



**CHILD PROTECTION HUB  
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# **REVIEWING EXISTING QUALITY MECHANISMS IN CHILD PROTECTION**

## **ALBANIA**

### **NATIONAL REPORT**



October 2017



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IN CHILD PROTECTION  
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## 1. EXECUTIVE SUMMARY

The Child Protection Hub for South East Europe is a regional initiative operating in eight countries of South East Europe. The main objectives of this initiative are to provide capacity development and networking opportunities for child protection professionals and related workforce and to develop and improve the knowledge base available for these professionals in their languages. As part of this initiative, ChildHub is reviewing existing quality mechanisms in South East Europe in order to contribute and to enhance quality services available for children by increasing the available body of knowledge on this issue.

Based on the European principles for integrated child protection systems, this review aims to analyse the situation in Albania to assess if and to what extent standards, indicators and tools and systems of monitoring and evaluation are in place. Under the auspices of a national coordinating framework, systems are effectively regulated and independently monitored and accountable. Indeed, the framework ensures accessible and quality child-sensitive services and care for all children to guarantee them better life. Therefore, the monitoring system provides unrestricted access to monitor the quality of services, in particular any form of institutional care.

The review was conducted during July – October 2017. The framework of the review was discussed among a virtual team of researchers in SEE. The analysis was based on secondary data, gathered through desk research, and primary data, gathered through 7 interviews with key stakeholders, representatives of monitoring institutions, CP workers and academia. The report consists of a descriptive component of the above mechanisms and an analysis component, which focuses on the strong points, weak points and gaps of the system, the level of child and family participation in the monitoring/inspection processes, existing recommendations and promising practices.

The review concluded that the quality review mechanism in Albania is not strong and the scope of quality control is limited in legal terms. The regulatory framework is in need of harmonisation, especially in the development of improved documents of standards of services. The implementation of quality control is weak, focused more on reporting duties than on improvement of quality of services, and there is also a lack

human and financial resources and full independence to do so. Overlapping of roles of actors in this regard increases confusion in implementation and taking responsibility. Transparency to services users and the public has not been a goal of the system, while meaningful participation of children and families in the monitoring process is only recently becoming a goal, but is not sufficiently reflected in relevant documents and even less so during implementation.

The report gives recommendations on the improvement of the regulatory framework related to quality review mechanisms and implementation. First, the framework should reflect a new conceptual approach for monitoring being result-based. Second, it should include the building of a coordinating body for the development of methodology documents and clear roles and responsibilities for relevant actors. Third, the framework should reinforce the recommendations through executive measures and improving the sharing of information between actors. Fourth, the framework should aim to increase independence of the system, and increase human and financial resources to ensure effective implementation. Last but not least, the participation of children and families and transparency to the public and services users needs to be an inherent goal of the system.



## 2. METHODOLOGY

The national review of existing quality mechanisms in child protection was conducted during the period July – October 2017. The review was based on secondary data, gathered through desk research, and primary data, gathered through interviews with key stakeholders.

The secondary data included existing policies, regulations on the quality review of the quality of child protection services and existing quality standards in child protection. Seven interviews were conducted with the following stakeholders:

- Representative of State Agency for the Rights and the Protection of the Children
- Representative of State Social Services
- Two Representatives of the Inspectorate of Labour and Social Services
- One Child Protection Coordinator in municipality
- One social worker of the Shelter for Domestic Violence Victims
- One representative from Academia.

The interview data were analysed thematically and their main findings were presented as an integrated part of this report. The instrument used for guiding the key stakeholder interviews is available in the Appendix of this report.

The national review was conducted working with other researchers in South East Europe in a virtual team, comparing systems and identifying promising practices, through regional online meetings. The review will be part of the regional review report documents.

### 3. GENERAL DESCRIPTION OF THE CHILD PROTECTION SYSTEM SETUP

Albania has adhered to the UNCRC in 1992 and has ratified its three optional protocols. Child protection policy and legislation in Albania generally reflects the principles of the Constitution and the UNCRC. The National Agenda for Children's Rights 2017-2020 is designed based on the UNCRC and the recommendations of the Committee for the Rights of the Children in UN, of the Strategy of the Council of Europe for the Children's Rights 2012-2015 and 2016-2023, and of the European Union Agenda for the Rights of Children. The legal and policy framework lays down the framework of cooperation between the various levels of government. The central government is in charge of developing policies, monitoring implementation, and maintaining oversight. Its role is to license social service providers and establish the standards and criteria they are expected to meet. The central government also finances some social services – mainly residential institutions – directly, in addition to local governments and NGO funded services.<sup>1</sup>

Albania has started introducing a systems approach, meaning the establishment of a coordinated group of organisations and services working towards a common goal, i.e. the protection of children from abuse, exploitation, physical and sexual violence, an approach which was neglected over the last eight years.<sup>2</sup> The definition of the "Integrated protection system" according to new law on the rights and the protection of the child (law on RPC) is the entire set of legal acts, policy acts and necessary services, in all fields, particularly those of social welfare, education, health, security and justice, in order to prevent and respond to risks posed during the enforcement of those acts and services. The responsible institutions take concrete measures aiming at cooperation, division of responsibilities and coordination among all the governmental agencies, local government bodies, public and non-public service providers, and community groups, including the case referral system, as components of the child protection system.<sup>3</sup> However, according to the latest strategic paper on child protection, the design of the system, while rich in elements, is still fragmented and issue-based.

