

# Standard in alternative care provision: legal framework



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CarINg  
Empowering Child Care Systems and Supporting  
Leaving Care From Inside

*Work Package 3 – Deliverable 19*



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## Table of contents

Introduction .....	3
The national standards for foster care and residential facilities .....	6
The Tuscany system .....	8
In-depth study: Municipality of Florence and Prato Area.....	16
Discussion.....	17
References and regulations .....	18

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## Introduction

The objective of this report is to provide a complete picture of the standards set - at the international, national and local level - for boys and girls in alternative care. In particular, the report focuses on care leavers, those who are about to leave the system and to be autonomous.

The first section provides a brief description of the main provisions given at the international level by the “UN Convention on the Rights of Children “and by the “United Nations Guidelines for the Alternative Care of Children “.

The second section describes national standards by providing, first of all, an overview of the legal framework and guidelines adopted for children who live in residential facilities or foster families. The report then focuses on care leavers, the main target of the CarINg project, starting from the definition of the term in the Italian context to analyze on the main trajectories of leaving care identified. Finally, the section summarizes the evolution of national interventions and policies aimed at care leavers.

The activities of the CarINg project are carried out in Tuscany and the report dedicates a specific section on regional standards, both on foster care and residential facilities. The analysis continues with a description of the functioning of the system in the two territories where the project activities are carried out, namely the Municipality of Florence and the area of Prato.

The report concludes with some reflections on the potential contribution of the CarINg project, its benefits both for care leavers and professionals involved as well as its potential long-term impact and sustainability.

## International standards for children in alternative care

The main benchmark for all States and organizations that, at various levels and around the world, deal with boys and girls in alternative care, is the [UN Convention on the Rights of the Child - CRC](#) (United Nations General Assembly, 1989). It has been approved by the General Assembly of the United Nations in 1989 and it has been ratified by Italy in 1991. Since 1989, the Convention has become the treaty on human rights with the highest number of ratifications (196 States). All the rights mentioned in the Convention must be considered as a whole (no hierarchy can be established) and all of them must respect the two general principles: “best interest of the child” and “non-discrimination”. The 3Ps scheme has been proposed to simplify the reading and summarize the rights established by the Convention: Provision, Protection, Promotion.

- The term *provision* refers to the right of growing up healthy, to be provided with all primary necessities.
- The term *protection* considers the minority status of the child and covers all rights related to protection (abuse, exploitation, neglect).
- The term *promotion* covers the children’s right to citizenship, such as the right to expression, participation, freedom of thought and association.

Concerning the status of children living in alternative care, Article 20 of the Convention foresees that:

1. 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.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary, placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child’s upbringing and to the child’s ethnic, religious, cultural and linguistic background.

It is clear that a single article in an international convention, despite its relevance, cannot deal exhaustively with such a delicate and complex issue. In 2009, the United Nations General Assembly approved the “[Guidelines for the Alternative Care of Children](#)” (United Nations General Assembly, 2009). It represents the most advanced document on alternative care of children and, although it is not a binding international law, it describes the principles and practices that should guide a proper alternative care of boys and girls.

Guidelines are deeply rooted in the UN Convention on the Rights of the Child and are designed to help and encourage governments (and others) to optimize the implementation of the treaty as well as to guide policies, decisions and activities at all levels, both in public and private sector. The Guidelines should be seen as desirable directions for both policies and practices and are addressed to all sectors and organizations, not just governments, involved in some way with alternative care issues and programs.

The Guidelines are designed to ensure two basic principles: that care is truly necessary, and that if it is, it is appropriate to the child’s needs. Each of these principles consists of two main subsets:

necessity and appropriateness. Acting on the basis of the **'principle of necessity'** means preventing situations and conditions that may lead to alternative care. It also means establishing a robust gatekeeping mechanism to ensure that children are only placed in alternative care if all possible means to ensure that they remain with their parents or extended family have been considered. If it is necessary for a boy or girl to be placed in alternative care, this must be done appropriately. This means that all care facilities must meet general minimum standards in terms of conditions and staff, arrangements, funding, protection and access to basic services (particularly education and health). To ensure the compliance with standards, a mechanism to authorize/validate providers of services according to established criteria and follow-up checks to monitor compliance over time have been foreseen.

The **'principle of appropriateness'** concerns the correspondence between the care service and the child. It means selecting the solution that best meets the needs of the child at the time. This involves making available a range of family and other care options, so that there is a real possibility of choice and a clear and systematic procedure for determining what is most appropriate. In developing this range of options, priority should clearly be given to 'family and community type' solutions. The Guidelines recognize 'family' solutions and residential care as complementary responses, provided that these meet certain requirements and are used only for 'positive' reasons (i.e. when they are the most appropriate response to the child's situation and needs).

