



# PROJECT

## „CONSCIOUS PARENT ACADEMY – REPLACEMENT PARENT URGENTLY NEEDED!”

Project „Conscious Parent Academy – Replacement parent urgently needed!”, number: 2020-1-PL01-KA204-082283 is funded by the Erasmus + program.

The foster care-themed project will help to raise public awareness of foster care and encourage people to consider becoming a foster family. The project will help build positive values that will contribute to the chances of children finding a safe and loving home.



# HELP DESK I



Erasmus+

## **Title: The functioning of foster care in partner countries: Lithuania, Poland, Portugal.**

### Contents

1. Organization of foster care.
2. How to become a foster family?
3. Training for foster families.
4. Support for foster families. Financial and non-financial.
5. Rights and obligations of foster families.
6. Types of foster family.
7. Legal regulations.
8. Rights and obligations of biological parents.
9. Foster families problems with child.



# 1. ORGANIZATION OF FOSTER CARE

What are the forms of family foster care?		
<b>Lithuania:</b> <ul style="list-style-type: none"> <li>• regular foster care,</li> <li>• professional foster care,</li> <li>• family-based foster care facility,</li> <li>• community-based children care home.</li> </ul>	<b>Poland:</b> <ul style="list-style-type: none"> <li>• related – ascendants and siblings,</li> <li>• non-professional,</li> <li>• professional, including family emergency and related family,</li> <li>• family orphanage.</li> </ul>	<b>Portugal:</b> <p>In Portugal, there is only one form of foster care, that involves individual people or families nonrelated to the child, that care for the children and youth in the welfare system.</p>
How many children can stay in each form of family foster care?		
<b>Lithuania:</b> <ul style="list-style-type: none"> <li>• regular foster care – no more than 3 (no more than 6 together with own),</li> <li>• professional foster care – no more than 3 (no more than 6 together with own),</li> <li>• family-based foster care facility – 4 and more children (no more than 8 together with own),</li> <li>• community-based children care home – no more than 8 children.</li> </ul>	<b>Poland:</b> <ul style="list-style-type: none"> <li>• non-professional and professional – no more than 3 children, excluding siblings,</li> <li>• family orphanage – no more than 8 children, excluding siblings.</li> </ul>	<b>Portugal:</b> <p>There can be up to two children per Foster Family, although in some justifiable cases, there can be more. For instance, in cases where there are several siblings, it is prioritized that they stay together in the same household.</p>
How long can I be a foster family for a child?		
<b>Lithuania:</b> <ul style="list-style-type: none"> <li>• short-term foster care can be established up to 12 months, with the possibility of extending it for an additional 6 months and is established by an order of the municipality's administration director,</li> <li>• permanent (long-term) – foster care is established for a child who is not under parental care and cannot return to his/her biological family (for an indefinite period).</li> </ul>	<b>Poland:</b> <p>Foster care lasts until the child reaches the age of majority, in the case of continuing education until the child is 25 years old. The function of the foster family foster family is temporary – if up to 18 months from placing the child in foster care, there are no grounds for the child's return to the biological family, the Organizer of the Family Foster Care shall apply to the Court to regulate the child's legal situation.</p>	<b>Portugal:</b> <p>Children and youth can be fostered from 0 to 18 years old. In some situations, until they are fully autonomous or over 21 years old. Foster Care of children under the age of 6 is prioritized.</p>

# 1. ORGANIZATION OF FOSTER CARE

Can I foster a child from another city?		
<b>Lithuania:</b> Yes, a person who is willing to be a guardian can take care of a child from another city as well. It is important that this is in the best interests of the child.	<b>Poland:</b> Yes. In the case of fostering a child from outside the powiat, agreements are concluded between the organizers of family foster care from the cities concerned.	<b>Portugal:</b> Yes, but there's an effort to foster children from the same city as the foster family, as to not disrupt several dimensions of their lives, such as distancing them from their biological families, schools, friends, etc.
Which documents prove that we are a foster family?		
<b>Lithuania:</b> Order of the director of the municipality administration on the establishment of temporary custody or a court order on the establishment of permanent custody.	<b>Poland:</b> Decision of the District Court of the Family and Juvenile Division with jurisdiction over the place of residence.	<b>Portugal:</b> A certificate confirming the competence of the family as a foster family and entry into the database of foster families.
Where do I go if I want to become a foster family?		
<b>Lithuania:</b> People who want to apply for foster family status should go to State Child Rights Protection and Adoption Service (SCRPAS).	<b>Poland:</b> People who want to apply for foster family status should go to Municipal Social Assistance Centre or District Family Assistance Centre competent for the place of residence of the candidates.	<b>Portugal:</b> People who want to apply for foster family status should contact the Social Security Institute (or SCML in Lisbon district) through email or go to the services in their residential area to manifest their interest. Then, the technical team will contact the person or family to schedule the first session with them.

## 1. ORGANIZATION OF FOSTER CARE

### Is there a specific type of foster family that takes care of children with disabilities?

#### Lithuania:

A child with a disability may be placed in any form of family foster care.

#### Poland:

#### Portugal:

### Is the application for establishing a foster family subject to a fee?

#### Lithuania:

No, the application is not subject to a fee.

#### Poland:

#### Portugal:

### Which court is competent to establish a foster family?

#### Lithuania:

District Court.