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1 Byrne. (2014). Analysis of Policies and reforms affection the situation of children in Albania. UNICEF 2014. Accessed at [https://www.unicef.org/albania/Analyses\\_of\\_policies\\_and\\_reforms\\_affecting\\_the\\_situation\\_of\\_children\\_Alb2014.pdf](https://www.unicef.org/albania/Analyses_of_policies_and_reforms_affecting_the_situation_of_children_Alb2014.pdf)

2 UNICEF, UNHCR, Chapin Hall, Save the Children. Adapting a Systems Approach to Child Protection: Key Concepts and Considerations

3 MOSWY. (2017). Law on the rights and the protection of the child. Accessed at <http://femijet.gov.al/al/wp-content/uploads/2017/06/Law-No-18-2017-On-the-rights-and-protection-of-the-child.pdf>

Still, a number of measures have been put in place after the first law on the protection of children's rights was passed in 2010, with some of the major developments including:

- The establishment of the State Agency for the Protection of the Rights of the Child<sup>4</sup> and the establishment of Child Protection Units (CPUs, the CPU model)- the only specialised structure with a referral mechanism at the local level.
- The child protection Working Protocol that defines roles and responsibilities in managing cases adopted as a joint instruction by four line Ministries.
- A policy document on integrated child protection system in Albania.
- The establishment of Technical Multidisciplinary Groups (TMG) for a multi-sectoral handling of cases.
- The de-institutionalisation of children in residential care that has called for a more integrated provision of social services.<sup>5</sup>

The CPU Model, first introduced by UNICEF, has been identified in various assessments as a viable model for the protection of children, and as an important element in the development of a national child protection system.<sup>6</sup> The CPU model is a bottom-up approach, first established from municipalities in collaboration with NGOs, and later institutionalised in the central government. CPUs operate as part of the municipality structure and are seen as the basic building blocks of the Albanian child protection system. Under the CP law they are supposed to establish a multi-disciplinary team and each CPU must have at least one social worker. CPUs have the primary operational responsibility for protecting children from abuse, neglect, exploitation and violence. Their roles, as laid down in the CP Law include identifying children at risk, monitoring and assessing their family situation and coordinating a multidisciplinary response.

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4 Now, according to the new law for the rights and the protection of the child, it is named as the State Agency for the Rights and the Protection of the Child (SARPC).

5 Lai, A. (2015). Future of Integrated Child Protection System in Albania: The Vision of how to improve children's outcomes in Albania through an effective and integrated child protection system." Council of Europe: Tirana. Accessed at <https://rm.coe.int/1680681ebb>

6 Delaney, S (2013). Evaluation study of Child Protection Units. World Vision 2013. Accessed at [http://www.wvi.org/sites/default/files/WVI\\_MANUAL%20CPU\\_ENG\\_WEB\\_1.pdf](http://www.wvi.org/sites/default/files/WVI_MANUAL%20CPU_ENG_WEB_1.pdf)

They build community awareness by providing training, information and education. They also cooperate with administrators in the social affairs division, police, doctors, psychologists and teachers, and in submitting reports to SARPC.<sup>7</sup>

The Ministry of Social Welfare and Youth has been entrusted with policy coordination on the protection of children's rights and also with coordination of the activity of the cross-sectoral Government committee. However, even though the individual roles of these actors are rather well defined, there are main weaknesses, including ineffective coordination and cooperation between the actors, a clear lack of shared leadership and the policy implementation (Cabran, Finelli and Bradford, 2015). On the other hand, a very positive aspect of the current regulations is that child protection work must be implemented in collaboration with other actors and a multi-disciplinary approach is used in case management, as the law foresees the establishment of multidisciplinary teams to work with child protection cases (Lai, 2015).

According to the new law on RPC, the main child protection consultative and coordinating mechanisms and the structures for the rights and protection of the child, include:

#### *Consultative and coordinating mechanisms*

1. The National Council for the Rights and the Protection of the Child, at the central level
2. The intersectoral technical group at municipality or municipality unit, at the local level

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<sup>7</sup> Byrne (2014). Analysis of Policies and reforms affection the situation of children in Albania. UNICEF 2014. Accessed at [https://www.unicef.org/albania/Analyses\\_of\\_policies\\_and\\_reforms\\_affecting\\_the\\_situation\\_of\\_children\\_Alb2014.pdf](https://www.unicef.org/albania/Analyses_of_policies_and_reforms_affecting_the_situation_of_children_Alb2014.pdf)

*Structures for the rights and the protection of the child at central level*

- a. The Minister which coordinates the work in issues of child rights and protection
- b. The State Agency for the Rights and the Protection of the Child
- c. Every Responsible minister, according to the area covered, in relation to child rights and their protection.

