, pending adoption order from the court; as per Guidelines Governing Adoption of Children, 2015.

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- (xxi). "Protection Officer - Institutional Care" means the Protection Officer under the District Child Protection Unit;
- (xxii). "Protection Officer - Non-Institutional Care" means the Protection Officer under the District Child Protection Unit;
- (xxiii). "Specialised Adoption Agency" means the agency recognised by the State Government under sub-section 4 of section 41 of the Act for the purpose of placing children in adoption;
- (xxiv). "Sponsorship and Foster Care Approval Committee" is the Committee constituted under the Integrated Child Protection Scheme at the district level;
- (xxv). "State Adoption Resource Agency" means the agency setup by the State Government under the Integrated Child Protection Scheme;
- (xxvi). "State Government" in relation to a Union Territory means the Administrator of that Union Territory appointed by the President under Article 239 of the Constitution;
- (xxvii). "Surrendered Child" means a child, who is relinquished by the parent or guardian to the Committee, on account of physical, emotional and social factors beyond their control, and declared as such by the Committee;

B. All words and expressions used but not defined in these Guidelines shall have the same meaning as assigned to them in the Juvenile Justice (Care and Protection of Children) Act, 2000.

### 1.3 Foster Care

The National Policy for Children adopted in 2013 recognises that all children have the right to grow in a family environment, in an atmosphere of happiness, love and understanding. The family or family environment is most conducive for the all-round development of children and they should not to be separated from their parents, except where such separation is necessary in their best interest.

In India, children without families or with families who are unable to care for them are provided care by the members of the joint/extended family members. In case a relative is not available or willing to take care of the child, then the child is placed with a willing family who shares a cultural, tribal and /or community connection same to that of the child including friends of the parents, neighbours and members of the same community/clan. This arrangement is not to be formalized as such care is embedded in our social ethos. Such non formal kinship will continue as it is traditionally practiced in the country and will not be covered under these guidelines. In case such non formal Kinship care requires financial support

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it shall be considered by the Child Welfare Committee under sponsorship program as provided for under ICPS as per their assessment and recommendation of the District Child Protection Unit.

### 1.3.1 What is Foster Care?

Foster care is an arrangement whereby a child lives, usually on a temporary basis, with unrelated family members. A child shall be preferably placed with child's extended family or with close friends of the family who are known to child and when such options are either not available or not willing to take care of the child, the child may be placed in foster care. While placing a child in foster care, preference shall be given to those families that share similar cultural, tribal and /or community connection.

- i. Foster care can be short term or long term depending upon the needs of the child. The situations under which short term Foster care will be given and the duration will rest on the CWCs based on their assessment of the individual case presented before them. Long term foster care, on the other hand, is placement of a child by the Committee for a period exceeding one year.
- ii. Group foster care is a family like care facility for children in need of care and protection who are without parental care. The aim is to provide personalised care and fostering a sense of belonging and identity, through family like and community based solutions.
- iii. Group Foster is defined as a family setting where a group of unrelated children are placed with a set of parents may/may not be having their own biological children.
- iv. Group foster care as an intermittent arrangement is suitable for children picked up from streets before placing them in individual foster care. Children are placed in group foster care during the weaning period defined as weaning the children from street life and high risk behavior. It is also suitable prior to any other form of family based care.

### 1.4 Fundamental Principles of Foster Care

- i. Family or a family like environment is most conducive for a child and every child has the right to grow in such an environment;
- ii. All decisions, initiatives and approaches falling within the scope of the present Guidelines are to be made on a case-by-case basis, with a view, to ensuring child's safety and security, and must be grounded in the best interests of the child;

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- iii. All decisions, initiatives and approaches falling within the scope of the present Guidelines must respect the child's right to be consulted and to have his views duly taken into account in accordance with his evolving capacities;
- iv. Siblings and twins should preferably be placed in one family;
- v. Recognizing that every child has the right to grow in a family environment, every attempt must be made to reunite the child with his biological family by strengthening the biological family through a planned process.