Without going into detail of each principle set out in the Guidelines, it is worth noting that - as with all internationally agreed standards and principles - these are actually tested when put into practice in different countries for their intended beneficiaries - in this case, children who have lost or are at risk of losing parental care. This means, first, identifying implementation measures, understanding the implications for proposed policy directions and then developing the most effective and feasible system for putting them into practice, as well as monitoring them over time.

In March 2021, the European Commission unveiled the EU's new comprehensive policy framework to ensure that the rights of all children are protected and access to basic services for vulnerable children is guaranteed. This consists of two documents: the [EU Strategy on the Rights of the Child](#) (approved by the European Commission on March 24, 2021) and the [European Guarantee for Children](#) (proposed European Council Recommendation). Both documents were produced after extensive consultations with citizens, stakeholders and, most importantly, with more than 10,000 children. The EU Strategy on the Rights of the Child stresses the importance of quality care and protection for those living in alternative care so that they can be supported through the multiple transitions in their lives.

We would like to conclude this section by saying that, within this international framework, some of the major international organizations (including Unicef) working with children and teenagers have recently published [Guidance for Alternative Care Provision during COVID-19 pandemic](#) (Better Care Network, 2020). International standards (especially the CRC) and Guidelines on alternative care must be always applied, even in the pandemic context. However, COVID-19 raised specific challenges and risks for children in care both at the individual level and in terms of functioning of the system. This document provides a practical guide to actors working in humanitarian and development contexts on the adaptations and considerations needed to support children in this specific situation.

## The national standards for foster care and residential facilities

This section provides a description of the national standards for children living outside their families of origin. Policy and planning documents concern children within the care and protection system during the phase in which they move from adolescence to be young adults. In the context of this process, we will focus on a specific phase of their lives, that of leaving care, on which the objectives and activities of the CarING project are aimed at.

At the national level, the main planning document is the “Plan of action and interventions for the protection of children’s rights and development”. This document is elaborated every two years by the [National Observatory for Childhood and Adolescence](#), a structure whose task is to prepare official documents related to childhood and adolescence and coordinates all central administrations, Regions, local authorities, associations, professional orders and non-governmental organizations that deal with childhood. The [National Centre of Documentation and Analysis for Childhood and Adolescence](#) is the office that carries out the analysis and monitoring activities on behalf of the Observatory.

Since 1997, the Center’s activities have been managed by the Istituto degli Innocenti, which, on behalf of the Ministry of Labor and Social Policies, produces an annual monitoring report on children and teenagers in alternative foster care, i.e., placed in family foster care and residential facilities for minors. The latest [Monitoring Report](#) (“Children and Teenagers in Family Foster Care and in Residential Facilities for Minors,” Ministry of Labor and Social Policies, 2019) was published in January 2022 and contains updated data as of December 31, 2019. According to the report minors in family foster care are 13,555, while children and young people aged 0 to 17 years in residential facilities for minors are approximately 14.000 (net of unaccompanied foreigners).

In May 2021, the National Observatory for Childhood and Adolescence approved the [5th National Action Plan](#) (realized by the Department for Family Policies of the Presidency of the Council of Ministers with the technical support of the Istituto degli Innocenti, 2021). The drafting of this document involved all the subjects and entities participating in the National Observatory, and not only: civil society and the third sector, public organizations, private entities, universities and research centers.

The Plan is divided into 3 areas of intervention: Education, Equity and Empowerment. Each of these areas is composed of 4 general objectives and specific actions, so that in total there are 12 general objectives and 31 actions.

In the area of intervention on equity, there are some actions that focus on the “public and integrated system of services for care, safeguard and protection”. Two of these actions have, among their final beneficiaries, children and teenagers in the care system (family foster care and residential communities) and care leavers. The two actions are: the identification of essential levels for the protection and social inclusion network (Action 18) and the permanent working table on the protection and social inclusion system (Action 19).

The national framework is completed by two additional documents: the “Guidelines for family foster care” and the “Guidelines for residential care services for minors”. These two pillars are the benchmark for all national public bodies and private organizations that deal with this issue and work with this target group.