*Structures for the rights and protection of the child at local level*

- a. The municipality
- b. The responsible structure for social services at the municipality
- c. The child protection unit by the responsible structure for social services at the municipality
- d. The needs assessment and referral unit at the municipality/administrative unit (NARU)
- e. The child protection worker at the child protection unit in the needs assessment and referral unit (CPU within NARU).<sup>8</sup>

These mechanisms and structures cooperate and coordinate their common work for the implementation of legislation and state policies related to child rights and protection. They also cooperate with civil society organisations for the same goals and for offering necessary services for the protection of children. The regulations of this cooperation are defined by decisions of the Council of Ministers, which have to enter into force six months after the new law (from previous experience, usually this takes more time). Until then, the DCMs (Decision of the Council of Ministers) of the previous law are still valid. The Ombudsman monitors the implementation of this law, in accordance with UNCRC. The time needed for the new DCMs to be formulated and put into practice, particularly in relation to the update of quite dated documents of standards of services in particular, shows that there is still a lot to be done in relation to harmonisation of the law, especially in relation to monitoring and evaluation.

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<sup>8</sup> The NARU unit structure has yet to be implemented in municipalities.

## 4. DESCRIPTION OF THE MEASUREMENT SYSTEM

### 4.1. Regulatory framework

In 2010, with the entering into force of the law no.10347 “For the protection of the rights of the children”, Albania made an important step by including child rights in the national legislation and setting the foundation of a child protection system. On the other hand, the implementation of this law has presented several problems, which have been highlighted by various reports on the situation of the rights of children in Albania: insufficient legal definitions in order to implement in contextual practice; and lack of clear/defined roles of various actors in the child protection field, which is separated from the child rights field. In June 2017, the new law “On the rights and protection of the children”, which reflects on some of these concerns, entered into force and in parallel with the National Agenda for Children’s rights 2017-2020. The Agenda is accompanied by an Action Plan with strategic objectives of good governance in function of the promotion, respecting and protecting of children’s rights, the elimination of all forms of violence towards children and development of services and friendly systems for children and adolescents.<sup>9</sup>

Still, the new law on RPC has to be accompanied by by-laws, which need to address the above concerns. So far, Albania has not, however, undertaken a comprehensive review of all legislation to determine whether all sections and codes of legislation are compatible with the UNCRC. The State Agency for the Protection of Children’s Rights (SAPCR), under the mandate of UNCRC compliance, periodically reviews national legislation with respect to specific UNCRC rights, but no comprehensive legislative review exists to substantiate whether all legislation is aligned with the Convention.<sup>10</sup>

With regard to documents of standards for reviewing quality of services, especially, the legal basis has been incomplete for a long time. The documents of standards of the services for CPUs, which are directly related to child protection services, entered into force only in 2016, and their implementation has yet to take place.

Most of documents are based on previous laws on child protection, social services, local governance, etc. So far, the legislative framework related to the application of these standards includes:

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9 MOSWY. (2017). National Agenda for the Rights of the Children. Accessed at <http://femijet.gov.al/al/wp-content/uploads/2017/06/Agjenda-kombetare-per-te-drejtat-e-femijeve.pdf>

10 ChildPact, BKT, World Vision. (2016). Child Protection Index 2016. Accessed at <http://www.childpact.org/wp-content/uploads/2016/11/CPI-Albania.pdf>

*The standards of social care services<sup>11</sup>*

These standards have entered into force through the DCM 659, in October 2005. They serve to measure the quality of social services offered for beneficiaries and facilitate the decentralisation processes which give higher responsibilities to local authorities with regard to social services. The beneficiaries of social services include children and youth up to 25 years old. Children are direct and indirect beneficiaries of residential and community services. Beneficiaries of economic aid are families in need, orphans up to 25 years old, unemployed persons (not in residential institutions or under care), parents with more than two children born at the same time (part of the group of families in need). The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

*The standards of social care services for children at residential institutions<sup>12</sup>*

These standards have entered into force through the DCM 659 in October 2005 and are based on the general document of social care services standards. They are the first document of standards in this field, with the aim of measuring and improving the quality of residential services for children, including public institutions, non-profit organisations and other private providers.

*The law on measures against violence in family relations (changed)*

The law entered into force in December 2006. It defines the measures against violence in family relations and the responsibilities of relevant institutions responsible for its implementation. A later DCM (334), which entered into force only in 2011, was considered an important step for the protection of the child, since it addresses domestic violence as a penal case, with standardised procedures which support victims.