### 1.5 Categories of Children Eligible for Foster Care

The following categories of children shall be considered for Foster Care:

- i. Children in the age group 0-6 years shall not ordinarily be considered for placement in long term Foster care as such small children should be preferably provided a permanent family through adoption; Guidelines Governing Adoption of Children, 2015 shall apply.
- ii. Children in the age group of 6-18 years who have been staying in child care institutions; shall be placed in foster care based on their individual care plan developed in the institution;
- iii. Children whose parents are terminally ill and have submitted a request to the Committee or the District Child Protection Unit for taking care of their child as they are unable to take care of their child;
- iv. Children identified by DCPU through PO(NIC)
  - whose parents are mentally ill and are unable to take care of the child;
  - whose one or both parents are in jail;
  - who are victims of physical, emotional or sexual abuse, natural disasters and domestic violence.

### 1.6 Rights of a Child under Foster care

- i. The Child Welfare Committee, in conjunction with district and state functionaries shall ensure that the foster child's best interest is upheld and his views are taken into consideration as far as possible in his placement.



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- ii. The Child shall have access to information on the situation of his biological family

### **1.7 Rights and Responsibilities of Foster Carers/Parents**

#### **1.7.1 The foster carers/parents have following rights:**

- i. Right to be heard and respected;
- ii. Right of non-discrimination on the basis of their social origin
- iii. Right to adopt the same child, after keeping that child in foster care for a minimum period of five years and the child has no claimant of his own, after following due procedures prescribed in the Guidelines Governing Adoption of Children, 2015

#### **1.7.2 The foster carers/parents have following responsibilities towards the child placed in their care:**

##### **i. General Responsibilities:**

- Provide adequate food, clothing and shelter;
- Provide care, support and treatment for child's overall physical, emotional and mental health;
- Ensure education and vocational training according to the age, developmental needs and interests of the child;
- Protection from exploitation, maltreatment, harm, neglect and abuse; Respect the privacy of the child and his biological family, and acknowledge that any information provided about them is confidential and is not to be disclosed to another party without prior consent.
- Provide treatment in emergency situations and then inform PO(NIC)

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### ii. Responsibilities to be shared with the Protection Officer-Non Institutional Care:

- Support contact between the child and his Protection Officer-Non-Institutional care;
- Support contact between the child and his biological family in consultation with the Child Welfare Committee;
- Share and discuss information pertaining to the progress of the child and enable Protection Officer- non-institutional care to write reports and, when required, attend meetings;
- Seek approval of the Committee through PO(NIC) in advance for serious medical matters such as operative procedures and the use of anesthesia;
- Ensure that the child's whereabouts are known at all times, including reporting any changes of address, holiday plans and any episodes of running away of child;
- Report to the Protection Officer- Non-Institutional Care in case of any critical incidents such as injuries (accidental or non-accidental), instances of alleged abuse by any person and any criminal or self-harming behaviors exhibited by the child.

### 1.8 Criteria for Selection of Foster Carers/Parents

Following criteria shall apply for selection of individual and group foster carers/parents by the District Child Protection Unit:

- i. Both the spouses must be Indian citizens; *(It is felt that at present single parent should not be encouraged for foster care as they are likely to enter matrimony and this may result in problems);*
- ii. Both the spouses must be willing to foster the same child;
- iii. Both the spouses must be above the age of 35 years and must be in good physical, emotional and mental health; *(No upper limit is being fixed for foster carers/parents as Home Study report will consider their suitability);*
- iv. Ordinarily should have an income in which they are able to meet the needs of the child and are not dependent on the foster care maintenance payment for the child;
- v. Medical reports of all the members of the foster care family residing in the premises should be obtained including checks on

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Human Immuno Deficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B to determine that they are medically fit;

- vi. Should have adequate space and basic facilities;
- vii. Should be willing to follow rules laid down including regular visits to doctors, maintenance of child health and their records;
- viii. Should be willing to attend foster care orientation programmes organized by the DCPU;
- ix. Must be without criminal conviction or indictment;
- x. Should have supportive community ties with friends and neighbors

### 1.9 Relaxation and interpretation to the Guidelines

- i. These Guidelines are issued having regard to the provisions of the existing law and for the interpretation; the relevant law is to be referred to.
- ii. In case of ambiguity or any dispute, the power to interpret these Guidelines vests with Ministry of Women and Child Development GOI.

