

സർക്കുലർ

വിഷയം:- സാമൂഹ്യനീതി വകുപ്പ് - ICPS - DCPU - SCPS-  
ഫോസ്റ്റർകെയർ പരിപാടി - മാർഗ്ഗനിർദ്ദേശങ്ങൾ  
പുറപ്പെടുവിയ്ക്കുന്നു.  
സൂചന :- 01.04.2014 മുതൽ പ്രാബല്യത്തിൽ വന്ന ICPS ന്റെ  
പുതുക്കിയ ഗൈഡ്ലൈൻ

കുട്ടികളുടെ സ്ഥാപനേതര സംരക്ഷണ പരിപാടിയായ ഫോസ്റ്റർകെയർ പ്രോഗ്രാമിനെക്കുറിച്ച് 2000 ലെ കേരളാ ജുവനൈൽ ജസ്റ്റീസ് (കെയർ ആൻഡ് പ്രൊട്ടക്ഷൻ ഓഫ് ചിൽഡ്രൻസ്) ആക്ടിലെ വകുപ്പ് 42 ലും 2014 ലെ കേരളാ ജുവനൈൽ ജസ്റ്റീസ് (കെയർ ആൻഡ് പ്രൊട്ടക്ഷൻ ഓഫ് ചിൽഡ്രൻസ്) ചട്ടങ്ങളിലെ ചട്ടം 45 ലും പ്രതിപാദിയ്ക്കുന്നു.

ഫോസ്റ്റർകെയർ പ്രോഗ്രാമിനെ സംബന്ധിച്ചുള്ള വിശദമായ മാർഗ്ഗനിർദ്ദേശങ്ങൾ 01.04.2014 മുതൽ പ്രാബല്യത്തിൽ വന്ന ICPS ന്റെ പുതുക്കിയ ഗൈഡ്ലൈനിലും ~~പുറപ്പെടുവിച്ചിട്ടുണ്ട്~~ (അധ്യായം 10 സി ഖണ്ഡിക 4) മേല്പറഞ്ഞ നിയമത്തിന്റേയും ചട്ടങ്ങളുടേയും ഗൈഡ്ലൈനിന്റേയും വെളിച്ചത്തിൽ സംസ്ഥാനത്ത് കുട്ടികൾക്ക് വേണ്ടിയുള്ള ഫോസ്റ്റർകെയർ പരിപാടി നടപ്പിലാക്കുന്നതിനുള്ള മാർഗ്ഗനിർദ്ദേശങ്ങൾ പുറപ്പെടുവിയ്ക്കുന്നു.

ജില്ലകളിൽ ഫോസ്റ്റർകെയർ പരിപാടി നടപ്പിലാക്കുന്നതിനുള്ള ചുമതല ജില്ലാ ചൈൽഡ് പ്രൊട്ടക്ഷൻ യൂണിറ്റുകൾക്കാണ്. അതിനാൽ ജില്ലാ ചൈൽഡ് പ്രൊട്ടക്ഷൻ യൂണിറ്റുകൾ ഫോസ്റ്റർകെയർ പരിപാടി നടപ്പിലാക്കുന്നതിനുള്ള നടപടികൾ സത്വരമായി സ്വീകരിയ്ക്കേണ്ടതാണ്.

സ്റ്റേറ്റ് അഡോപ്ഷൻ റിസോഴ്സ് ഏജൻസി ഫോസ്റ്റർകെയർ പരിപാടി സംബന്ധിച്ച ഏകോപനം, മോണിറ്ററിംഗ് എന്നീ ചുമതലകൾ നിർവ്വഹിയ്ക്കേണ്ടതാണ്

സാമൂഹ്യനീതി ഡയറക്ടർക്കു വേണ്ടി

എല്ലാ ജില്ലാ ചൈൽഡ് പ്രൊട്ടക്ഷൻ ഓഫീസർമാർക്കും

പകർപ്പ്:

1. എല്ലാ JJB പ്രിൻസിപ്പൽ മജിസ്ട്രേറ്റുമാർക്കും
2. എല്ലാ CWC ചെയർമാൻമാർക്കും
3. എല്ലാ JJ സ്ഥാപന സൂപ്രണ്ടുമാർക്കും
4. പ്രോഗ്രാം മാനേജർ , SARA, കളമശ്ശേരി
5. ICPS - 1, ICPS - 2, ICPS - 4.
6. Stock File.

INTEGRATED CHILD PROTECTION SCHEME, KERALA

**IMPLEMENTATION OF FOSTER CARE PROGRAMME – GUIDELINES**

**I. Foster Care**

Fostering is an arrangement whereby a child lives, usually on a temporary basis, with an extended or unrelated family member. Such an arrangement ensures that the birth parents do not lose any of their parental rights or responsibilities. This arrangement shall cater to children who are not legally free for adoption, and whose parents are unable to care for them due to illness, death, desertion by one parent or any other crisis. The aim is to eventually re-unite the child with his/her own family when the family circumstances improve, and thus prevent institutionalization of children in difficult circumstances.