#### Poland:

The court competent to establish a foster family is the guardianship court (District Court, Family and Juvenile Division) with jurisdiction over the child's place of residence.

#### Portugal:

The placement of a child is decided and implemented by Portuguese Law Courts and CPCJ (Comissões de Proteção de Crianças e Jovens – Local Commissions for the Protection of Children and Young People), in the context of a child promotion and protection process.

### What functions of the foster family cannot be combined?

#### Lithuania:

A guardian on duty in Lithuania can be temporary or permanent guardian, it is important that the number of children cared for in the family is not exceeded  
– a total of 6 children can be cared for together with their biological children.

#### Poland:

Pursuant to Polish law, the function of a professional or non-professional foster family cannot be combined with running the family orphanage. Only the function of a foster family related to other forms of foster care can be combined.

#### Portugal:

There is only one function/form of foster care in Portugal.

# 1. ORGANIZATION OF FOSTER CARE

## What happens to a child when there are not enough foster families?

### Lithuania:

Then we are looking for foster families or community care homes for children.

### Poland:

Children who require isolation from their biological parents are cared for in foster care institutions, care and educational institutions (e.g., orphanages). The path to independence and development is more difficult when one is under the care of an institution.

### Portugal:

When children can't be placed in a foster family, other alternative care responses will be searched for them. They can stay in residential care or with extended family, for example.

## Why is it worth becoming a foster family?

### Lithuania:

### Poland:

### Portugal:

### Motivations of most foster families:

- it's worth loving and being loved,
- a house without children seems empty,
- children without a regulated legal situation cannot count on adoption,
- I want to help others,
- children are our future,
- everyone deserves a chance,
- love and affection for children other than their own,
- a desire to care for and protect children,
- opportunity to contribute to the child's well-being and happiness,
- giving back to the community,
- promoting family care,
- combat the feeling of loneliness associated with the "empty nest" phase when adult children leave home,
- providing company for other biological, adopted or foster children,
- a sense of moral obligation to care for others.

## What are the legal requirements for being a foster family?

### 2. HOW TO BECOME A FOSTER FAMILY

#### Lithuania:

##### Regular foster care:

- permanently residing in the territory of the Republic of Lithuania,
- minimum age 21, maximum age 65,
- is not related to the child,
- has proper conditions to take care for a child and ensure safe environment,
- is not founded by a court as incapacitated or a limited capacity in relation to the foster care,
- from whom the child is/was not separated,
- to whom parental authority is not/has not been restricted,
- has no crime record,
- has no mental or behavioral issue,

##### Family-based care facilities

- has at least 3 years of experience of child's foster care,
- has at least 3 years of experience of working with children left without parental care, children with special educational needs, children with disabilities and/or families at social risks,
- has a university degree or equivalent and at least 1 years' experience in direct work with children in the fields of social work, social pedagogy, special pedagogy, psychological assistance, pre-school education,

##### Professional foster care:

-same as in case of regular foster care, -no history of termination of the cooperation and service agreement between him/her and Foster Care Centre due to improper performance of the contract/duties.

#### Poland:

Persons acting as foster parents must:

- guarantee proper foster care; not be deprived of parental authority, and parental authority may not be limited or suspended;
- fulfil the maintenance obligation
- not be limited in legal capacity;
- be able to take proper care of the child, which is confirmed by a medical certificate about the health condition issued and an opinion about having predisposition and motivation to perform the function of a foster family
- stay on the territory of the Republic of Poland, however in the case of foreigners their stay is legal;
- provide adequate living and housing conditions enabling the child to meet his individual needs.

#### Portugal:

- are at least 25 years old,
- have physical and psychological health to foster children or youth,
- have an adequate home, with health, hygiene, and safety conditions,
- have suitability to foster children,
- not being a candidate for adoption, while applying for foster care.
- no family member can be indicted, accused, or condemned by crimes against life, physical integrity, personal freedom, or sexual self-determination and freedom.



2.  
HOW TO BECOME  
A FOSTER FAMILY

Can a single person be a foster family?		
<b>Lithuania:</b> There may be one resident, one of the spouses may be appointed as the child's guardian, in which case the other spouse gives consent.	<b>Poland:</b> Yes. In Poland, a foster family may be created by spouses or an unmarried person.	<b>Portugal:</b> Yes. A foster family can be composed by only one single person, couples living together/married or two or more people bonded by kinship relations and living in the same household.
Is it necessary to have pedagogical education when applying for the establishment of a foster family?		
<b>Lithuania:</b> To become a foster family, there is no need to have a pedagogical education. Apart from being assessed during the application process, there are training sessions to make sure the foster family members acquire the necessary skills to care for the child.	<b>Poland:</b>	<b>Portugal:</b>
Can I become a foster family when I live in a rented apartment?		
<b>Lithuania:</b> Yes, the only requirement needed regarding housing conditions is to have an adequate home, with health, hygiene, and safety conditions.	<b>Poland:</b>	<b>Portugal:</b>
Can a foreigner become a foster family?		
<b>Lithuania:</b> Yes, if he/she is permanently residing in the territory of the Republic of Lithuania.	<b>Poland:</b> Yes, if he or she has a permanent place of residence in the territory of the Republic of Poland based on a long-term residence permit for an EU resident or obtained refugee status or subsidiary protection in the Republic of Poland.	<b>Portugal:</b> Yes, if he/she resides permanently in Portugal and has a viable legal situation, which includes having a certificate of residence, social security, financial and ID number.