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## Chapter II: Procedures Related to Placement of Children in Foster Care

District Child Protection Unit is the nodal authority for implementing the foster care programme in a district. All decisions related to placement of a child in foster care are to be taken by the Child Welfare Committee of the district.

### 2.1 Procedure related to Identification and placement of children living in Child Care Institutions

#### 2.1.1 Preparation of Individual Care Plan

- i. For every child, an Individual Care Plan shall be prepared, as soon as possible, as prescribed under Form No. XXI of the Central Model Rules under the Juvenile Justice (Care and Protection of Children) Act, 2000.
- ii. The Individual Care Plan of the child shall be periodically reviewed and adjusted according to the needs and best interests of the child.

#### 2.1.2 Preparation of Child Study Report

For every child identified for placing in foster care, a detailed child study report shall be prepared based on a template that been developed and is placed at **Annexure A**.

#### 2.1.3 Recommendation of child for Foster Care

- i. Based on the Individual Care Plan and child study report, the Child Welfare Officer/ Social Worker from the Child Care Institution shall recommend children who may benefit from being placed in Foster Care.
- ii. The list of identified children eligible for foster care shall be forwarded to Protection Officer- Institutional Care at the District Child Protection Unit.

#### 2.1.4 Identification of Foster Carers/Parents

- i. The District Child Protection Unit shall identify families who are willing to opt for being foster parent or for group foster carers along with their preference of the child. For this purpose, the District Child Protection Unit shall place periodically advertisement in local newspapers calling for separate applications for group foster care and individual foster care. The application format to be submitted by the Foster care/parent in response to the advertisement is placed as **Annexure – B**.

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- ii. The District Child Protection Unit shall shortlist the applicants based on the criteria in para 8 of Chapter I of these Guidelines and conduct interviews with the foster carers/parents. The interview shall make an assessment of the prospective foster carers/parents based on the application format submitted by the foster carer/parent. An assessment report shall be prepared based on Form XVI of the Central Model Rules under the Juvenile Justice (Care and Protection of Children) Act, 2000.
- iii. The District Child Protection Unit will also verify two references from individuals of good standing from the community that are provided by every foster carer/parent.
- iv. The DCPU, while making an assessment of the prospective foster carers/parents shall thoroughly check their economic status to ensure that they are able to meet the needs of the child and are not dependent on the foster care maintenance payment for the child; however if it is assessed that all other criteria being satisfied and only financial support is required, the case shall be recommended to SFCAC after the final orders of CWC.
- v. District Child Protection Unit shall maintain a roster/panel of prospective individual foster carer/parent and group foster carers/parents every year which shall be forwarded to the Child Welfare Committee of the Juvenile Justice (Care and Protection of Children) Act, 2000.

### **2.1.5 Preparation of Home Study Report of the Prospective Foster Carers/Parents**

On receipt of list of prospective foster carers/parents, the Child Welfare Committee shall ask the District Child Protection Unit to conduct the Home Study as per part B of Form XVI of the Central Model Rules under the Juvenile Justice (Care and Protection of Children) Act, 2000.

### **2.1.6 Matching of Child with Foster Carer/Parent**

- i. Based on the Home study Report of the foster carers/parents and the Child Study Report of the child, the District Child Protection Unit shall recommend the placement of the child with prospective foster carers/parents.
- ii. Based on the recommendation of the District Child Protection Unit, the Committee shall initiate the process of giving order for placement of the child.

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### 2.1.7 Procedures Prior to Final Foster Care Placement order by the Committee

- I. After matching a child with potential foster carers/parents, the Child Welfare Committee, shall allow through an interim order, the child and the foster carers/parents to have restricted interaction in the presence of social worker for a period of one month such as short meeting followed by an outing, followed by child's visit to the potential foster carers/parents home to meet all the other family members. This shall also apply for placing children in Group Foster care. The placement of the child shall be handled with utmost sensitivity and in a child-friendly manner by specially trained persons.
- II. After the interim order, the compatibility of the child with foster carer/parents for individual foster care and with other children and the foster carers/parents in group foster care shall be evaluated by the District Child Protection Unit and a report shall be submitted to the Child Welfare Committee including whether financial support is needed or not within 15 days.

