

## **Annex 1 to the Call for Proposals**

### **Terms of Reference**

**Purpose: Conduct a thematic study on the capacity of child care and social protection systems to provide adequate support to the most vulnerable children and their families and prevent family separation in three countries of CEE/CIS.**

**Reporting to: UNICEF Regional Office CEE/CIS, Geneva**

**Duration: 87 working days**

**Start date: 15 March 2011**

**Deadline for application: 28 February 2011**

### **Background**

With the support of UNICEF and other international partners, most countries in CEE/CIS are reforming their social policies, revising eligibility criteria for universal and targeted cash benefits to families and individual family members. At the same time, countries are reforming their child care systems in order to better focus on prevention and reduce the historical reliance on residential care for children at risk by introducing new child protection services. Both reforms aim primarily at putting the prevention of family separation as the main policy issue and this study wishes to contribute to these efforts.

Social protection systems in CEE/CIS are built on a combination of services and various forms of benefits (cash and non-cash). The development and reform of social policies supported by UNICEF consider a large spectrum of family and individual benefits for tackling poverty and reducing family vulnerability. Benefits include child benefits, disability benefits, social benefits to the poor, child support allowance, subsidized access to health care, housing, etc.

The reforms of child protection systems support the development of a wide range of family- and child support services aiming at preventing abuse, neglect and violence against children, family separation and to facilitate community and family re-integration. Key services to be mentioned include hotlines for children, day-care, counseling, socio-medical services, legal aid and open services for children with disabilities, family based substitute care services for children deprived of parental care and services for children in conflict with the law, case management by social workers, community-based services such as inclusive and/or specialized day crèches. A combination of social and legal services also need to be put into place for ensuring a continuum of care and protection of the most vulnerable.

UNICEF's assumption is that the development of social protection systems enabling a proper synergy between services, cash and non-cash benefits would have a much more positive impact on the situation of most vulnerable families, in tackling poverty, preventing neglect, abuse and violence against children, family separation whenever possible and institutionalization of children. However, at the same time, it is being observed, although systematic proof does not exist yet, that such synergies are not necessarily being strengthened as part on ongoing reform efforts. A possible proxy-indicator of this failure is the continued

increasing trend of children who are being separated from their families and placed in different forms of alternative care.

Major challenges remain for developing effective social protection in the region. It is now widely acknowledged that countries in Eastern Europe and the Central Asia region were worst hit by the global financial crisis (WB and IMF 2010). UNICEF's research in Georgia, Romania, Kazakhstan and Turkey found that in 2008-2009, families felt the impact of the economic crisis and tried to cope by switching to lower quality food, reducing food consumption, cutting non-essential spending and by borrowing money. Against the background of persistently high levels of poverty and vulnerability in many countries even small losses in income can be difficult to cope with if they are not mitigated by effective social protection measures.

Assessments of child poverty in several countries of the region show that children are among those most at risk of poverty, while at the same time being most vulnerable to its impact. In countries where social benefits are targeted at the poorest of the poor, research and evaluations show that only a fraction of the poorest quintile receive cash assistance. The same parts of the population who do not benefit from cash assistance also get barred from access to other benefits such as free health insurance or subsidized housing. The crisis has put pressure on governments to cut pension benefits and salaries of public service workers and to move towards more targeted social assistance for families and children. This has major consequences for child poverty and social exclusion, especially where systems were already weak and ineffective before the crisis. In addition, the issue of rising food and energy prices continues to be crucial for several countries in the region. A further complicating factor is the decentralisation of government responsibilities in social protection and social services to local levels without adequate resources and administrative capacity.

Poverty and lack of access to basic services followed closely (or on a par with) disability are identified in many countries as a primary cause of family breakdown and separation and to children being placed into formal care. TransMonee statistics show that the placement of children in formal care, including institutional care, continues to increase in our region.

On the one hand, targeted research suggests that the most vulnerable families do not get access to the safety net measures aiming at mitigating the impact of the crisis on them (for example, evidence shows that in several countries marginalized single women do not receive upon giving birth the cash benefit aiming at preventing baby abandonment and relinquishment); cash benefits are often spread too thin and fail to make a difference in the life of those receiving them. On the other hand, experience in some countries demonstrates that when properly designed, strategic cash benefit delivery has led to the sharp reduction of relinquishment at birth – a case in point in the region. Yet, to sustain this positive trend, a continuum of decentralized prevention and support services had to be developed.