The “[Guidelines for Family Foster Care](#)” (Ministry of Labour and Social Policies, 2012) deal with the issue of family foster care, as it is regulated by Law 184/83 (later amended by Law 149 of 2001) and were approved by the State-Regions Conference in 2012. They are part of the national project “Un percorso nell’affido”, activated in 2008 by the Ministry of Labour and Social Policies in collaboration with the National Coordination of Foster Care Services, the Department for Family Policies, the Conference of Regions and Autonomous Provinces, UPI, ANCI and the National Centre for Documentation and Analysis for Childhood and Adolescence. It provides a general overview on principles, contents and methodologies and it represents a meeting point between practical experiences and academic references. The guidelines also contain and list standards for regional and local administrators, practitioners and citizens interested in improving and qualifying family foster care. The guidelines identify three macro-areas of analysis: subjects involved and context analysis, characteristics and conditions for family foster care and the foster care process.

The “[Guidelines for residential care services for minors](#)” (Ministry of Labor and Social Policies, 2017) were drafted by the Istituto degli Innocenti and approved by the Unified State-Regions Conference in 2017. These guidelines represent the second programmatic document developed in the national context. They deal with the multiple dimensions of residential care in “family-type communities” (Law 184/1983) and fit into a differentiated regional regulatory framework, proposing a unified framework on principles, contents and tools, in line with the “Guidelines for family foster care”.

Before moving on to an analysis of the standards set by the Tuscany Region, we now provide an insight on “care leavers”, as well as a brief description of the evolution of national policies aimed at them.

**Care leavers are defined as all those boys and girls who are separated from their birth family as a result of a court order** (“Care leaver. Giovani, partecipazione e autonomia nel leaving care italiano”, 2021). Within the framework of this definition, three main trajectories of leaving care can be identified: boys/girls leaving residential facilities or foster families; boys/girls from the penal circuit and those who arrived in Italy as unaccompanied foreign minors. This distinction allows us to identify some differences in expectations, perspectives and needs for autonomy when they are placed into the alternative care system.

As concerning boys/girls coming out of communities or foster families, the numbers are significant at the national level and, at the end of 2017, there were 14.219 minors in family foster care and 12,892 in residential facilities (Ministry of Labor and Social Policies, 2020). These children often come from families in which they have lived in neglect, parental negligence or are victims of abuse. For these reasons, they see the alternative care system as an opportunity to grow, gain skills, and overcome the trauma they have experienced.

For care leavers from the criminal circuit, they are placed in the community following a precautionary measure or as part of a “testing” project. As of January 15, 2021, there are 992 young people in the community who are in the charge of the Youth and Community Justice Department. In almost all cases, these communities have an agreement with the regional Youth and Community Justice Department to promote both a destigmatizing effect and a synergy between services. For this kind of boys and girls, the commission of a crime is often a symptom of serious family dysfunctions, educational deficiencies, and lack of authoritative models, so much so that sometimes those who are already under protection have to deal with the youth justice system following a criminal offence. In this case, the need for autonomy is generally expressed in educational support for housing, work grants, schooling/training and acquisition of skills.

Finally, there are 7,802 unaccompanied foreign minors in Italy (data updated to June 30, 2021), 55.5% more than in the previous year, according to the latest [Monitoring Report](#) published by the General Directorate for Immigration and Integration Policies of the Ministry of Labor and Social Policies. National Law 47/2017 provides that for unaccompanied foreign minors, support measures are provided until the age of 21. Unaccompanied foreign minors enter the protection system generally when they are close to 18 years old and they need time to achieve personal, economic and housing independence. For these young people the transition phase to autonomy is in addition to that experienced during the migratory process and the birth family is present at emotional level (even if physically distant) and the “mandate” towards them is strong. The autonomy needs of these boys and girls mainly concern basic schooling, the relational network and training/professionalization opportunities (“Care leaver. Giovani, partecipazione e autonomia nel leaving care italiano”, 2021).

In terms of the evolution of national Italian policies, the first structured project aimed at care leavers was implemented by Sardinia Region, with Regional Law 4/2006 (specifically with art. 17). It was an experimental program of social inclusion aimed at young people from 18 to 25 years of age and it provides three intervention categories: the living place, the living/school/training/occupational pathway and the “tutor for autonomy”. Starting from the Sardinian experience, some local projects have been promoted, supported by the third sector until the birth, in 2009, of [Agevolando](#), the first Italian organization founded by young people who have spent part of their childhood and adolescence “outside their birth family”. Agevolando is a voluntary organization that works with and for young people coming out from the alternative care system to promote their autonomy, psychophysical well-being and active participation. The association is active in 11 Italian regions (Piedmont, Lombardy, Veneto, Trentino, Liguria, Emilia-Romagna, Umbria, Lazio, Campania, Sardinia and Sicily) and is a point of reference as concerning care leavers, as they work at all levels to support care leavers in building their future.