In case the financial support is requested, the District Child Protection Unit shall submit the proposal to the Sponsorship and Foster Care Approval Committee (SFCAC) set up in the district under the Integrated Child Protection Scheme (ICPS) along with necessary documents. This Committee shall review each recommendation and approve Foster Care support in all cases found deserving. After the approval, within 15 days of the reference by DCPU the case shall be referred to the Child Welfare Committee for the final order.

### 2. 1.8 Final Placement Order by the Child Welfare Committee

- I. After review of the compatibility report submitted by District Child Protection Unit, the Child Welfare Committee shall make a final order in prescribed format given in Form XVII of the Central Model Rules, 2007 under the Juvenile Justice (Care and Protection of Children) Act, 2000 for support to the child through Foster Care, and send a copy to District Child Protection Unit for appropriate action.
- II. In cases where no financial assistance is required, the final order by the Child Welfare Committee shall be given ordinarily within 60 days of passing the interim order.
- III. In cases where financial assistance is required and matter is placed before the Sponsorship and Foster Care Approval Committee, the Child Welfare Committee shall pass the final order ordinarily within 75 days of passing the interim order subject to decision of the Sponsorship and Foster Care Approval Committee.

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## **2. 1.9 Undertaking by Foster Carers/Parents**

The foster carers/parent shall be required to sign an undertaking for foster-care of the child in the prescribed Form IX of the Central Model Rules, 2007 under the Juvenile Justice (Care and Protection of Children) Act, 2000.

## **2.2 Procedure related to placement of children living in Community**

### **2. 2.1 Identification of Children eligible for foster care placement**

The District Child Protection Unit shall create awareness on the foster care programme and identify children without parental support and maintain a list of such children for formal placement while conducting vulnerability mapping and district need assessment as provided under the Integrated Child Protection Scheme.

### **2.2.2 Further Procedures**

Further procedures for preparation of child study report, preparation of individual care plan, identification and recommendation of child for foster care, identification of foster carers/parents, preparation of Home Study Report of prospective foster carer/parent, matching of children, foster care placement, and undertaking by foster carers/parents shall be as per para 1.1 to 1.9 of this Chapter.

### **2. 2.3 Suo Motu care by foster Carers/Parents**

In case foster carers/parents wish to suo motu take care of a child in situations where the child is in urgent need of care, they may file an application before the Child Welfare Committee. The Child Welfare Committee after due diligence and as per prescribed procedures in this Chapter may approve the placement of the child in their care - individual or Group Foster care.

## **2.3 Counselling of the Child and Foster Family**

Preparation of the child for the change in environment and family is of utmost importance. The impact of a new placement can be stressful for a child and requires in- depth counselling. The type of preparation will also depend upon the age of the child and the reason for placement of the child in foster care, especially in the case of older children. The interim period before the final placement of the child with the foster family is very crucial and should be handled with care by trained professionals. Special attention shall be given to those children whose biological parents are either imprisoned or undergoing prolonged hospitalisation and these children will be given every opportunity to

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maintain contact with their biological parent. This period shall include counselling and guidance for holistic adjustment of children with foster family.

Counselling is also to be provided to the Foster carers/parents so as to enable them to cope with their overall responsibilities of caring for a child along with their own children with dignity. The counselling for biological parents (in case they are alive and available) is to be provided for making them able to receive the child back.

Modules/templates developed for counselling of the child before and during placement, biological parents and counselling the child with the foster carers/parents during the process of matching are provided at **Annexure C-I to C-IV respectively.**

### **2.4 Role of Non Governmental Organisations**

Such organisations may support in :

- Shortlisting of foster carers/parents and eligible children;
- Preparation of Individual Care Plan, Child Study Report and Home Study Report;
- Counselling for the child, foster carers/parents and biological families, as required
- Preparation of Information, Education and Communication material
- Spreading awareness on the Foster Care Programme and Advocacy
- Periodic / regular inspections of placement of children in individual and group foster care

### **2.5 Information Education and Communication Material**

Foster carers/parents shall be provided with Information Education and Communication (IEC) material prior to placement of the child on topics such as:

- Challenges of being foster carer/parent
- Helpful tips for foster carer/parent
- Rewards of being foster carer/parent
- Steps of being a foster carer/parent

The above mentioned documents are attached to the Guidelines at annexure G. This material can be used for making handouts, posters etc.

