

**UNITED NATIONS CHILDREN'S FUND
REQUIRES**

Institutional Consultancy for an Analysis of policy and legal framework and practice related to children and youth leaving formal care (institutional and family based) in Montenegro (Child Care System Reform IPA 2010)

Minimum requirements:

The Contractor's team of experts are expected to have following qualifications/specialized knowledge/experience required to complete the task:

- University degree, preferably advanced, in social work, psychology, child rights etc.;
- At least five years of work experience in youth leaving care policies and practice;
- Experience in social research including research with children;
- Thorough understanding of child rights and international standards in the area of alternative care of children;
- Familiarity with the social and child protection system in Montenegro;
- Excellent command of Montenegrin language (both spoken and written), whilst fluency in English will be considered as an asset;
- Excellent communication, facilitation and writing skills.

The Terms of Reference for the position and the Supplier Profile Form can be found on the website www.unicef.org/montenegro or picked up at UNICEF Montenegro office.

Please apply with:

- 1. Supplier Profile Form**
- 2. Technical Proposal**
 - a. Agency Profile
 - b. CV of key experts
 - c. Narrative proposal (addressing all aspects and criteria outlines in the ToR)
- 3. Price proposal (financial offer consisting of fee for the services to be provided, travel and subsistence costs)**

Send your application by email, mail or fax, quoting "Youth Leaving Care" to the following address by May 20, 2014 noon (12:00 PM CET):

UNICEF, Stanka Dragojevic bb, UN Eco Building, 81 000 Podgorica

Fax: +382 20 447 471

Email: podgorica@unicef.org

Ensure that your message and attachments do not exceed 6 MB in total. Messages not abiding to this limit will not arrive in our inbox.

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**Analysis of policy and legal framework and practice related to children and youth leaving formal care (institutional and family based) in Montenegro
Child Care System Reform IPA 2010**

Background and Context

Observance of human and child rights represents an essential value of the European Union and an important part of the enlargement policy for Montenegro and the Western Balkan countries. Montenegro recognized the need to undertake relevant measures to implement institutional, legislative and administrative reforms in order to make sure that the rights and needs of each individual child are observed and protected in accordance with the *UN Convention on the Rights of the Child* and the *EU Charter of Fundamental Rights*.

Protecting children from violence, exploitation and abuse is an integral component of protecting their rights to survival, growth and development. The approach of UNICEF is to create a protective environment, where girls and boys are free from violence, exploitation, and unnecessary separation from family; and where laws, services, behaviours and practices minimize children's vulnerability, address known risk factors, and strengthen children's own resilience.

In Montenegro, the overall goal of the UNICEF Country programme for 2012-2016 signed with the Government of Montenegro is to accompany the country's efforts towards increasing equity and ensuring the inclusion of children and women who are in need of special protection, live in poverty, or are socially marginalized so that they can enjoy and exercise their rights. The country programme comprises two mutually reinforcing components: Programme 1 Child protection and social inclusion; and Programme 2 Child rights, policies and EU integrations.

A crucial segment of the on-going Country programme for 2012-2016 is the continuation of the *Child Care System Reform* initiative implemented by the Ministry of Labour and Social Welfare in partnership with UNICEF with the financial assistance of the European Union¹. The reform follows a systematic approach to child protection, targeting all levels of the system and covering the areas of law reform, development of child protection standards and monitoring mechanisms, capacity building of professionals in the child protection system, deinstitutionalization and the transformation of residential institutions for children, the development of prevention mechanisms and family and community based services for children in need including support services for children with disabilities and the development and promotion of foster care including through massive awareness raising campaign.

About 230 Montenegro's children are placed in residential institutions in Montenegro or in institutions in neighbouring Serbia and Bosnia and Herzegovina. Although this is a significant decrease compared to 2007 (when there were over 450 children in institutions) the fact that there are still limited alternative settings explains why deinstitutionalization is at the heart of child care reform in the country. The number of children in the largest children's home in Montenegro, "Mladost" has been gradually decreasing (there were 154 children in 2010, and 116 children at the end of 2013). The number of children aged 0-3 was steady between 2008 and 2011 averaging at 25 children resident in a year, however, in 2012 there were 19 children and a further decrease was recorded at the end of 2013, when there were 15 children aged 0-3.