## Where should I go to attendant training for foster families?

### Lithuania :

The right to implement the program is granted to persons (employees) certified by the State Service for the Protection of Children's Rights and Adoption at the Ministry of Social Welfare and Labor.

Since 2012, in Lithuania, the PRIDE program is called "Training and counseling for careers" (GIMK). GIMK program takes longer for professional foster parents and shorter for close relatives.

### Poland :

Persons wishing to undergo training for foster families should take the following steps:

1. The first step to qualify for training for foster families is to apply to the Social Welfare Centre or the County Family Assistance Centre (an institution that performs the function of the Foster Care Organizer in each city) to train them for a foster family,

2. At the request of a Party, the Centre shall initiate the qualification procedure consisting of:

- a) Conducting a visit to the environment, from which a social and living opinion is drawn up,
- b) Conducting a psychological examination ending with a psychological opinion,
- c) Collecting the required documentation: certificate from the National Criminal Register, medical certificate

3. In the third stage, the team of employees, on the basis of the collected documentation, analyzes the candidate's situation and issues written information about qualifying / or not qualifying for training for foster families

4. After qualifying, the Foster Care Organizer indicates the center responsible for training the candidates.

### Portugal:

Portuguese families who want to apply as foster families, should contact the Social Security Institute (or SCML in Lisbon district) through email or go to the services in their residential area to manifest their interest. Then, the technical team will contact the person or family to schedule the first session with them.

1. The first step is an informative session, which is scheduled before the formalization of the application, and within 30 days of the manifestation of interest in becoming a foster family.

2. The second step is the foster family candidates' assessment itself, which comprises an informative interview, a psychosocial assessment, and a home visit. After all these procedures, there is the acceptance or rejection of the candidates.

3. The third step is the initial training of the family, which is followed by continuous training, throughout the foster care.

### 3.

## TRAINING FOR FOSTER FAMILIES

## Where should I go to attendant training for foster families?

### **Lithuania :**

The assessment of a guardian is performed by the specialists of the care center, whose team also includes a psychologist, who can also perform a psychological assessment if necessary.

### **Poland:**

Most social welfare centres have a psychologist who draws up reports in accordance with *The act on supporting the family and the system of foster care*. This assessment can also be made by a private psychologist, if he / she does this kind of assessment.

### **Portugal:**

One of the phases integrated in the process of becoming a foster family, is the psychosocial assessment of the family members, which is conducted 10 days after the acceptance of their application. This includes an evaluation of physical, psychological, and household conditions, through interviews, home visits, and other evaluation instruments.

## **3.**

## **TRAINING FOR FOSTER FAMILIES**

**4.  
SUPPORT FOR  
FOSTER FAMILIES**

What forms of support am I entitled to as a foster family?		
<b>Lithuania:</b> <ul style="list-style-type: none"> <li>• support of the Welfare Centre,</li> <li>• financial benefits,</li> <li>• the opportunity to participate in training, workshops and support groups.</li> </ul>	<b>Poland:</b> <ul style="list-style-type: none"> <li>• support of the family foster care coordinator, who supports the family in the process of raising a child and solving current problems on an on-going basis,</li> <li>• psychological support,</li> <li>• financial assistance,</li> <li>• the opportunity to participate in training, workshops and support groups.</li> </ul>	<b>Portugal:</b> <ul style="list-style-type: none"> <li>• support for health, education, and social subsidies (family allowance granted by Social Security),</li> <li>• initial and continuous training by the institution and entity that accompanies them,</li> <li>• financial benefits (e.g., deductions in taxes).</li> </ul>
FINANCIAL For what random events can I get financial support?		
<b>Lithuania:</b> <p>A carer, like any other national, can receive the social benefits to which he or she is entitled, depending on the family situation. In this case, the need is assessed, and a decision is made (e.g., to pay for medical services, compensation for heating, production of an identity document, summer holiday camp).</p>	<b>Poland:</b> <p>The decision is made on a discretionary basis by the Organizer of the Family Foster Care.</p>	<b>Portugal:</b> <p>These events must be discussed and analysed by the team managing the foster care of that child.</p>
FINANCIAL After taking in a small child, am I entitled to a maternity leave?		
<b>Lithuania:</b> <p>Yes. Foster father or foster mother has the same leave as having a biological child. Maternity leave: 24 month paid by government, 12 month – no payment.</p>	<b>Poland:</b> <p>Yes. Maternity leave is granted until the child is 7 years old, for the first year from the date the child is placed in foster care.</p>	<b>Portugal:</b> <p>Yes, when fostering a child up to one year old, the foster family members (men and women) are entitled to paid parental leave (and other labor rights).</p>

**FINANCIAL****How much financial assistance am I entitled to for being a foster family?****Lithuania:**

- 160 EUR – State budget child allowance,
- 160 EUR – State budget foster parent allowance,
- Care allowance paid by municipality,
- 70 EUR + 41,20 EUR (more than 3 children or disability).