In 2016, the “National Committee for the social and work inclusion of care leavers” was born. In 2018, the [national experimentation for care leavers](#) promoted by the Ministry of Labor and Social Policies as part of the Poverty Fund starts. According to Belotti (2022), the late but strong and unexpected process of affirmation of the care leaving issue within the social policies system is the result of a strong and synergistic collaboration of different actors: private third sector organizations, some public institutional actors, experts and academics, and especially Agevolando.

## The Tuscany system

Temporary foster care to families or socio-educational residential services are among the cases listed among the interventions and services for minors established by Regional Law 41 of 2005 (“*Integrated system of interventions and services for the protection of social citizenship rights*”).

In order to implement this provision, a series of directives on the subject of entrusting minors to families and socio-educational residential services were approved ([Regional Resolution no. 374 of 2017](#)). These guidelines outline a framework in which it is emphasized that foster care represents a protective measure for the protection of the child in case a situation of difficulty in the family of origin temporarily prevent it to perform its duties and meet the educational needs of the child. The Municipality is responsible for the foster care procedures and the competent

Territorial Social Service shall be in charge of following the foster care procedure – i.e. the competent Social Service for the area where the minor’s family of origin resides. At the same time, the Municipality is in charge of implementing the necessary measures to overcome the difficult conditions of the family of origin and to ensure the minor’s right to grow up and be educated in his/her own family. In formulating the operational procedures regarding foster care activities for minors, the main points of reference are the Action Plan for the Rights of Minors (see previous chapter) and Law 149/2001, the national law regulating the adoption and foster care of minors.

Tuscan guidelines confirm the temporary nature of foster care (clearly defined by the national law), according to which its duration is commensurate with the time needed for the rehabilitation program of the family of origin and cannot exceed twenty-four months. There are two types of foster care: consensual and judicial. The first type occurs when the minor’s parents (or the parent exercising parental authority or the guardian) agree to the foster care project and give their consent for their child to be temporarily placed in another household (of relatives or another family) or in a socio-educational residential service. A judicial foster care includes those cases in which it is necessary to remove the minor without the consent of the parents (or the parent exercising parental authority or the guardian) and place him/her in a foster home (with relatives or another family) or in a socio-educational residential service. The Juvenile Court is responsible for ordering foster care. The most relevant conditions for a proper foster care process are:

- the establishment of a stable team of social workers and psychologists who, without prejudice to the fact that a social worker is responsible for the case, are committed on a continuous basis throughout the foster care process in order to ensure continuity of care;
- the collaborative contribution of all the services and operators whose intervention may be required in relation to the minor’s and the family’s needs;
- the development of a project that:
  - is directed simultaneously and in an integrated manner to the child, his/her family, the foster family or the social-educational service;
  - clearly defines the objectives and the expected results, the duration, the periodic monitoring on the progress of the intervention and its correspondence to the need, the conditions for the modification, interruption, extension, renewal of the project.
- the participation of the minor’s family in the fostering project and in the choices it entails, including the temporary placement of the child with a family or in a socio-educational structure, without prejudice to the provisions of the Juvenile Court in the case of judicial fostering;
- the formalization of the commitments required, in relation to the specific case, from the foster family or the socio-educational structure based on a defined educational project;
- the provision of information to the minor, whenever possible, during all the phases of the project and, in particular as concerning his/her removal from the family, his/her placement in the foster family or in the socio-educational facility, and his/her return to his/her own family;
- the verification of the foster care project at scheduled times to eventually adjust the defined path and correspond to the commitment to keep the tutelary judge or the Juvenile Court constantly informed; to submit a six-monthly report on the progress of the care program.

By considering the specific operational needs of fostering a child to a family other than relatives, it is also necessary that the activities of foster care centers are developed in close connection

with the social and socio-health services in charge of fostering projects. In particular, the foster care center must ensure:

- in-depth knowledge of the families (orientation towards fostering, skills, resources, etc.), to effectively meet the needs of the foster child and his/her family;
- the careful preparation of foster families to ensure that they are aware of the minor's needs, as well as of their tasks and responsibilities towards the minor himself/herself, his/her family and the institutions.