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11 MOSWY. (2005). Standards of social care services. Accessed at [http://inspektoriati.punes.gov.al/wp-content/uploads/2014/02/Vendim-i-KM\\_658\\_17.10.2005.pdf](http://inspektoriati.punes.gov.al/wp-content/uploads/2014/02/Vendim-i-KM_658_17.10.2005.pdf)

12 MOSWY. (2005). Standards of social care services for children at residential institutions. Accessed at [http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM\\_659\\_17.10.2005-femijet-rezidencial.pdf](http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM_659_17.10.2005-femijet-rezidencial.pdf)

### *The standards of social care services for limited ability persons in residential and daily institutions<sup>13</sup>*

These standards have entered into force through the DCM 822 in December 2006 and are based on the general document of social care services standards. They refer to all beneficiaries of these services, but they do not focus particularly on children or mention children explicitly in the document. The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

### *The standards of social care services, for trafficked persons or persons at risk of trafficking, in residential centres<sup>14</sup>*

These standards have entered into force through the DCM 195 in April 2007 and are based on the general document of social care services standards. They refer to all beneficiaries of these services, but they do not focus particularly on children, although children are mentioned in the document. The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

### *The standards of alternative care services for children in need<sup>15</sup>*

These standards have entered into force through the DCM 752 in December 2010. They refer to alternative care services, and the direct beneficiaries of these services are children. The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

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13 MOSWY. (2006). Standards of social care services for limited ability persons in residential and daily institutions. Accessed at [http://inspektoriati.punes.gov.al/wp-content/uploads/2014/02/Vendim-i-KM\\_822\\_06.12.20061.pdf](http://inspektoriati.punes.gov.al/wp-content/uploads/2014/02/Vendim-i-KM_822_06.12.20061.pdf)

14 MOSWY. (2007). Standards of social services for trafficked persons or persons at risk of trafficking, in residential centres. Accessed at [http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM\\_195\\_11.04.2007-trafikimi-rez.pdf](http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM_195_11.04.2007-trafikimi-rez.pdf)

15 MOSWY. (2010). Standards of alternative care services for children in need. Accessed at <http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/VENDIM-Nr.752-dat%C3%AB-8.9.2010-Per-standartet-e-kujdestarise.pdf>



*The law on inspection<sup>16</sup>*

This law entered into force in July 2011. It regulates inspection in the Republic of Albania (including ISS) and the role of inspectors in inspecting the quality of services and defines legal measures to be taken in case of violations.

*The standards of social care services, for victims of domestic violence in public and non-public residential centres<sup>17</sup>*

These standards have entered into force through the DCM 505 in July 2011 and are based on the general document of social care services standards. They refer to all beneficiaries of these services, but they do not focus particularly on children, or mention children in the document, although most of the beneficiaries of these services are women residing with their children. The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

*The standards of social care services for children in need in daily centres<sup>18</sup>*

These standards have entered into force through the DCM 231 in March 2013. They refer to public and non-public daily care services, and the direct beneficiaries of these services are children. The MOSWY is the authority with the responsibility to monitor the implementation of the standards by the licenced subjects.

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16 COM. (2011). Law on inspection.

Accessed at [http://inspektoriaipunes.gov.al/wp-content/uploads/2014/02/Ligj\\_10433\\_16.06.2011.pdf](http://inspektoriaipunes.gov.al/wp-content/uploads/2014/02/Ligj_10433_16.06.2011.pdf)

17 MOSWY. (2011). Standards of social care services for victims of domestic violence in public and non-public residential centres. Accessed at [http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM\\_505\\_13.07.2011-dhuna-rez.pdf](http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/Vendim-i-KM_505_13.07.2011-dhuna-rez.pdf)

18 MOSWY. (2013). Standards of social care services for children in need in daily centers. Accessed at [http://www.qbz.gov.al/botime/fletore\\_zyrtare/2013/PDF-2013/54-2013.pdf](http://www.qbz.gov.al/botime/fletore_zyrtare/2013/PDF-2013/54-2013.pdf)

### *The law on local governance*<sup>19</sup>

This law entered into force in December 2015. It regulates the organisation and functioning of local governance units in Albania and defines their functions, competencies, rights and duties. With relation to monitoring quality standards, it regulates the role of local governance units in internal monitoring the performance of the units, based on set quality standards.

### *The standards of the services of Child Protection Units*<sup>20</sup>

The standards of the services of CPUs entered into force through the DCM 573 in June 2015. Setting these standards is considered important by the Albanian government for several reasons: to guarantee the quality of child protection services, by respecting the child rights sanctioned in legislation; to serve as a legal obligation for central and local structures, in order to measure and improve the quality of services for child protection within their territory; to help new local authorities to fulfil their new functions related to meeting the social needs of the community where they exercise their authority; and to influence the increase of social capital.