**Poland:**

Pursuant to Art. 80, 81 of the Act and the announcement of the Minister of Labor and Social Policy of March 29, 2018 (item 326), a foster family is entitled to:

- foster family related to 694 PLN per month,
- professional, non-professional foster family and family orphanage – 1052 PLN per month,
- for each form of family, an allowance from the tutor in the amount of 500 PLN per month,
- for each form of the family, an addition with the title Increased maintenance costs of a child with a certificate of disability or moderate or severe disability, in the amount of 211 PLN per month

Additionally, optional benefits can be granted, such as:

- co-financing for a child's rest,
- one-off or periodic benefit to cover costs related to the occurrence of random events or events affecting the quality of care provided;

For non-professional, professional and family foster families, the following can be granted:

- financial resources for the maintenance of a dwelling,
- funds to cover the necessary costs related to the renovation or change of the premises.

**Portugal:**

- Financial aid to support costs related to the fostering of the child:
  - a) 605,56 EUR – for children up to 6 years old,
  - b) 526,57 EUR – for older children,
  - c) 684,55 EUR – higher for children up to 6 years old with disabilities;
- Financial benefits, such as deductions in taxes;
- Paid parental leave, for men and women (and other labor rights).

**4.****SUPPORT FOR  
FOSTER FAMILIES**

**4.  
SUPPORT FOR  
FOSTER FAMILIES**

NON-FINANCIAL			What types of support am I entitled to as a foster family?		
<b>Lithuania:</b>		<b>Poland:</b>		<b>Portugal:</b>	
Each type of support is offered at the request of a foster family – coordinator, educators, psychologists.					
NON-FINANCIAL			Can a foster family use the help of a volunteer?		
<b>Lithuania:</b> Yes, the care centre provides services and can use the help of volunteers (e.g., while training for carers, peer groups, volunteers look after children).		<b>Poland:</b> Yes, they can use the help of volunteers, organized by the organizer of family foster care.		<b>Portugal:</b> Not applicable.	
NON-FINANCIAL			Who can become a support foster family?		
<b>Lithuania:</b> We have families of on-call carers who are subject to the same assessment process as foster families.		<b>Poland:</b> A support foster family may be candidates for a foster family who do not perform the function of a related family, except for a related family holding a training completion certificate for candidates for a foster family.		<b>Portugal:</b> Not applicable.	

**5.  
RIGHTS AND  
OBLIGATIONS OF  
FOSTER FAMILIES**

RIGHTS      Am I entitled to annual leave to work as a foster family?		
<b>Lithuania:</b> Foster family has a time off from work the same as other families: • 1 day off from work per month if they have 2 or more children till 12 years old, • 1 day off from work per month if they have 1 disabled child till 18 years old.	<b>Poland:</b> Yes, in the case of performing the function of a professional foster family and a family children's home, for 30 calendar days for a period of 12 months. During this period, children stay in support foster family.	<b>Portugal:</b> In Portugal, foster families don't take time off from fostering a child. The child is always included in any plans that the foster family has. However, foster families are entitled to take breaks between foster care placements, and not foster a child right after the foster care of the previous one is terminated.
RIGHTS      What happens to the child I'm fostering, if I get sick and temporarily unable to care for he/she?		
<b>Lithuania:</b> In this case, a temporary respite service for up to 1 month may be provided. Temporary respite can be provided by guardians, guardians and families.	<b>Poland:</b> If there is no another foster parent, a child placed in foster care may be placed in support family at that time.	<b>Portugal:</b> If there is a motivation to terminate the foster care process, for example the foster caregiver becoming ill, other alternative care will be searched for the child.
RIGHTS      Do I have access to information about the child's life and development when accepting a child into a foster family?		
<b>Lithuania:</b> Yes – family receives information about the child they are going to foster.	<b>Poland:</b> Yes. The foster care organizer prepares a foster family to welcome a child, e.g., by providing information on the child's development to date, the course of education, health situation and the child's problems known to the Organizer.	<b>Portugal:</b> Yes. The family receives all the information available about the child they are going to foster, as it is one of the foster family rights contemplated in the law.

**5.  
RIGHTS AND  
OBLIGATIONS OF  
FOSTER FAMILIES**

<b>RIGHTS</b>		<b>Can I go abroad with the child I'm fostering?</b>	
<p><b>Lithuania:</b> You are allowed to. If you are going on holiday, you do not need to notify, but if you are moving, you must notify the Child Rights Protection Service.</p>		<p><b>Poland :</b> If the trip concerns vacation leave, then yes. If the family leaves with the intention of permanently residing outside the country, the decision in this case is made each time by the Family Court competent for the place of residence.</p>	
		<p><b>Portugal:</b> If the trip is associated with a vacation and the child has a verified legal situation, you can go abroad with the child. If it is associated with leaving the country with the child to permanently reside abroad, the family needs to hold the legal parental responsibilities in order to take the child to the new residence. Also, the institution and team managing the foster care needs to be informed and approve these and other alterations.</p>	
<b>RIGHTS</b>		<b>What to do if a child placed in a foster family does not have a passport and I want to go abroad on holiday?</b>	
<p><b>Lithuania:</b> The child's legal representative (guardian, care centre) has the right to apply for a passport.</p>		<p><b>Poland:</b> If the biological parents do not consent to the issue of a passport, an application may be submitted to the Family Court for permission to issue a passport to a child.</p>	
		<p><b>Portugal:</b> In Portugal, questions associated with the legal identification documents of the child are discussed with the team that manages the individual foster care process.</p>	
<b>OBLIGATIONS</b>		<b>Are foster families monitored?</b>	
<p><b>Lithuania:</b> The social families are monitored by the municipality child rights protection service and Social Services Department under the Ministry of Social Security and Labor.</p>		<p><b>Poland:</b> Yes, both foster parents and those running a family orphanage should be assessed by the organizer.</p>	
		<p><b>Portugal:</b> Yes, the families are monitored throughout the foster care process, by the technical team responsible for their foster child. Also, continuous training takes place, and families attend training sessions at least once a year.</p>	