### **2.6 Commencing Foster Care**

Wherever financial support is requested and duly approved, or when such support is not requested, the District Child Protection Unit shall arrange for



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escorting the child to the foster family's residence. The financial support shall be directly transferred from the District Child Protection Unit's bank account to the Post Office/bank account in the name of the child to be jointly operated by the child and Foster carers/ parents, at the beginning of every quarter.

The District Child Protection Unit shall provide assistance to the foster family in enrolment of the child placed in individual or group care, in a school near his/her place of residence if so requested for.

### 2.7 Financial Support

Wherever financial support is requested for the care of a child, after due approval, the foster carers/parents will be given financial support of Rs. 2000 per month. The Integrated Child Protection Scheme (ICPS) supports the creation of a Sponsorship and Foster Care Fund which is at the disposal of the District Child Protection Unit. An amount of Rs.10 lakhs per annum is allocated per district under the scheme. The State Governments are encouraged to give additional grants to the State Child Protection Society to initiate proactive placement of children in need of protection. The same financial norms will apply for children placed in group foster care.

### 2.8 Sponsorship and Foster Care Approval Committee (SFCAC)

A Sponsorship and Foster Care Approval Committee (SFCAC) shall be created in each district to review and sanction sponsorship and foster care fund. The SFCAC shall meet every month. The total time taken to dispose of a case shall not exceed three months from the date of the receipt of the application. The constitution of the Sponsorship and Foster Care Approval Committee shall be as follows:

- Chairperson – District Child Protection Officer
- Member – Protection Officer (Non-Institutional Care)
- Member – Chairperson/Member of Child Welfare Committee
- Member – Representative of Specialized Adoption Agency
- Member – Representative of a local Voluntary Organisation working in the area of Child Protection

### 2.9 Safeguards

- I. Not more than two children shall be placed with an individual foster family except in the case of group foster care. The only exception will be in case of siblings who shall be preferably placed together in a single family;

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- II. Where relevant and necessary, biological parents' consent is important in foster placement;
- III. While giving a child in foster care it should be ensured that the foster carers/parents preferably had biological children of the same sex as the foster child;
- IV. If there is a biological special need child in the foster family then no special need child is to be placed as foster child in that family;
- V. The foster family, Child Care Institution, the District Child Protection Unit and the Committee shall make efforts for a smooth transition of the child from the institution to foster care or to any other alternate care;
- VI. As far as possible, the children will be placed in individual or group foster care with foster families having same socio-cultural milieu and ethnic groups.
- VII. Priority shall be given to placing children in individual care, however, if individual foster parents are not available, the CWC can place them in group foster care with selected, qualified and approved foster carers/parents

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## Chapter III: Monitoring and Review

### 3.1 Monitoring of Placement

The Child Welfare Committee and the Sponsorship and Foster Care Approval Committee shall conduct either by itself or through District Child Protection Unit, a periodic review of the placement in the best interest of the child and take appropriate action including extension or termination of the foster care placement.

The monitoring tools for the foster care placements; monitoring of foster care program in the districts and tool for monitoring the investigation and interventions done for the complaints by children of maltreatment, exploitation and abuse are placed at Annexure D – I to D– III respectively.

The form for making a complaint is placed at Annexure E - I. The investigation form is placed at Annexure E - II.

### 3.2 Tracking Progress of the Child

As prescribed under ICPS the Outreach Worker will visit each family at least once a week for the first month followed by monthly visits of which records are to be maintained;

The Protection Officer – Non Institutional Care shall be required to:

- Undertake monthly visits to the foster carers/parents home (individual or group care) in the first quarter and thereafter quarterly visits for a period of one year followed by six monthly visits till the completion of foster care placement;
- Create and maintain Individual Case Files for each child in foster care;
- Make monthly visits to the school in the first quarter and thereafter quarterly visits for a period of one year followed by six monthly visits till the completion of foster care placement;
- Obtain and maintain attendance certificates as part of child's records;
- Note the general well-being of the child, including his health, and the general family environment;
- Recommend extension or termination of the foster care agreement based on the progress of the child.