The standards serve as a base document: for SARPC, to evaluate the capacities of local authorities related to the functioning of CPUs; for the structures of SSS and ISS, which will control the quality of services; for the local authorities, in order to evaluate the services of CPUs and to plan funding in function of the improvement of the services of the CPUs; for the organisations that represent and protect child rights, human rights organisations, in order to assess the situation of children and the implementation of their rights; for central level authorities, such as: Ministry of Health, Ministry of Education and Sports, Ministry of Interiors, Ministry of Justice, etc.; for academic institutions and organisations involved in educational and training activities, researchers, etc.; for the self-evaluation of CPUs' work; and for reporting to SARPC.

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19 MOLG. (2015). Law on local governance. Accessed at [http://www.ceshtjetvendore.gov.al/files/userfiles/LIGJI\\_139\\_2015\\_PER\\_VETEQEVERISJEN\\_VENDORE1.pdf](http://www.ceshtjetvendore.gov.al/files/userfiles/LIGJI_139_2015_PER_VETEQEVERISJEN_VENDORE1.pdf)

20 MOSWY. (2015). Standards of services of child protection units. Accessed at <http://femijet.gov.al/al/wp-content/uploads/2015/07/Vendim-Nr.-573-datë-24.6.2015-Për-miratimin-e-Standarëve-të-Shërbimeve-të-Njërive-të-Mbrojtjes-së-Fëmijëve.pdf>

### *The law on social care services<sup>21</sup>*

The new law on social care services was also very recently approved by the Albanian government and entered into force in December 2016. The law defines the benefits, individuals and groups that profit from it and the procedures of applying for social care services, and the roles and responsibilities of public and non-public bodies who are responsible for its implementation. It defines the roles and responsibilities of ex-MOSWY (Ministry of Social Welfare and Youth),<sup>22</sup> SSS (State Social Services), ISS (Inspectorate of Social Services) in monitoring/inspection of social care services. By-laws are expected to come 8 months after the law enters into force.

### *The Strategy of Social Protection 2015-2020*

This policy paper addresses issues of responsibility of ex-MOSWY (now MOHSW), related to existing and newly proposed social care services and any other issue in the field of social protection. In relation to review of quality standards, the strategy aims to build and strengthen the system of monitoring and inspecting the quality of social services at the local and central levels until 2020, through the review, unification and harmonisation of social care standards and the design of protocols for increasing the quality of services offered at each level. It also aims to analyse the potentials for creating new inspecting structures and to strengthen professional capacities for increasing the effectiveness of inspections.

### *The law on the rights and protection of the children*

Very recently, in June 2017, the government approved the new law on RPC. This law defines the rights and protections that every child should enjoy, the mechanisms and responsible authorities which guarantee effectively the exercise, respect and promotion of these rights, and also the special protection of the child. The law aims to strengthen

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21 MOSWY. (2016). Law on social care services.

Accessed at [http://www.qbz.gov.al/Ligje.pdf/ndihma%20dhe%20perkujdesja%20shoqerore/Ligj\\_121\\_24112016.pdf](http://www.qbz.gov.al/Ligje.pdf/ndihma%20dhe%20perkujdesja%20shoqerore/Ligj_121_24112016.pdf)

22 In September 2017, the new government of Albania decided on a major restructuring of the ministries, including the merge of MOSWY with MOH, in one ministry, the Ministry of Health and Social Welfare. Therefore, all the legislation mentioning MOSWY, now refers to MOHSW.

the systems approach and to improve child protection efforts through development of services for raising parental capacities, setting parental measures in case of repeated abuse, and emphasizing local government responsibilities for hiring social work professionals and sectoral responsibilities for case management work, etc.<sup>23</sup>

### *The National Agenda for Children's rights, 2017-2020<sup>24</sup>*

The Agenda is the latest policy document on integrated child protection systems, based on UNCRC. It expresses the priorities of state institutions in the field of child's rights and a unified framework for the monitoring of the progress of the government in the implementation of child's rights. The Agenda is based on the previous National Action Plan on Children and the revision of the existing child protection legislation. This process has been supported by the Council of Europe and is in line with the Council of Europe Strategy for the Rights of the Child (2012-2015). The Agenda identifies the confusion of roles and responsibilities of the different actors, lack of clear leadership in policy and cross-sectoral coordination, implementation, data collection and monitoring as one of the core challenges for the structural and institutional organization of the Albanian child protection system, which needs to be actively addressed in order to make the improvement of the overall system possible.