Foster care refers to physical custody/ care of the child till he/she is able to return to biological family as soon as family circumstances improve and shall not exceed one year

**II. Persons competent to be Foster Parents**

- Married couple- stable marital status at least for 5 years
- Single parent
- Members of the extended family of the Child
- Voluntary Organizations or other recognized persons willing to take the responsibility of the Child / Children in individual or group foster care  
(Age between 30years to 60years of foster mother and up to 65 years for the father)

*Note:- Kinship foster care should be given preference and no age limit prescribed for such foster care.*

**III. Criteria for selection of families for foster care as temporary shelter**

- (i) Foster parents should have stable emotional adjustment within the family and society;
- (ii) Foster parents should have an income in which they are able to meet the needs of the child and are not dependent on the foster care maintenance payment;
- (iii) Medical reports of all the members of the family residing in the premises should be obtained including checks on Human Immune Deficiency Virus (HIV), Tuberculosis (TB) and Hepatitis B to determine that they are medically fit;
- (iv) The foster parents should have the capacity to provide good child care;
- (v) The home should have adequate space and basic facilities;
- (vi) The foster care family should be willing to follow the rules laid down including regular visits to pediatrician, maintenance of child health and their records;

(vii) The foster parents should be willing to attend training or orientation programmes;

(viii) The foster parents should be willing to take the child for regular (at least once in a month in the case of infants) check-ups to a pediatrician approved by the agency. The foster family should be willing to the announced and unannounced visits by concerned officials to foster carer's family and regular supervision by concerned officials and Probation Officer/Case Worker/Social Worker of Foster Care Agency;

(ix) Foster carers should agree not to use corporal punishments to discipline the child in placement;

(x) Foster carers should not make the child work except for the purpose of life skill training to the child; and

(xi) Foster carers should be willing to take parental responsibility for the child and provide necessary orientation and training to be independent for a responsible adulthood; and

(xii) Foster carers should be willing to support the child in foster care to have regular contact with the child's family provided such contacts help the child in his or her overall growth and development

#### **IV. Foster Care Procedure:-**

##### **1. Registration**

For getting a child on Foster Care, the Prospective Foster Parent shall register before the District Child Protection Unit (DCPU) where the Prospective Foster Parent (PFP) resides.

##### **2. Documents to be attached with the application**

They should produce the following documents along with their application:-

- Medical certificate of the PFP
- Proof of identity (Adhar Card, Electoral ID Card, Passport etc.)
- Marriage Certificate
- Photograph of the family
- Recommendation letter from two respectable persons.
- Income certificate

##### **3. Pre-Foster care Counseling:-**

Adequate counseling has to be imparted to the Prospective Foster Parents by a qualified Social Worker/councilor in DCPU, for taking up the responsibility of the Foster parenthood.

#### **4. Foster Care Assessment Report and Home Study:-**

The Foster Care Assessment and home study have to be conducted by the Protection Officer (NIC) or any other officer entrusted by the DCPO. The Foster Care Assessment Report shall be prepared by the Protection Officer (NIC) in Form No. XVI(A) of the JJ Rules 2014 and approved by the DCPO and The Home study should be completed within one month from the date of registration. The reports should be prepared as per the Form No. XVI.A, B.

#### **5. Application:-**

Any individual or family desirous of taking a child in foster care should file a petition before the Children's court (District Court) in whose local jurisdiction the child in need of care and protection is residing. Vide Rule 47 of the Kerala Juvenile Justice (Care and Protection of Children) Rules, 2014.

#### **6. Who can be given in Foster care (Foster care child):-**

- Children who are not getting proper care and protection from their families
- Children who are not legally free for adoption,
- Children of Parents who are unable to care for them due to illness, death, desertion by one parent, or any other crisis
- Children of the mentally ill persons

#### **7. Identifying Children for Foster care:-**

The CWC and DCPU will jointly identify the children who are eligible for foster care Programme.

#### **8. Case History and Individual Care Plan:-**

A qualified Social Worker should conduct enquiry and prepare Case history on the child to be given in foster care. The Individual Care Plan also should be prepared by the Protection Officer (NIC) for the Child.

#### **9. Preparing the child for Foster care**

Before giving the child in foster care adequate counseling to be imparted. Opportunities for Interaction between foster parent, the Child and biological parents shall be given.

### **10. Medical Examination**

After acceptance the foster care parents should arrange to conduct medical examination of the Child. Medically fit children alone be given in foster care.

### **11. The role of Sponsorship and Foster care Approval Committee**

The Government has constituted the SFCAC to every district for promoting, recommending the cases for the Sponsorship and Foster care fund. The committee shall have the authority to seek the relevant documents including Home study report, Case history on the Child and the Individual Care Plan. The Committee will verify the records and assess the eligibility of the child and foster parents for Foster care.

### **12. The Role of the Children's Court:-**

The DCPU shall file an application before the Concerned Children's Court for placing the child in Foster care. The Court shall consider the Foster care Assessment Report and Home study report before ordering foster care placement. The Court can place the child for short term foster care for a maximum period of one year from the date of placing the child. The DCPO or any Officer authorized by the DCPU should regularly monitor the child and supervise the short term foster care.

### **13. Undertaking:**

When the Court orders the foster care placement, the foster parent shall execute such undertaking in the format prescribed.

### **14. Conditions:-**

The normal period of foster care will be for one year. But it may be extended for a period not exceeding 5 years or the child ceases to be a child whichever is earlier. After 5 years, if the child cannot be returned to the biological family, the child may be given in adoption for the foster family if they desire so.

The Foster parents may be paid a reasonable amount by way of maintenance which may be desired by the Government from time to time.