**5.  
RIGHTS AND  
OBLIGATIONS OF  
FOSTER FAMILIES**

OBLIGATIONS			As a foster family, do I have to look after every child who needs protection?		
<b>Lithuania:</b> No. After the training, a foster family gets a conclusion indicating which child they can care for. The family is entered in the general list of guardians. If there is a family whose profile is adequate to the child's needs, they are selected and contacted to ask about their availability to foster the child.		<b>Poland:</b> No. The foster family has the right to decide. The organizer of family foster care asks candidates for a foster family whether they consent to the adoption of a child. Each time, the current situation of the family and their readiness to act as foster parents are considered.		<b>Portugal:</b> No. When there is a child in need of alternative care, the families in the Foster Family Database are analysed. If there is a family whose profile is adequate to the child's needs, they are selected and contacted to ask about their availability to foster the child.	
OBLIGATIONS			As a foster family, am I obligated to stay in touch with the biological family of the child?		
<b>Lithuania:</b> <ul style="list-style-type: none"><li>• short-term – foster family must stay in touch with biological family,</li><li>• long-term – biological family usually is passive.</li></ul>		<b>Poland:</b> Yes. One of the main responsibilities of a foster family is to keep the child in contact with parents and other close family members. Contacts may only be suspended if the court decides otherwise.		<b>Portugal:</b> Yes, when children are in short-term care and are expected to go back to the biological family. However, in situations in which it isn't recommended that the child maintains a relationship with the biological family or is expected to be adopted, there isn't the requirement to keep contact with the biological family but there must be a court decision that states that.	

## 5. RIGHTS AND OBLIGATIONS OF FOSTER FAMILIES

<b>OBLIGATIONS</b>		<b>Does the foster family participate in allocating children?</b>	
<b>Lithuania:</b> The person/family can suggest a specific child/children in the application. After receiving the positive conclusion, they become foster parent/family.		<b>Poland:</b> Foster parents can suggest what children they would like to take in, especially their age and gender. Very often their requests result from the housing conditions. For example, if two girls already live with them and there is still room for two more children in the same room, the Foster Care Organizer is unlikely to send boys there.	
<b>OBLIGATIONS</b>		<b>Does the foster family have to transfer to the child the savings made for him/her when reaching their legal age?</b>	
<b>Lithuania:</b> The guardian family does not have such an obligation, it is known from experience that the guardians transfer the accumulated child's money. When a foster child reaches the age of majority, the municipality grants him or her an installation allowance (EUR 3,000), which he or she can use for his or her own needs.		<b>Poland:</b> The foster family is not obliged to collect the child's savings. If he collects them for a child, it is up to the family to decide when to donate the money.	
<b>OBLIGATIONS</b>		<b>Can a foster family register a child with their employer for health insurance?</b>	
<b>Lithuania:</b> Yes, the guardian is the legal representative and takes care of the child's health care. Every child living in Lithuania is covered by compulsory health insurance from the state budget.		<b>Poland:</b> Yes. If the child does not have his own health insurance, e.g., in the form of a survivor's pension, the foster parent should register the child for health insurance.	
		<b>Portugal:</b> No. All the Foster Families are listed in a Foster Family Database and are selected if their profile is adequate to the child's needs.	
		<b>Portugal:</b> There isn't a legal obligation for the foster family to plan and provide savings for the child. This is an individual decision, made by each foster family. If so, the foster family can transfer the savings to the child when they find it appropriate, but always after the child reaches the legal age.	
		<b>Portugal:</b> Health care of the child is provided by social security.	

## OBLIGATIONS

### What are the obligations of foster families?

**Lithuania:**

**Poland:**

**Portugal:**

#### **Responsibilities of the foster family include:**

- treating the child in a way that promotes a sense of dignity and personal value,
- lead and raise the child with care and tenderness,
- ensuring access to the health services due,
- providing education and compensating for developmental and school deficiencies,
- ensuring the development of talents and interests,
- meeting the child's emotional, living, developmental, social and religious needs,
- ensuring protection against arbitrary and unlawful interference with a child's private life,
- enabling contact with parents and other relatives, unless the court decides otherwise,
- cooperation with the foster care coordinator, adoption center and organizer of family foster care,
- prepare the child for independent life and work in the family, civil society and the state
- promote the conditions necessary to strengthen the child's bond with the biological family,
- provide access to up-to-date information about the child's development to the biological family and foster care management institutions,
- participate in trainings promoted by the institution managing foster care,
- cooperate with the institution managing foster care in monitoring and evaluating the foster care process,
- renew the health documents and criminal records of all foster family members annually,
- immediately notify the institution managing the foster care of any procedure needed by the child that involves urgent and specialized therapeutic intervention.