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23 MOSWY. (2017). Law on the rights and the protection of the child. Accessed at <http://femijet.gov.al/al/wp-content/uploads/2017/06/Law-No-18-2017-On-the-rights-and-protection-of-the-child.pdf>

24 Lai, A. (2015). Future of Integrated Child Protection System in Albania: The Vision of how to improve children's outcomes in Albania through an effective and integrated child protection system." Council of Europe: Tirana. Accessed at <https://rm.coe.int/1680681ebb>

## 4.2. The institutional framework related to quality mechanisms

The existing institutional framework in Albania related to quality mechanisms includes the following institutions, with their roles and responsibilities:

- **The National Council for the Rights and the Protection of the Child** is a consultative body with the main task of consultations and coordination of state policies on guaranteeing the rights and protection of the child in all fields, especially justice, social services, education, health and culture. It is led by the responsible minister and composed by representatives from the government, civil society, representatives of children with the status of observers and the Ombudsman. In relation to child protection, NCRPC analyses and evaluates state policies and national and regional programs for the protection of the rights of the child and makes recommendations to the responsible minister on the improvement of policies and programs related to child rights, etc.
- **The Minister that coordinates the work on child protection** (and child rights) in relation to the orientation and monitoring of state policies and the situation of the rights of the child is the main state authority, which through the policymaking structure coordinates and monitors the development and implementation of policies and measures for the application of the law on RPC, of the national strategy and action plan for children and of the international obligation in this field and prepares the required reports. He/she controls the activity of the State Agency for the Rights and the Protection of the Child. In relation to child protection, the responsible Minister coordinates the work with the responsible state authorities for the design, update and the fulfilment of standards of child protection and ensures the building of a system for quality control.
- **The State Agency for the Rights and the Protection of the Child (SARPC)** is a juridical person from the Ministry that coordinates the work on the issues of the rights and the protection of the child. SARPC is responsible for the coordination and organisation of the integrated system of child protection, and, with regard to quality mechanisms, is responsible to control the quality of services of child protection structures.

- **Responsible Ministers, according to their area of responsibility, related to child rights and their protection**
- **Local government units** (municipalities), according to the new law on local governance, have new functions with regard to the monitoring of quality standards (or internal monitoring). They are responsible for the design and establishment of a system of the administration of the performance of the service, based on local and/or minimum national standards; the design and establishment of a system of indicators for measurement of performance, and the creation of a special unit within the structure of the local government unit, which will be responsible for the presentation and supervision and monitoring of the performance of the service, including services related to child protection. The Director of the responsible structure for social services has the responsibility of monitoring of intervention for the protection and of the rights of the child in the territory of the municipality.
- **The State Social Service (SSS)** is an institution of the ministry responsible for social affairs. SSS monitors the implementation of the legislation of social services all over the country, through the central unit structures and regional directorates. SSS collects and analyses the information on the progress of the system of social care services and reports periodically to the ministry responsible for social affairs. It also prepares the annual reports of the needs assessment for social care services and of the capacities of public and non-public services. SSS monitors the public residential and daily care institutions at its dependence (12 institutions).
- **The Inspectorate of Social Services (ISS)** is a public budget judicial person from the minister responsible for social affairs.<sup>25</sup> ISS has the responsibility of controlling and verifying the implementation of legal requirements in the field of social care services (including child protection services) in an independent way. In implementation of the law for social services the inspectorate performs these functions:

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25 The above-mentioned changes of the government brought an unexpected move of ISS. ISS was part of the Inspectorate of Labor, which now is part of the Ministry of Order, therefore also ISS is suddenly found as part of it, although this move is not at all based on previous legislation. So far, here are attempts by ISS to require setting their institution under the MOHSW, but no final decision yet.

- a. Controls the implementation of criteria and conditions by public and non-public subjects that exercise social care provision activities.
- b. Inspects the standards of services offered by the providers of social care services (over 200 public and non-public institutions).
- c. Exercises control in the environment and documentation of subjects that offer social care services.
- d. Delivers fines and other administrative measures toward public and non-public subject, in case of violation and proposed to the responsible minister the revocation of licence, when relevant, etc.

### 4.3. How do important principles get ensured in the CPS

The principles of 'best interest of the child' and 'equal access to services' are explicitly presented in the new law on RPC and the National Agenda for Children's Rights, 2017-2020, while the principle of 'do no harm' is explicitly mentioned and discussed in the Working Protocol for Child Protection Workers.<sup>26</sup> Although explicit mention and discussion of all these three principles is important in terms of how then they are reflected on all further documents, overall the legislative and policy basis reflects these principles, as confirmed also by previous studies<sup>27</sup> and key informant feedback. Weak enforcement of the law, and, therefore, its implementation is the main problem identified and emphasised by both information sources. The latest mapping and analysis of CP system emphasises poor governance as the determinant of poor functioning of the system, including decision making, allocation of resources, implementation, monitoring and review.

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26 MOSWY. (2015). Procedures and means of cooperation and procedures of intervention in helping children at risk for the main institutions and responsible structures for the protection of the child.

Accessed at <http://www.sherbimisocial.gov.al/wp-content/uploads/2016/12/UDH%C3%8BZIM-Nr1.pdf>

27 Maestral. (2016). Mapping and analysis of the Albania CP system.

Accessed at <https://www.unicef.org/albania/CPS-report2015.pdf>; UNICEF. (2012).