This contrasted picture confirms that the impact of cash benefits on social change and de-institutionalization can be potentially huge if properly targeted and combined with access to service. Despite UNICEF's rich experience in child care and social protection in CEE/CIS, these observations are based on limited evidence and remain hypothetical, because research on access to and impact of cash transfers in CEE/CIS has rarely been correlated with data and knowledge on: 1) the most vulnerable and hard-to-reach families; 2) availability of child protection services; nor has it been aimed at exploring the potential for creating better synergies between benefits and services.

In addition, decisions resulting in family separation – e.g. decisions to withdraw parental rights and/or to place a child in formal care – are rarely contested in a court of law. Affected families and children, often among the most vulnerable, are generally unaware of their right to appeal such decisions and are faced with numerous barriers – financial, cultural, legal, social – in accessing justice. The obstacles at play and the most affected groups are very much under-researched in the CEE/CIS region, as is the impact of lack of access to justice on family separation. UNICEF assumes that improved access to justice would ensure better compliance to rules and procedures regulating child care and help prevent unnecessary family separation, and therefore wishes to consider this issue in the context of the present study.

### **Purpose of the study**

The overall objective of the study is to increase knowledge on the reach and effectiveness of child care and social protection systems for families and children most at risk of family breakdown, in order to reinforce national policies to prevent family separation.

Specific objectives:

- Document access of the most vulnerable families to cash benefits, services and justice. Particular attention will be paid to identifying and analyzing formal and cultural obstacles preventing the most vulnerable families from receiving support (access to proper documentation; discrimination, etc.) and from accessing justice. Most vulnerable groups will also be further defined.
- Synthesize and analyze available information as well as that collected during focus group discussions on the perception vulnerable families have of the impact of support to them, including major gaps in response as well as perceived obstacles.
- Assess the relevance of the social protection and its achievements, in particular through analyzing the articulation and complementarities between the objectives, aims, resources and approaches to implementation between social protection and child protection systems in reaching the most vulnerable and excluded families and children.
- Document various appeal procedures at the disposal of families, children and their representatives, summarize and analyze their dispositions.
- Propose ways in which the impact of public support measures on most vulnerable families could be assessed, in particular regarding reduction of poverty and vulnerability to poverty, improvements in access to health and education, and prevention of family separation and institutionalization of children.
- Assess the impact of lack of access to justice on family separation, as well as the role and impact of legal aid in formal care procedures.
- Provide a set of recommendations at country and regional level for ensuring wider access to benefits and services for the most vulnerable children and their families and for better assessing the impact of policies and services on preventing family separation and the placement of children in alternative care
- Provide recommendations for a future research agenda to improve the knowledge base of UNICEF in the CEE/CIS region about what works for expanding the effectiveness of social policies and child protection services in reaching the most excluded and vulnerable children.

UNICEF may consider publishing and disseminating this research as part of its mandate for advocating for children's rights.

## Methodology

The thematic study will review the situation in three countries of the region, each of them representative of the specific situation in each sub-region, being South-East Europe, the Caucasus, and Central Asia.

The country cases will be based on a mix of:

- ✓ Desk-review of key documents and statistics related to poverty, vulnerable groups and placement of children in formal care for each country involved in the study;
- ✓ Desk-review of existing literature on child care and social protection systems, their reform processes in the CEE/CIS region and their impacts on the wellbeing of children and their families;
- ✓ Review of jurisprudence;
- ✓ Interviews with key stakeholders and key informers made during a five working day trip to each of the concerned countries. These will include to the extent possible Ministry of Finance, Ministry of Social Welfare or equivalent, Ministry of Education, Ministry of Health, Ministry of Justice, Bar Associations, judges, social workers, representatives of selected municipalities, European Union or Commission, World Bank, representatives of civil society, etc;
- ✓ Focus group discussions with service providers and users, including with families and single mothers identified as being at risk.

The research will use a systemic approach focusing on structures, functions and capacities, among other components, that have been assembled in relation to a set of child protection goals. A system approach recognizes that all parts of the system have high interaction and that systems work best when symmetry exists between its goals, structures, functions and capacities and the normative context in which it operates.

## Outputs

- 1) A separate report will be developed for each country covered by this study.

Each report will address the following main issues:

- ✓ Through the desk-review, groups most at risk of family separation and placement of children in formal care (minority groups, groups with at-risk behaviour, families of children born with disabilities, other vulnerable groups, etc.) will be identified.
- ✓ The research will document the existence of and access to cash benefits and other benefits put into place as part of the national system of social protection. These might include:
  - **Cash transfers:** Minimum income scheme, social pensions, cash transfers to poor families, child benefits, transfers to orphans/children without parental care, disability benefits, maternity benefits and leave (paid and unpaid), unemployment benefits, subsidies for housing, utilities, energy, food, school transportation, etc. and any other cash transfer, targeted or universal.
  - **In-kind transfers:** In kind assistance (school meals, books and school supplies, food, food supplements, etc.).