## **5. RIGHTS AND OBLIGATIONS OF FOSTER FAMILIES**

6.  
TYPES OF FOSTER  
FAMILIES

PROFESSIONAL FOSTER FAMILIES      When can I become a professional foster family?		
<p><b>Lithuania:</b></p> <p>A person who has attended introductory and specialized training for caregivers can become an on-call caregiver.</p>	<p><b>Poland:</b></p> <p>A foster family may become a job if:</p> <ul style="list-style-type: none"> <li>• has a minimum of 3 years of experience in being a foster family,</li> <li>• has a positive opinion of the family foster care coordinator,</li> <li>• will complete training for foster families.</li> </ul>	<p><b>Portugal:</b></p> <p>In Portugal there are only regular people, couples, families that decide to foster. These families get an allowance to provide the child with all the support and conditions needed for their development and care. This allowance is meant for the child and as a help in some expenses that the family might have while caring for them. This shouldn't be mistaken as a salary, since being a foster family isn't a job or profession in Portugal.</p>
PROFESSIONAL FOSTER FAMILIES      When is an employment contract for professional foster family terminated?		
<p><b>Lithuania:</b></p> <p>It may be terminated at the request of the guardian on duty due to objective reasons (illness, crisis, unwanted continuation of activities) or by a unilateral decision of the care center due to improper performance of duties.</p>	<p><b>Poland:</b></p> <p>At the request of the foster family or in the event of leaving the territory of the Republic of Poland or the poviats in which the agreement was concluded, unless the Starosta stipulates otherwise.</p>	<p><b>Portugal :</b></p> <p>Not applicable.</p>
PROFESSIONAL FOSTER FAMILIES      Can I act as a professional foster family with my spouse?		
<p><b>Lithuania:</b></p> <p>Both spouses can become foster carers, if they do not exceed the number of children available for custody.</p>	<p><b>Poland:</b></p> <p>Yes, but only one of the spouses (the spouse indicated in the contract) is entitled to remuneration for the work performed.</p>	<p><b>Portugal :</b></p> <p>Not applicable.</p>

**6.  
TYPES OF FOSTER  
FAMILIES**

PROFESSIONAL FOSTER FAMILIES	As a professional foster family, will I receive a salary when I do not have children in care?	
<b>Lithuania:</b> Yes, a fixed remuneration of 1 minimum monthly remuneration (730 EUR) is paid regardless of the number of children in care.	<b>Poland:</b> No, the remuneration is due only in the case of actual care for the child.	<b>Portugal :</b> Not applicable.
PROFESSIONAL FOSTER FAMILIES	If I am a professional foster family and I have a lot of children, can I expect a household help in this case?	
<b>Lithuania:</b> No. It's allowed to have no more than 3 children (6 with their own).	<b>Poland:</b> Yes, in the case of caring for more than 3 children, at the request of a foster family, a person is employed to help with caring for children and in farm work.	<b>Portugal :</b> Not applicable.
PROFESSIONAL FOSTER FAMILIES	What is a specialist foster family?	
<b>Lithuania:</b> In Lithuania there are no specialist Foster famillies.	<b>Poland:</b> A specialist foster family is a family in which a child is placed: <ul style="list-style-type: none"> <li>• with a certificate of disability or,</li> <li>• with a certificate of moderate or severe disability,</li> <li>• placed based on the Act on proceedings in juvenile cases,</li> <li>• being a minor mother with a child.</li> </ul>	<b>Portugal :</b> Not applicable.

**6.  
TYPES OF FOSTER  
FAMILIES**

PROFESSIONAL FOSTER FAMILIES Can I accept children with a different range of problems?		
<b>Lithuania</b> The children's profiles should match.	<b>Poland:</b> A child with a certified disability and a child placed based on juvenile delinquency proceedings may not be in a specialist foster family at the same time.	<b>Portugal:</b> Not applicable.
FAMILY CHILDREN’S HOME When is an employment contract for family orphanage terminated?		
<b>Lithuania:</b> It may be terminated voluntarily or may be suspended due to improper performance of duties or other identified violations.	<b>Poland:</b> At the request of the foster family or in the event of leaving the territory of the Republic of Poland or the poviats with which the agreement was concluded, unless the Starosta stipulates otherwise.	<b>Portugal:</b> Not applicable.
FAMILY CHILDREN’S HOME When can I become a family orphanage (family children’s home)?		
<b>Lithuania:</b> Caregivers who have 3 years of care experience and want to care for 4 or more children (total number of children with biological children – 8) can establish a legal unit – a family	<b>Poland:</b> A family children's home may become: <ul style="list-style-type: none"> <li>• a family with at least 3 years of experience in being a professional foster family,</li> <li>• is raising at least 6 children at a time,</li> <li>• sign an appropriate agreement for running a family orphanage, which defines the terms of cooperation.</li> </ul> The contract is concluded for at least 5 years.	<b>Portugal:</b> Not applicable.