As far as residential services are concerned, in the Region of Tuscany there are three types of facilities where care leavers and future care leavers can be hosted, also in relation to their age group. The authorized facilities in Tuscany are:

- family-like communities (minors);
- apartment groups for teenagers and young people (from 16 to 21 years of age);
- autonomy apartments for teenagers and young people (16 to 21 years of age).

All these types of facilities find their legal basis within the framework of [Regulation No. 2 of 2018](#), i.e., the Regulation implementing Article 62 of [Regional Law 41 of 2005](#) (“Integrated system of interventions and services for the protection of social citizenship rights”).

A detailed description of the facilities can be found in the following boxes, including different kinds of information: type of structure, users received, care intensity, organizational complexity, maximum accommodation capacity, minimum structural requirements, minimum organizational requirements, ration between number of guests and staff, annual number of hours for each function performed.

## FAMILY-LIKE COMMUNITIES

Normative reference	Art. 21, provision 1, lett. g), Regional Law 41/05
Type of institution	Family-like community with socio-educational function
Users	Minors for whom staying with the family of origin is temporarily impossible, accepted on the basis of a measure and/or intervention ordered by the judicial authority, or by the social services of the competent municipality
Care intensity	Medium
Organizational complexity	Medium
Max. available spots	10 beds + 2 emergency spots
Minimum structural requirements	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensure structural and organizational characteristics of the spaces that can be traced back to the common home, in order to achieve an optimal relationship between family-type hospitality and the educational functions of the service</li> <li><input type="checkbox"/> provide spaces for meetings and interviews to be conducted in protected contexts</li> <li><input type="checkbox"/> guarantee the presence of bedrooms, single or double, up to a maximum of 2 beds per bedroom</li> </ul>

	<ul style="list-style-type: none"> <li><input type="checkbox"/> provide bedrooms of an adequate size, proportional to the number of beds: 12m<sup>2</sup> for 1 person and 18m<sup>2</sup> for 2 people</li> <li><input type="checkbox"/> guarantee a toilet every 4 minors</li> <li><input type="checkbox"/> kitchen and pantry</li> <li><input type="checkbox"/> provide the possibility to wash and iron clothes</li> <li><input type="checkbox"/> a space for storage</li> <li><input type="checkbox"/> provide a changing room with a dedicated bathroom for the staff</li> <li><input type="checkbox"/> provide a space for administrative activities</li> </ul>												
<p>Minimum organizational requirements</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> adopt internal regulations, containing: type of persons for whom the activity is carried out; services provided; total number of staff, as well as duties, tasks and responsibilities of each professional; working hours and shifts of staff; composition and methods of payment of the fees; criteria for admission and discharge; rules of community life; procedures for keeping and storing documentation</li> <li><input type="checkbox"/> guarantee Individualized Educational Projects (PEI) suited to the needs and conditions of the minors in care</li> <li><input type="checkbox"/> organize the service in a way that takes into account the age groups of the minors in care</li> <li><input type="checkbox"/> ensuring an environment that is suitable for the minor's maintenance and education, and that provides for a connection with his/her family and social context</li> <li><input type="checkbox"/> adopt criteria and solutions that facilitate family relationships with a view to possible family reunification</li> <li><input type="checkbox"/> guarantee the participation of the minor and his/her family or guardian in the general project of the service and in the individual educational project</li> <li><input type="checkbox"/> ensure integration in the system of social and socio-medical services of the territory, favor participation in the recreational and cultural initiatives of the municipality of residence or of the one where the residential service is located</li> <li><input type="checkbox"/> ensure the possibility of creating personalized food diets</li> <li><input type="checkbox"/> ensure the presence of the following documentation (in compliance with privacy regulations) general educational project of the service; individual educational project and personal file, for each minor received; entry documentation for each minor with a social report from the territorial social services, any psychological report, health file, any measures taken by the judicial authorities, administrative and registry documents; documentation concerning the relationships with the territorial social services and with the judicial authority; register of the daily presence of the children received; register of the presence of the staff, with the indication of the shifts and of the related duties; daily notebook of the deliveries and of the information between operators; dietary chart; authorization to operate.</li> </ul>												
<p>Minimum professional requirements</p>	<p>Ratio between number of guests and staff: 12 Annual number of hours for each function performed</p> <table border="1" data-bbox="528 1809 1422 1921"> <thead> <tr> <th style="background-color: #d9e1f2;">Age group</th> <th style="background-color: #d9e1f2;">Care intensity</th> <th style="background-color: #d9e1f2;">Organizational Complexity</th> <th style="background-color: #d9e1f2;">Basic and personal care assistance</th> <th style="background-color: #d9e1f2;">Educational project</th> <th style="background-color: #d9e1f2;">Socio-education al youth work</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Age group	Care intensity	Organizational Complexity	Basic and personal care assistance	Educational project	Socio-education al youth work						
Age group	Care intensity	Organizational Complexity	Basic and personal care assistance	Educational project	Socio-education al youth work								