- **Deductions and waivers:** Tax deductions and fee waivers or exemptions for education and health services, medicines (and others).
  - **Insurance schemes:** Health insurance, contributory pensions and unemployment insurance.
- ✓ In addition, the research will document the existence of and access by identified most vulnerable groups to:
    - Early identification of children and families at risk by social services, in particular outreach social work within vulnerable communities.
    - Primary case assessment and referral.
    - Access to community-based services, including schools, health facilities, police, legal assistance.
    - Case management, nomination of a guardian, regular follow-up and meeting with concerned child and family.
    - Legal aid to an appeal procedure to challenge the decision leading to family separation
  - ✓ The obstacles for accessing social benefits, justice and services by the identified vulnerable groups will be documented and analyzed.
  - ✓ The research will assess the coordination among services to address the needs of the most vulnerable families in order to prevent family separation and the placement of children in alternative care. It will assess as well the strategic articulation and implementation of coordination mechanisms between social policies and child protection policies.
  - ✓ Each report will provide a set of recommendations for improving access and impact and how to better link reforms of cash assistance schemes with reforms of social and child protection services, with the aim of better reaching the most vulnerable. In particular,
    - Suggest changes in legislation when deemed necessary.
    - Suggest changes in sector policies that will increase effectiveness, efficiency, and coverage of most vulnerable groups.
    - Suggest improvements in operational capacities or procedures to increase outreach of existing services, including outreach services.
    - Suggest concrete changes for improving articulation and stronger synergy between social policies and related services and child protection policies.

The report will also suggest ways to overcome the obstacles to accessing justice, including appeal procedures and legal aid.

- 2) A synthesis report will be prepared, providing an overview of the issues in the region, challenges being currently met and making recommendations for UNICEF and regional partners (European Commission, World Bank, etc.). The synthesis report and its recommendations should constitute a basis for designing additional operational guidance to be further developed by the UNICEF Regional Office.

Applicants for this call for proposals may consider partnering with local researchers.

Each country report will be based on:

Seven-day desk-review of documents

Five days of in-country interviews with key informants

Twelve days of writing first draft and finalizing report.

A total of twenty-four working days x three countries = 72 working days

Synthesis report will be developed (first draft and final report) within 12 days

In addition, three one-day meetings will be organized in Geneva:

One at the beginning of the study;

One to discuss the first draft of the three country reports;

One to discuss the synthesis report and finalizing of this exercise.

The whole study is based on a total of 87 working days.

UNICEF country offices, with the support of the Regional Office, will be responsible for providing available documents on related issues and facilitating access to relevant partners.

UNICEF will cover the cost of travel and accommodation for the field visit in each of the concerned countries for five working days each. UNICEF will also cover the cost of travel and accommodation for the three meetings in Geneva.

Tentative list of countries selected for this research:

Albania

Ukraine

Kazakhstan

### **Profile of evaluation team**

Evaluation teams that are composed of a mix of competencies and nationalities, ideally with local researchers/research companies will be given priority. Competencies required to carry out the evaluation are a combination of expertise in the subject area and of evaluation methods as per below:

- § Thorough understanding of child rights, social protection, social policies and child protection systems designs and reforms.
- § Good knowledge of evaluation methodology design
- § Ability to conduct interviews, focus group discussions and writing reports for publication.
- § Experience in conducting desk reviews and field visits.
- § Strong analytical and conceptual thinking;
- § Good speaking and writing skills in English
- § Good knowledge of local contexts in Eastern Europe and Central Asia.
- § Good communication skills and ability to interact with senior government officials.

**Timeframe:**

07 March, selection of the consultant and finalization of contract

Week 21 to 25 March: First meeting Geneva

1 April – 1 July: desk reviews and field visits to the three concerned countries

Week 11 to 15 July: Second meeting Geneva

Week 25 to 29 July: Final report

Beginning September: Third meeting Geneva: recommendations and way forward.

**Supervision**

This is a joint study implemented by Social Policy and Child Protection sections, CEE/CIS Regional Office. Jean-Claude Legrand, Regional Advisor Child Protection will supervise this research.

**Quality Control**

A reference group has been established to provide support in defining the terms of reference for this study; selecting the consultant(s); reviewing the first drafts and final reports (country report and synthesis report); and to participate in a one-day technical meeting for defining follow-up and implementation of recommendations drawn from this exercise.