## PROFESSIONAL FOSTER FAMILIES

**Lithuania:**  
Unterminated.

**Poland:**  
The contract is concluded for at least 5 years.

**Portugal:**  
Not applicable.

**PROFESSIONAL FOSTER FAMILIES** For what period will I get a contract as a professional foster family?

**Lithuania:**  
There is no period.

**Poland:**  
The contract is concluded for a period of at least 4 years.

**Portugal:**  
Not applicable.

## FAMILY EMERGENCY

## What is a family emergency?

## **Lithuania:**

In a family crisis where the need for child protection is identified, the Child Rights Protection Service may decide to apply temporary custody. There are several types of temporary care: placing the child with his or her parents in a crisis center; the child is taken from the parents' family and placed with relatives or in a crisis center for up to 3 months; may be accommodated in a foster family. If the situation improves during this period, the child is returned to the parents, if not, temporary custody is established.

**Poland:**

Family emergency care is one of the forms of family foster care, which accepts the youngest children urgently for a period not longer than 4 months from the actual placement of the child, and in special cases up to 8 months.

**Portugal:**  
There is no distinction between types of foster families.

## 6. TYPES OF FOSTER FAMILIES



## 7. LEGAL REGULATION

Am I a legal guardian as a foster parent?		
<b>Lithuania:</b> <ul style="list-style-type: none"> <li>• regular foster care – legal representative,</li> <li>• professional foster care– not a legal representative,</li> <li>• family-based foster care facility– legal representative,</li> <li>• community-based children care home– legal representative.</li> </ul>	<b>Poland:</b> <p>Legal guardianship over a child is established by the Guardianship Court if biological parents are deprived of parental authority. At the same time, the court may appoint a foster parent to be a legal guardian.</p>	<b>Portugal:</b> <p>The foster family assumes the parental responsibilities when they foster a child, so they can be considered the legal guardians of that child. Nevertheless, the biological family should be consulted when making decisions for their child's wellbeing.</p>
What kind of financial assistance am I entitled to as a legal guardian?		
<b>Lithuania:</b> <p>Until the custody is established, the temporary care allowance is paid up to 252 EUR / month.</p>	<b>Poland:</b> <p>Being a foster family and a legal guardian, you can receive benefits for foster families, as well as a one-time allowance for the birth of a child.</p>	<b>Portugal:</b> <p>The financial assistance provided to foster families, as they detain the legal parental responsibilities for the child, are the same as the ones described in the "Support for foster parents. Financial".</p>
What is the difference between an adoptive family and a Foster family?		
<b>Lithuania:</b> <p>The adoptive family differs significantly from the foster family. Adoption is a life-long decision – adoptive parents are legally no different from biological parents, because adoption gives them the same rights and obligations as the natural parents of a child. The foster family is only a temporary form of help for the child and his family. Foster parents, exercising direct and personal custody of the child, are obliged to consult the natural family of more important decisions concerning the child.</p>	<b>Poland:</b>	<b>Portugal:</b>

**8.  
RIGHTS AND  
OBLIGATIONS OF  
BIOLOGICAL  
PARENTS**

As a biological parent, do I have to pay for the child's foster care?		
<p><b>Lithuania:</b></p> <p>The child's parents, whose authority is restricted by a court decision, are determined to pay for the maintenance of the child during the month before the child reaches the age of majority. In the case of temporary custody, the parents do not pay for the maintenance of the child.</p>	<p><b>Poland:</b></p> <p>Yes, biological parents are charged a monthly fee for the child's stay in foster care. After the relevant decision is issued, the parent has the right to apply for a partial or total exemption from payment.</p>	<p><b>Portugal:</b></p> <p>No, the biological family doesn't have any expenses associated with the fostering process.</p>
How much time do I have to improve my life situation in order to regain parental responsibility?		
<p><b>Lithuania:</b></p> <p>Temporary custody lasts up to 12 months, in exceptional cases it can be extended to 18 months if the situation improves. When the situation improves, custody is revoked, and the child is returned to the parents. If the parents have their parental authority restricted by a court order, they have the right to apply to the court for the lifting of the restriction by providing evidence to that effect.</p>	<p><b>Poland:</b></p> <p>Time to improve your situation in order to regain parental authority is not defined by law. However, after 18 months have elapsed, the organizer of family foster care applies for the regulation of the child's legal situation. In the event of deprivation of power, the child is reported to the Adoption Center.</p>	<p><b>Portugal:</b></p> <p>The re-establishment of parental legal responsibilities is associated with the improvement of the conditions that led to the decision that foster care was the most adequate option for the child, and not necessarily with the time biological parents must improve those conditions. Nevertheless, the biological family always benefits from support from the team that accompanies the promotion and protection process of the child.</p>

**8.  
RIGHTS AND  
OBLIGATIONS OF  
BIOLOGICAL  
PARENTS**

How often can the biological parents meet the child?		
<p><b>Lithuania:</b></p> <p>Even parents who have no parental authority have the right to contact their children, especially in a case of short-term foster care.</p>	<p><b>Poland:</b></p> <p>Even parents who have no parental authority have the right to contact their children. The frequency of these contacts should be regulated by the family court.</p>	<p><b>Portugal:</b></p> <p>The biological family is usually involved in the foster care, except for the cases where the court inhibits their involvement and contact with the child. So, the biological family has rights to visit the child, and the visitations arrangements are scheduled between the foster family, the biological family, and the foster care team.</p>
What kind of support can I count on as a biological parent?		
<p><b>Lithuania:</b></p> <p>A case manager is appointed for the child's biological family to coordinate the process of providing assistance. The team consists of a social worker, an assistant employee, a psychologist, an addiction specialist, and others who can help solve problems.</p>	<p><b>Poland:</b></p> <ul style="list-style-type: none"> <li>• social assistance,</li> <li>• help of a family assistant,</li> <li>• current family support.</li> </ul>	<p><b>Portugal:</b></p> <ul style="list-style-type: none"> <li>• psychological, educational (parental education),</li> <li>• social support, economic assistance (when necessary).</li> </ul>