How to improve the response of service providers in identifying, reporting and referring cases of violence against children. Accessed at [https://www.unicef.org/albania/UNICEF\\_VAC\\_-\\_Country\\_report\\_Albania.pdf](https://www.unicef.org/albania/UNICEF_VAC_-_Country_report_Albania.pdf)

#### 4.4. Scope of the quality control

All the existing documents of standards charge the Ministry of Health, Education, and Justice, with their implementation, while the document of CPU standards charges also the Ministry of Education and Interiors with that task. Therefore, in legal terms, all the work of the actors of various fields involved in a child protection case, including the health, education, justice and police, can be inspected by ISS and monitored by SARPC. Furthermore, all the tasks set by the new law on RPC to the relevant institutions with regard to child protection, can be monitored by SARPC, based on the legislation presented in this report. The role of SARPC in this regard is strengthened with the new law on RPC, which allows it to take administrative measures, while DCMs which can make possible the implementation of this role are yet to be prepared and approved.

In previous legislation, the lack of these important documents created a gap in the review of the quality of CP services offered by the education sector, and especially the school psycho-social service. This service was inspected by the Education Inspectorate and their documents of standards of inspection lack mentioning of child protection issues.<sup>28</sup>

In addition to these gaps, the scope of the existing quality review mechanism doesn't cover services offered to children in need of protection within some sectors of the justice system, such as in detention or during parole service.

#### 4.5. Role of civil society

##### *Non-governmental bodies*

In Albania, there is a considerable number of local and international NGOs working on child protection, but most of them are focused on implementation, while there are some existing practices in relation to involvement of civil society in monitoring of child rights, including children, but not specifically on monitoring quality mechanisms. Even so, they are worth being mentioned, in terms of being indirectly linked to it and also in terms of their involvement and hard work.

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28 NAIPE. (2011). Internal inspection and evaluation of the school. Accessed at <http://www.vet.al/files/ligje%20etj/Inspektimi%20dhe%20vleresimi%20i%20brendshem%20i%20shkolles%20Udhezuesi%20i%20shkolles.pdf>; NAIPE. (2011). The methodology of the internal inspection and evaluation of the school. Accessed at <http://ekonomicsubjects.weebly.com/uploads/1/6/7/7/16775884/metodologjia.pdf>



*The Observatory for the Rights of Children (ORC)*<sup>29</sup>

The Observatory for the Rights of the Children is an initiative of UNICEF Albania and the Alliance of Albanian Children, which has created its mechanisms for observing the situation of the rights of children at regional level, in all the regions of Albania, since March 2009. Amongst other tasks, ORC aims to produce annual reports which describe the situation of the rights of children in Albania, in relation to issues under the monitoring of EU structures and part of Albania's progress reports. The data on these reports are collected through all existing public and non-public sources at regional level. ORC and its 12 regional structures are a civil society structure which serves as a platform for sharing ideas, experiences and creating further involvement amongst local institutions and organisations.

*BKTF (Together for the Holistic Care of Children) Coalition*<sup>30</sup>

BKTF Coalition was founded on September 2003. Initially with a focus on fighting child trafficking, today BKTF is a coalition of local and international organisations which aims to advocate and lobby for the protection of all children, based on UNCRC, the Albanian legislation and other relevant documents. In January 2017 BKTF published for the first time the Child Protection Index, which is an independent mechanism for measuring the country reforms on child protection, in relation to UNCRC. The Child Protection Index shows how Albania performs over 600 indicators adapted by the official list of UNCRC. The Index brings evidence on the development and implementation of policies, capacities in offering services, accountability in the child protection system, and the level of cooperation between relevant actors. It has been developed in nine states of South Europe and South Caucasus.<sup>31</sup>

These organisations have also contributed to the preparation of alternative reports for UNCRC, together with CRCA (Child Rights Centre, Albania). CRCA has prepared the first alternative report in 2004.<sup>32</sup>

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29 The Observatory for the rights of the children. Accessed at <http://www.observator.org.al/odf/index-en.html>

30 BKTF coalition. Accessed at <https://bktfcoalition.org/>

31 ChildPact, BKT, World Vision. (2016). Child Protection Index 2016.

Accessed at <http://www.childpact.org/wp-content/uploads/2016/11/CPI-Albania.pdf>

32 CRCA (2004). Albania NGO report [https://www.crin.org/en/docs/resources/treaties/crc.38/Albania\\_ngo\\_report](https://www.crin.org/en/docs/resources/treaties/crc.38/Albania_ngo_report).

