

Module 6 – Alternative Care for Children

Session 1: Introduction to Alternative Care

Duration: 10:41 Minutes

Alternative Care under JJ Act

JJ Act provides for both non-institutional and institutional alternative care for children. Non institutional alternative care includes Adoption, Foster care, Sponsorship and After care. Institutional care includes Child Care Institutions such as Children’s Home, Open Shelter, Specialised Adoption Agency, Fit Facility, Observation Home, Special Home and Place of Safety.

Let us look at non-institutional alternative care programs first.

Adoption

“Adoption” as defined in Section 2(2) of the JJ Act, 2015, “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 a biological child”.

Specialised adoption agency

Section 2 (57) of the JJ Act defines “Specialised Adoption Agency” as an institution established by the State Government or by a voluntary or non-governmental organisation and recognised under section 65, of the Act for housing orphan, abandoned and surrendered children, placed there by order of the Child Welfare Committee, for the purpose of adoption.

. SAAs work under the overall supervision of State Adoption Resource Agency and the District Child Protection Unit

Key roles and responsibilities of SAA

Let us understand specific roles and responsibilities of SAA

- Be responsible for the care, protection and well-being of every child in its charge and shall cater to their health needs; emotional and psychological needs; educational and training needs; leisure and recreational activities; protection from any kind of abuse, neglect and exploitation; social mainstreaming and restoration or as the case may be and follow-up
 - Admission and registration of orphaned, abandoned and surrendered children
 - Reporting the arrival of a child to the CWC
 - Maintaining an online database of all children admitted and prospective adoptive parents
 - Preparation of child study report and physical examination report;
 - Pre and post adoption counselling to children and prospective adoptive parents
 - Registration of prospective adoptive parents
 - Matching of the child with prospective adoptive parents
 - Carrying out Home Study Report
 - Facilitate placement of the child either in adoption or in pre adoption foster care
 - Carrying out post adoption follow up

Foster Care

Section 2 (29) of the JJ act defines “Foster Care” as 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

Model Guidelines for Foster Care, 2016

The Ministry of women and Child Development launched the MODEL GUIDELINES FOR FOSTER CARE in 2016 with the objective of protecting the well-being of children who are deprived of family care or who are at risk of being so. The key highlights of the guidelines are as follows:

Placement of the child in family or group foster care

The appropriateness of placement of a child in family foster care or in group foster care in a fit facility may be determined by CWC. Some of the factors to be borne in mind while taking the decision are given below: • level of trauma experienced by a child, • history of drug addiction, • level and type of disability, • social behavior, • requirement of any specialized care, terminal illness etc. and • need to de institutionalize a child • availability of facilities ii. Preference and consent of the child, or parents or guardians, as the case may be iii. Availability of the option iv. Suitability of the option

Children eligible for foster care

1. Children who are not being adopted after being declared legally free for adoption by CWC.

These include:

- adoptable children between the age of 6 to 8 years who do not get a family either in in-country adoption or in inter-country adoption within a period of two years after they are declared legally free for adoption
- Children in the age group of 8 to 18 years, who are legally free for adoption but have not been selected by any Prospective Adoptive Parent (PAP) for one year
- Children with special needs, irrespective of the age, who do not get a family either in in-country adoption or in inter-country adoption within a period of one year after they are declared legally free for adoption

2. Children not declared legally free for adoption by CWC

3. Children who may be deinstitutionalized and placed in Group Foster care. These include children living in institutions or 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.

Responsibilities of Foster Family

Some key responsibilities of foster families outlined in the Model Guidelines are as follows:

The Foster family shall

- provide adequate food, clothing, shelter and education
- provide care, support and treatment for child’s overall physical, emotional and mental health;
- provide vocational training according to the age, developmental needs and interests of the child;
- ensure protection from exploitation, maltreatment, harm, neglect and abuse,
- share and discuss information pertaining to the progress of the child in adjusting to the home and school; periodically with the CWC and biological family of the child
- support contact between the child and DCPU staff during home visits;

Sponsorship

Section 2(58) of the JJ Act defines sponsorship as “provision of supplementary support, financial or otherwise, to the families to meet the medical, educational and developmental needs of the child;”

Types of Sponsorship

- i) Preventive Sponsorship: Support provided to a family to enable a child to continue to remain in the family, continue his/her education. This is an effort towards preventing children from becoming destitute / vulnerable, running away, forced into child marriage, forced into child work etc. The DCPU with the help of its social workers, outreach workers, volunteers as well as the Village Child Protection Committees identify vulnerable families or children for sponsorship support.
- ii) Rehabilitative Sponsorship: Children within institutions can also be restored to families with sponsorship assistance. On the basis of the Individual Care Plan, an institution can approach the CWC/JJB to recommend a suitable case to DCPU for rehabilitation through the sponsorship fund. Cases are reviewed by CWC/JJB before recommending to the DCPU for sanction of sponsorship fund.

Kinship care

“Kinship Care” is family-based care within the child’s extended or joint family

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.

In case such non formal Kinship care requires financial support it shall be considered under sponsorship program as provided for under the Act or any other program of the State Government.

Aftercare

According to the Juvenile Justice Act After Care means ‘making provision of support, financial or otherwise, to persons, who have completed the age of eighteen years but have not completed twenty-one years, and have left any institutional care to join the mainstream of society’ The objective of the aftercare program is to enable such persons to transition from protected institutional care to independent adulthood.

The services provided under the after-care programme include:

- (i) community group housing on a temporary basis for groups of six to eight persons;
- (ii) provision of stipend during the course of vocational training or scholarships for higher education and support till the person gets employment;
- (iii) arrangements for skill training and placement in commercial establishments through coordination with National Skill Development Programme, Indian Institute for Skill Training and other such Central or State Government programmes and corporates , etc.;
- (iv) provision of a counsellor to stay in regular contact with such persons to discuss their rehabilitation plans
- (vi) arrangement of loans and subsidies for persons in after-care, aspiring to set up entrepreneurial activities;