	18-21 years of age	medium	medium	1.634	3.268	6.536
	16-18 years of age	medium	high	4.068	3.268	8.136

## GROUP APARTMENT FOR TEENAGER AND YOUNG ADULTS

Normative reference	Art. 21, provision 1, lett. h), Regional Law 41/05
Type of institution	Group apartment for teenager and young adults
Users	Teenagers aged not less than 16 years and young people up to 21 years, who cannot stay or return to their families, already received in foster care, placed in the structure on the basis of a measure and / or intervention ordered by the judicial authority or by social services
Care intensity	Low
Organizational complexity	Medium
Max. available spots	4 beds
Minimum structural requirements	<ul style="list-style-type: none"> <li><input type="checkbox"/> ensure the apartment has structural characteristics and organization of spaces related to the common home, in order to achieve an optimal balance between the family type hospitality and the educational functions of the service</li> <li><input type="checkbox"/> guarantee the presence of bedrooms, single or double, up to a maximum of 2 beds per bedroom</li> <li><input type="checkbox"/> provide bedrooms of an adequate size, proportional to the number of beds (12 square meters for 1 person and 18 square meters for 2 people)</li> <li><input type="checkbox"/> guarantee a toilet every 4 minors</li> <li><input type="checkbox"/> kitchen and pantry</li> <li><input type="checkbox"/> provide the possibility to wash and iron clothes</li> <li><input type="checkbox"/> provide a space used for storage</li> <li><input type="checkbox"/> provide a changing room with a dedicated bathroom for the staff</li> <li><input type="checkbox"/> provide a space for administrative activities</li> </ul>
Minimum organizational requirements	<ul style="list-style-type: none"> <li>• adopt an internal regulation, indicating: type of persons for whom the activity is carried out; services provided; total number of staff, as well as duties, tasks and responsibilities of each professional; working hours and shifts of staff; composition and methods of payment of fees; criteria for admission and discharge; rules of community life; functioning of the representative body of persons received, their families or their guardians; procedures for keeping and storing documentation.</li> <li>• guarantee individualized educational projects (PEI) according to the needs and conditions of the persons in care,</li> <li>• organizing the service considering the age groups of the people in care</li> <li>• ensure that the person in care is provided with an environment that is suitable for his/her maintenance and education,</li> </ul>

	<p>providing the possibility of connecting with his/her own family and social context</p> <ul style="list-style-type: none"> <li>• adopt criteria and solutions that facilitate family relationships in view of possible family reunification</li> <li>• guaranteeing the participation of the person cared for and his/her family or guardian in the general project of the service and the individual educational project</li> <li>• achieve integration within the system of social and socio-health services of the territory, encouraging participation in the recreational and cultural initiatives of the municipality of residence or of the municipality where the residential service is located</li> <li>• provide for a representative body to represent the minors and their families or guardians</li> <li>• ensure the possibility to create personalized food diets</li> <li>• ensure the presence of the following documentation (in compliance with privacy regulations) general educational project of the service; individual educational project and personal file, for each minor received; entry documentation for each minor with a social report from the territorial social services, any psychological report, health file, any measures taken by the judicial authorities, administrative and registry documents; documentation concerning the relationships with the territorial social services and with the judicial authority; register of the daily presence of the children received; register of the presence of the staff, with the indication of the shifts and of the related duties; daily notebook of the deliveries and of the information between operators; dietary chart; authorization to operate.</li> </ul>															
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Age group	Care intensity	Organizational Complexity	Basic and personal care assistance	Educational project												
18-21 years of age	low	medium	634	1.000												
16-21 years of age	medium	high	634	1.634												