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### 3.3 Records to be maintained by District Child Protection Unit

The Protection Officer – Non Institutional Care, District Child Protection Unit shall maintain:

- (i). A master register of children in the foster care program which shall provide a complete, disaggregated picture of the process including:
  - a. Details of the child placed in foster care
    - Photograph of the child, foster carer/parent, biological parents, if available. These photographs may be refreshed every year.
    - Age at the time of placement
    - Gender
    - Parental status
  - b. Details of the placement - individual or group
    - Date of placement
    - Period of placement according to the Child Welfare Committee Order
    - Date and reasons for extension or termination of placement, as applicable
  - c. Details of disbursement of Foster Care Grant for the Minutes of Sponsorship and Foster Care Approval Committee meetings
- (ii). Individual Case File of every child placed in foster care which shall include:
  - Source of referral
  - Home Study Report of the biological family, where applicable with photograph
  - Home Study report of the foster family- individual or group care, with photograph
  - Child Study Report
  - Individual Care Plan
  - Placement order of the Child Welfare Committee
  - Record (number and significant details) of each visit with the child, foster family, Biological family, if available and child's school

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- Record of all reviews of the placement including observations, extent and quality of compliance with Care Plan, child's developmental milestones, child's academic progress, and any changes in family environment
- In the case of extension or termination of the placement, record of date and reason for termination
- The formats for maintaining record of case visit to the child's foster family is placed at Annexure F.

### **3.4 Submission of Quarterly reports to Sponsorship and Foster Care Approval Committee (SFCAC)**

The Protection Officer – Non Institutional Care of the District Child Protection Unit / NGO identified by District Child Protection Unit shall present Quarterly Reports of each child before the Sponsorship and Foster Care Approval Committee (SFCAC) for review and recommendation to the Child Welfare Committee.

### **3.5 Termination of Foster Care**

- (i). The Child Welfare Committee, after consideration of the recommendations of the Sponsorship and Foster Care Approval Committee and the report of District Child Protection Unit, has the right to terminate a foster care placement.
- (ii). The Child Welfare Committee shall consider the views of the foster carers/parents before termination of the foster care placement;
- (iii). Once the review has been conducted and the foster parents have been given proper notice, the Child Welfare Committee shall record the date and reasons for terminating the placement in the order issued along with an order to place the child in another suitable foster family. In the interim the child may be placed in a child care institution.
- (iv). Termination of a foster care placement may occur in the following cases:
  - When the child attains the age of 18, foster care is deemed to have concluded and the child has the option to avail services of aftercare programme

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- When a child is placed in foster care due to non-availability of biological parent (e.g. due to imprisonment or institutionalisation for treatment of mental illness), the foster care placement may be terminated when the biological parent is released and requests the Committee for the custody of the child. The Child Welfare Committee shall issue a specific order if deemed fit for the reunification of the child with biological parent.
- When a child is referred for adoption by the Specialised Adoption Agency to a suitable adoptive family and the child's consent is obtained, the foster care placement may be terminated by the Child Welfare Committee.
- When a complaint is made by either the child, relatives, or member(s) of the community, and after due inquiry by the District Child Protection Unit or when the Protection Officer – Non Institutional Care observes the following during a home visit to individual or group care setting
  - The child has stopped going to school or the attendance of the child in school is below 75% (special circumstances such as disability or illness of the child shall be considered as an exception).
  - The child has been/ is being subjected to physical abuse, emotional abuse and/or neglect in the foster home.
  - The child has been/ is engaged in labour in violation of labour laws
  - Misappropriation of the foster care financial support for the child in individual or group foster care setting by the foster carers/parent
- When a complaint or request is made by either the child, foster carers/ parents, or relatives, or when the Protection Officer – Non Institutional Care observes the following during a home visit to the individual or group care setting:
  - Foster parents are no longer 'fit' to adequately meet the child's social, emotional and developmental needs.
  - Foster parents and/ or the child are unable to adjust in the placement in spite of counselling.