¹ As part of a comprehensive project entitled "Social Welfare and Child Care System Reform: Enhancing Social Inclusion", implemented since 2011 by the Government of Montenegro (the Ministry of Labour and Social Welfare and the Ministry of Education) in partnership with UNDP and UNICEF Montenegro and financial assistance from the European Union (IPA 2010).

The Government of Montenegro (the Ministry of Labour and Social Welfare - MoLSW leading the process) has demonstrated commitment to the process of deinstitutionalization by revising its policy and legal framework. The new Law on Social and Child Protection which was adopted in 2013 prescribes the transformation of residential institutions and prohibits the placement of children under 3 in institutions (except under exceptional circumstances). The Strategy for the Development of Foster Care in Montenegro 2012-2016 was adopted in 2012 and since been successfully implemented including a mass campaign with the support of UNICEF “Every Child Needs a Family” in late 2013. The number of children in foster care has been increasing over the years with 303 children in kinship care and 22 children in non-kin foster care at the end of 2013. Also in 2013, the MoLSW has established an official Working Group (WG) to draft a plan of transformation of the largest child care residential institution in Montenegro, “Mladost”, Bijela. It is expected that the plan will be adopted in April/May 2014. In April 2014, MoLSW, the Ministry of Health and the Ministry of Education signed the Protocol on intersectoral cooperation for the prevention of institutionalization.

In addition to the above processes, the *Child Care System Reform* initiative envisages upgrading the process of supporting older children graduating from the institution, and more broadly from formal care. It has been recognized that leaving care is a particularly sensitive and challenging for youth, and that youth in Montenegro leave care insufficiently prepared for independent life. Consequently, technical assistance is required to support the MoLSW in the enhancement of youth leaving care policies and practice through in the social and child protection sector and other relevant sectors.

Purpose and Objective

The purpose of this activity is to support the MoLSW in ensuring full protection of the rights of children and youth leaving formal care, both institutional and family-based care.

The objective of this assignment is to assist the MoLSW and relevant child protection professionals in enhancing youth leaving care policies and practices by:

- Pointing to the problems facing children and youth leaving care, particularly children and youth without parental care by on the one hand explaining the needs of those children and youth and on the other hand by revealing the gaps in satisfying those needs in the social and child protection system and other relevant sectors,
- Providing recommendations for improving the status of children and youth leaving care, through changes in legislation, policies and practice, not only in the social and child protection sector but other relevant sectors,
- Raising awareness of children and youth leaving care about their rights, entitlements and opportunities on their way to independent living.

Methodology and Technical Approach

The methodology will include desk review; consultations with the MoLSW and UNICEF, research/interviews with personnel of the institution “Mladost” in Bijela, centres for social work, employment bureaus, health and education sector representatives, representatives of local authorities, foster carers, interviews with youth who are about to leave or have recently left formal care, nongovernmental organizations that have worked in the area of youth leaving care, and other relevant stakeholders; facilitation of a workshop; analysis and writing of a report etc.

The contractor is expected to work both in the field and from home.

Further details related to methodology are outlined in the following section “Activities and Tasks”. Once engaged, the contractor is expected to present a proposal including a tentative work plan with timeframe and deadlines for deliverables in greater detail.

Activities and Tasks

The contractor is expected:

- To review the following documents:
 - (1) international standards including the *UN Convention on the Rights of the Child* – UNCRC, *UN Convention of the Rights of Persons with Disabilities*, *UN Guidelines for the Alternative Care of Children*, *Concluding Observations for Montenegro* issued by the Committee on the Rights of the Child, *The Report of the Ad Hoc Group of Experts on the Transition from Institutional to Community Based Care*;
 - (2) relevant policies, legislation and reports on Montenegro in the area of alternative care, including *The Law on Social and Child Protection* and relevant bylaws, the *Family Law*, the *Strategy on Social and Child Protection 2013-2017*, the *Strategy for the development of foster care in Montenegro 2012-2016*, draft *Strategic Review of the system of caring for vulnerable children in Montenegro* by the NGO Lumos, draft *Plan of Transformation of “Mladost” Bijela, Conceptual Framework for Small Group Home service*, and
 - (3) any other policy document/report/piece of legislation relevant for youth leaving care in the employment, health or education sectors and local self-government legislation or local self-government action plans, in relation to housing policies etc.
- To conduct fieldwork on youth leaving care policies and practice through consultations, interviews, focus groups, secondary data collection etc. The research should refer to the current situation but also consider any future plans of competent institutions in tackling the needs of youth leaving care (entitlements, procedures, and the role and area of competence/responsibility of relevant institutions). In relation to practice, the research should focus on available support including counselling, the prevalence and quality of preparatory work with children and youth for leaving care and work on developing independent living skills, and the care planning process. Persons to be consulted could include the MoLSW, personnel of the institution “Mladost” in Bijela, centres for social work, employment bureaus, health and education sector representatives, representatives of local authorities, foster carers, youth who are about to leave or have recently left formal care, relevant nongovernmental organizations, UNICEF, and other relevant stakeholders. Interviews with children must be in line with international best practice and based on thorough ethical considerations. The methodology of the fieldwork should be shared with UNICEF at least 5 working days prior to the research.
- To, based on the desk review and field research, develop an analysis of policies, legislation and practice in relation to youth leaving care, not only in the social and child protection sector but other relevant sectors.
- To facilitate a one day workshop for representatives of MoLSW, centres for social work and “Mladost” Bijela institution on international best practice in youth leaving care planning.
- To, based on the above analysis, develop a reader-friendly *Guidebook for youth leaving care* (intended for youth leaving care) in consultation with relevant stakeholders. The Guidebook should be concise and include as a minimum a section on internationally recognized child rights; brief overview of entitlements in the areas of social protection, health, education and employment; rights and obligations as a resident of Montenegro; description and contacts of institutions and organizations that can provide assistance; and any other section that emerges as important during the research phase of the consultancy.
- To communicate with UNICEF on a regular basis in order to receive in-depth guidance;
- To provide other related assistance as required.

Key Deliverables and Timeframe

The contractor will be engaged for up to 35 working days for all team members in total. The following breakdown of working days is proposed, however, the Contractor's proposal should include the definitive work plan:

Task	No days in total for all team members
Completion of desk review in relation to youth leaving care policies and legislation (home-based)	Approximately 5
Preparation and implementation of fieldwork for an analysis of youth leaving care policies, legislation and practice (home-based and in Montenegro)	Approximately 10
Preparation of the Analysis based on above desk review and field research (home-based)	Approximately 7
Preparation and delivery of one day workshop for representatives of MoLSW, centres for social work and "Mladost" Bijela institution on international best practice in youth leaving care planning (home-based and in Montenegro)	Approximately 3
Preparation of a <i>Guidebook for youth leaving care</i>	Approximately 9
Preparation of a brief final mission report with recommendations to MoLSW (home-based)	Approximately 1 day
TOTAL	35

The following key deliverables are expected by the following tentative deadlines:

1. Analysis of policies, legislation and practice in relation to youth leaving care, by 16th June 2014;
2. One day workshop for representatives of MoLSW, centres for social work and "Mladost" Bijela institution on international best practice in youth leaving care planning, by 20th June 2014;
3. Guidebook for youth leaving care, by 26th June 2014;
4. Brief final mission report, by 30th June 2014.

The Contractor's proposal should include the definitive work plan with timeframe and deadlines for deliverables in greater detail – in consultation with UNICEF if different from above. However, the consultancy must end by 30 June 2014.

Management and Organisation

Management: The Consultant will be supervised by the UNICEF Child Protection Officer.

Organization: International Consultancy, institutional, with considerable experience in the area of social and child protection policy, deinstitutionalisation and support to care leavers is required for this assignment.

The candidates are requested to submit their financial offer consisting of fee for the services to be provided, travel and subsistence costs, as applicable.

The fee may be reduced if the assignments/deliverables are not fulfilled to the required standard. In a case of serious dissatisfaction with the consultant's performance the contract may be terminated in line with UNICEF procedure in such matters and as spelled out in SSA.

Schedule: This assignment will commence on 21st May 2014.