## SHARED APARTMENTS FOR TEENAGER AND YOUNG ADULTS HOUSING AUTONOMY

Normative reference	Art. 22, provision 1, lett. b), Regional Law 41/05
Type of institution	Residential structure, second reception, low intensity care that aims to promote the housing autonomy of teenagers now on the threshold of adulthood or young adults. These are usually coming from other types of residential services for minors or are out of family foster care.
Users	Teenagers aged no less than 16 and young people up to 21, both Italian and foreign, in difficulty and/or in a condition of hardship and/or in the status of unaccompanied foreign minor, who need protection, as well as specific support for autonomy. Minors and/or adults are in the

	care of the competent social service, with a personalized educational project in which a path of further support aimed at personal and social autonomy is assessed, also on the basis of any provision of the judicial authority.
Max. available spots	6 beds. The accommodation capacity can be raised to a maximum of 12 beds in the event of articulation in two modules of a maximum of 6 beds, each located in the same building and organized with independent access modes.
Minimum structural requirements	<ul style="list-style-type: none"> <li><input type="checkbox"/> meet the housing requirements prescribed by state and regional regulations in force for civilian dwellings (with certifications confirming the compliance of facilities).</li> <li><input type="checkbox"/> guarantee the presence of bedrooms, up to a maximum of 3 beds per bedroom</li> <li><input type="checkbox"/> guarantee a toilet for up to 6 users, 2 toilets when there are more than 6 users</li> <li><input type="checkbox"/> set up one or more multifunctional space(s) for activities (cooking, socialization, study/leisure, interviews, administrative/educational activities).</li> </ul>
Minimum organizational requirements	<ul style="list-style-type: none"> <li><input type="checkbox"/> provide a contact person/coordinator responsible for the service, 24/7, to promptly deal with any problematic situations and meet the needs of guests and/or family members;</li> <li><input type="checkbox"/> adopt an internal regulation, indicating: type of persons for whom the activity is carried out; services provided; total number of staff, as well as duties, tasks and responsibilities of each professional; working hours and shifts of staff; methods of protection in the case of underage users; the use of volunteers, if any, in addition to the professional resources employed, with the definition of the total number of activities and human resources foreseen, as well as the methods and tools with which these figures liaise with the head of the service and with the other operators, especially during the eventual presence at night; procedures for recruiting volunteers overseeing the apartment at night; composition and methods of payment of fees; criteria for admission and discharge; rules of community life; functioning of the representative body of persons received, their families or their guardians; procedures for keeping and storing documentation.</li> <li><input type="checkbox"/> stipulate the welcoming pact with the user</li> <li><input type="checkbox"/> provide specific procedures for: the registration of incoming and outgoing guests; the compilation of individual files/files; the management of obligations related to the protection of privacy; the periodic planning of activities for minors; the planning and holding of any Italian language courses for foreign users, also through participation in the network of services and opportunities in the area</li> <li><input type="checkbox"/> provide for individualized educational projects (PEI) that are adequate to the needs and conditions of the persons received and calibrated on the possibilities of achieving progressive autonomy and independence</li> <li><input type="checkbox"/> the organization of the service must be carried out considering the age groups and genders to which the persons taken in belong, as well as the purpose of encouraging the participation of the person taken in (and his/her family or guardian) in the</li> </ul>

	<p>general project of the service and in the individual educational project, guaranteeing the full participation of the users in the resources and opportunities of the territory, with particular reference to the school system, professional training, work, the system of cultural, social-recreational and sports resources (etc.)</p> <ul style="list-style-type: none"> <li>□ guarantee the translation into several languages (with reference to the most widely spoken languages in relation to the users habitually received) of the Service Charter, the Internal Regulation and the Reception Agreement with the user, which are in any case made available to facilitate the widest possible information for the guests of the facility</li> <li>□ ensure the intercultural training of service personnel to promote the recognition and valorization of cultural differences;</li> <li>□ guarantee the possibility of creating personalized food diets</li> <li>□ in case the facility is located in a condominium, ensure compliance with the provisions contained in the relevant regulations</li> <li>□ ensure the presence of the following documentation (in compliance with privacy regulations) general educational project of the service; individual educational project and personal file, for each person received; entry documentation for each person, including social report from the territorial social services, any psychological report, health file, any measures taken by the judicial authorities, administrative and registry documents; documentation concerning the relationships with the territorial social services and with the judicial authority; register of the daily presence of users; register of the presence of the staff, with the indication of the shifts and of the related duties (including volunteers); daily notebook of the deliveries and of the information between operators; dietary chart; administrative measures inherent to the functioning of the structure.</li> </ul>
<p>Minimum professional requirements</p>	<p>Educational intervention provided by professional educators (module of maximum 6 beds):</p> <ul style="list-style-type: none"> <li>• annual number of hours in the presence of young adults from 18 to 21 years old: 1000</li> <li>• annual number of hours in the presence of teenagers and young people 16-18 years old: 2000</li> </ul> <p>In case of presence of minors, the night hours are covered through the rotation of an operator. If the operator on duty is a volunteer, specific methods and tools must be foreseen and activated for the connection and availability with the referent/coordinator responsible for the service.</p>

## In-depth study: Municipality of Florence and Prato Area

The CarING project is carried out on two territories, the Municipality of Florence and the in Prato District through the institution called “Società della Salute” (socio-health services provider). For this reason, it is considered appropriate to provide the main regulatory and planning references of both entities.