**8.  
RIGHTS AND  
OBLIGATIONS OF  
BIOLOGICAL  
PARENTS**

Do biological parents have the right to go to school and ask about their child’s academic performance?		
<p><b>Lithuania:</b> Yes, when temporary custody is established, parents have the right to take an interest in the child's upbringing but cannot make decisions.</p>	<p><b>Poland:</b> If he has only a limitation of parental responsibility, he has the right to contact the school and ask about the child's grades.</p>	<p><b>Portugal:</b> The foster families are the education guardians of the child, while the child is in foster care. So, although the biological family has the right to make enquires about the child’s development, education, and health, they should ask the foster family or the team that coordinates the foster process of the child about it.</p>
Do foster parents have the same rights as biological parents?		
<p><b>Lithuania:</b> Yes.</p>	<p><b>Poland :</b> Placing a child in a foster family is most often a form of limiting the parental authority of biological parents. The obligation and the right to perform day-to-day care of a child placed in a foster family, to bring it up and to represent it in the claim for maintenance payments belongs to the foster family. Current care is the actual, everyday concern for the child's education, health, leisure activities and leisure. The foster family is responsible for any damage caused by the child under their care. The division of rights and obligations between the natural and foster family may be changed based on a ruling by the guardianship court, if it is required by the best interests of the child.</p>	<p><b>Portugal:</b> No, since biological parents have rights regarding parental legal responsibility, and foster care in Portugal is considered an alternative out-of-home care, so foster families have rights as caregivers and not the same as birth/biological parents. Only in situations that the court mandates that the legal parental responsibilities are rendered to the foster family, can they benefit from similar rights, although there are some exceptions.</p>

**9.  
FOSTER FAMILIES'  
PROBLEMS WITH  
THE CHILD**

What if the child does not want to be with me in a foster family?		
<p><b>Lithuania:</b></p> <p>The Child Rights Protection Service supervises custody, listens to the child's opinion and decides to change the guardian in a difficult situation.</p>	<p><b>Poland:</b></p> <p>In this case, it is possible to change the foster family after obtaining the appropriate consent of the Guardianship Court competent for the child's place of residence.</p>	<p><b>Portugal:</b></p> <p>These specific questions are discussed with the team coordinating the foster care of that child, jointly with the child and the foster family.</p>
What should I do if my foster care child becomes pregnant?		
<p><b>Lithuania:</b></p> <p>The Child Rights Protection Service needs to be informed, the need for help for the family is determined by the specialists of the care center and the services are provided. If a minor gives a birth, the guardian of the minor becomes the guardian of the newborn until the child's mother reaches the age of majority, in order not to separate the child and the mother.</p>	<p><b>Poland:</b></p> <p>The organizer of family foster care should be informed in order to establish the possibility of caring for a minor mother and her child.</p>	<p><b>Portugal:</b></p> <p>The foster family informs the foster care management institution, and a decision is made jointly with the foster family and the team coordinating the foster care, to decide what is in the best interest of the child and their pregnancy.</p>
What to do if a foster child runs away from home?		
<p><b>Lithuania:</b></p> <p>The guardian informs the police, who initiate search procedures and inform the Child Rights Protection Service. The service explains the situation, the reasons and the need for family to be supported.</p>	<p><b>Poland:</b></p> <p>Each time the case should be reported to the Police Headquarters competent for the place of residence as a minor's escape (you do not have to wait 12 hours; the case can be reported immediately). Then inform the organizer of foster care, who then informs the court.</p>	<p><b>Portugal:</b></p> <p>The foster family should report the escape to the Public Security Police and inform the foster care management institution, regarding this incident.</p>

9.  
FOSTER FAMILIES'  
PROBLEMS WITH  
THE CHILD

If the foster family can't take care of the child, due to incompatibilities or difficulties, can that foster care process be terminated or altered?		
<p><b>Lithuania:</b></p> <p>A guardian may be relieved of his or her duties for objective reasons (illness, family crisis, etc.).</p>	<p><b>Poland:</b></p> <p>Yes, it is possible to change a foster family after obtaining the appropriate consent of the Guardianship Court competent for the child's place of residence.</p>	<p><b>Portugal:</b></p> <p>The Foster Care ends in the following situations:</p> <ul style="list-style-type: none"><li>• in cases of substitution or termination of the placement (e.g., when there is a transition to other responses, such as autonomy of life apartments, residential care), going back to the biological family or being adopted.</li><li>• by mutual agreement of both parties involved if it doesn't compromise the child and an adequate alternative is previously arranged,</li><li>• when there are situations that compromise the child's rights or safety,</li></ul> <p>when the Foster Family does not respect the contract or no longer has the requirements to continue fostering.</p>

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