The Municipality of Florence has approved a specific [Regulation](#) on foster care (Florence Municipality, 2017), which establishes, among other things, the modalities for foster care, the rights of the family of origin and of the foster family, but also, and above all, those of the minor. In particular, art. 8 establishes that “the minor is the main subject of foster care. The primary objective of family fostering shall be the child’s return to his/her family. The child’s temporary placement outside his or her family shall take place through interventions that, by temporarily integrating or replacing the family, offer the child adequate care and attention, the support of figures capable of allowing the development of meaningful emotional and educational relationships and a space where to develop a project for the future. The child has the right, in all the procedures concerning him/her, to be informed and to express his/her opinion in consideration of his/her age, his/her capacity of discernment and his/her superior interest”.

As concerning the Prato District, Part III of Annex 3 of the [“Regulation of services, benefits and socio-assistance, socio-health and social promotion interventions of the “Società della Salute” of the Prato area”](#) (Società della Salute - Prato District, 2021) is dedicated to “Services and interventions of a residential nature for minors and families”. In particular, articles 19, 20 and 21 deal with the regulation of family foster care, the types of foster care and the foster care contribution, respectively. Articles 22 and 23, on the other hand, establish the modalities for placing minors in residential facilities and list the types of facilities available, describing their main features.

Residential facilities, both in Florence and Prato, must have an authorization to operate in order to open, a regional accreditation to operate, and then a “Service Charter” and internal organization and operation regulations. The “Service Charter” must be drawn up by each facility and must be updated periodically. In general terms, as a minimum this must contain:

- a. the actions and activities implemented to meet the needs of minors;
- b. the actions taken to protect the rights of minors;
- c. the forms of participation and surveying for minors (and their families);
- d. the forms of participation and surveying for stakeholders;
- e. the ways in which the service is provided and the actions aimed at improving its quality, effectiveness and efficiency.

There are different models of agreements and contracts that the Municipality of Florence and the “Società della Salute” stipulate with individual facilities to establish all the specifications, including those related to the financial disbursements due.

Furthermore, both the Municipality of Florence (for a long time) and the “Società della Salute” of the Prato district (recently) have set up consultation tables with representatives of the managers of accredited residential facilities. In both cases, consultation tables meet periodically with the aim of discussing services provided, modes of operation and problems encountered, as well as

of sharing best practices and ensuring the maximum degree of procedures' homogeneity within the same territory.

## Discussion

The framework outlined above show that there are clear and consistent standards that, starting from the international level down to the local level, must be respected for boys and girls who live outside their family of origin and are in the care system – both foster care or residential facility. This is especially true in relation to “formal” issues and requirements (documents, services to be provided, structural/organizational requirements of facilities and processes, etc.). **However, the system lacks an equally clear framework (even in terms of monitoring) regarding forms of empowerment and concrete participation of boys and girls to the decisions that affect them and their life project, in other words their preparation for the exit phase.**

Although this problem affects all age groups, it becomes even more relevant during the care leaving phase, when teenagers approach the age in which they will be out of the care system and required to suddenly become autonomous, having a life project and taking into consideration their rights and duties within the community.

The CarINg project is framed within this context and its main objective is to support boys and girls coming out of the protection system to realize their life project. In order to achieve this objective, CarINg operates on a twofold basis: on the one hand, the project works on boosting the empowerment of care leavers and their involvement in participatory processes. On the other, it works on the capacity building of the care system, by training different kinds of operators, providing procedures and methodologies for inclusion and surveying.

Therefore, CarINg doesn't only aim at supporting and guaranteeing the respect of formal standards, but it focuses on giving boys and girls a “guarantee” of listening – according to the age group - to make substantial their right to participate in the decision-making processes that concern them, especially in the leaving care phase.

To achieve this, also in the light of what is presented in this document, it is fundamental 1) to create opportunities (working, relational, etc.) and occasions for meeting and exchange ideas, 2) to build a network among all the actors involved in minors' care, especially with the Agevolando Association. The latter, although its logic of intervention represents a methodological reference point, is not yet present in Tuscany and could provide further space for concrete actions of follow up and for a sustainability plan with respect to the project activities.

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