Later on, the Child Alliance, a coalition with a membership of 150 civil society organisations, prepared the alternative report to the government report submitted by Albania at the Commission of Rights in Geneva, for the period 2005-2009.<sup>33</sup> The alternative report's preparation is now included in the Action plan of the National Agenda for the Children's Rights 2017-2020, as one of the activities aiming to implement the objective of advancing children's rights.<sup>34</sup>

Additionally, NGOs have been involved in the preparation of several reports and analyses of the child protection system through the years, where quality review has been part of the focus of these analyses, although not the main one.

### *Children groups*

There are two organisations of children groups in Albania, as initiatives of World Vision and Save the Children, which have also given their feedback on the children's rights situation.

The Child Led Groups were created in 2000, with the support of Save the Children, as part of a project for the review of UNCRC in a child-friendly language. They operate in four regions and are known as Voice 16 +. Every group contains 50-60 children from 12-18 years old and represents a group of more than 1500 volunteer children. Their aim with regard to quality of services is to improve the capacities of children to monitor and report on the situation of child rights in Albania, focusing not only on violations, but on quality of services, too, both locally and internationally.

The Peer Educators Groups are part of a network of 2000 children and youth from 12-18 years old, which were created in 2007. These groups support World Vision programs in ten regions of Albania and among many tasks, give their feedback on quality of services. An important step with this regard was their feedback on the National Agenda for Children's Rights, 2017-2020.

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<sup>33</sup> Child Alliance. Albania NGO report. [https://www.unicef.org/albania/mission\\_23932.html](https://www.unicef.org/albania/mission_23932.html)

<sup>34</sup> MOSWY. (2017). National Agenda for the Rights of the Children. Accessed at <http://femijet.gov.al/al/wp-content/uploads/2017/06/Agjenda-kombetare-per-te-drejtat-e-femijeve.pdf>

A good practice where both groups were involved was their engagement in the preparation of the Report of actors for Albania in the Universal Periodic Review, 19th session, September 2013.<sup>35</sup> They were part of a four-month-long process of the monitoring of the implementation of UNCRC in their communities and worked on the preparation of the report.

#### **4.6. Special measures to monitor/inspect institutional care**

Special measures have been taken to monitor/inspect institutional care, through specific documents of standards in this regards, such as:

- The standards of social care services for children at residential institutions
- The standards of social care services, for trafficked persons or persons at risk of trafficking, in residential centres
- The standards of social care services, for victims of domestic violence in public and non-public residential centres
- The standards of social care services for limited ability persons in residential and daily institutions

#### **4.7. Description of the standards/indicators**

All the documents of standards list a set number of standards, based on specific fields, which are interrelated and include quality criteria. Next to the identification of criteria for each standard, are also included examples of indicators to help assess if the standard is fulfilled or not. Below is presented the example of the standards of the services for CPU units:

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<sup>35</sup> Universal Periodic Review. (2013). Accessed at <https://albania.savethechildren.net/sites/albania.savethechildren.net/files/library/UPR%20children%20alternativ%20report%20%20submitted%202014.pdf>,

*Standard 3* – Inclusion of the child and the family in active and thorough way

*Final desired outcome* – Inclusion of the child and family throughout the whole process of the offering of services by the CPU.

*Substandard 3.1.* Children are given information and sufficient support to participate actively and safely in the decision-making process.

*Measuring method*

Inspecting 10 randomly selected files and discussions with service users

*Indicators*

- Children are given the opportunity to discuss their situation with the CPU worker or other relevant worker in continuing and private way.
- Information, as reports and other data, is given to the child in an appropriate way and an appropriate language for the age and the development of the child.
- Children are supported to participate in meeting where the steps of their care are decided on, etc.
- Meetings and appointments are set at an appropriate time for the child (for example, not to clash with the school schedule, etc.).

#### 4.8. Mode of data collection

The data collection with regard to quality control happens during visits of inspection or monitoring and varies in different documents of standards. As discussed in section 5.6, participation of children through interviews, is specified or not, depending on the document. The methods of collection overall include these instruments:

- observations during visits,
- inspection of relevant documentation, including files of beneficiaries, which mode of selection is specified as a random sample in standards of services for CPU units, but not in others, and
- interviews with service staff, management and/or beneficiaries.

#### 4.9. Mechanisms to include the voice of service users (families and children) and to provide feedback to service users.

Some of documents of standards ensure the involvement of services users in the quality review process through interviews with children (see section 5.6), while the involvement of families is not specified and remains unclear, since there is no definition of 'service user' concept, which includes families besides children. Interviewing families is mentioned only in the document of standards for CPU services, and only in relation to cases of the placement of the child in an institution or back to the family. This doesn't make it impossible for inspectors/monitors to involve families too, but it also doesn't give a clear responsibility to them to do so, in this regard.

There are no set mechanisms so far, to provide feedback to services users in the relevant regulatory framework.

### 4.10. Gaps in the regulatory framework

Although steps are taken in the development of the regulatory framework and quality review, with the new law on RPC and the standards of services of CPU units, etc., there are gaps in the regulatory framework identified through the desk review and reports of key stakeholders:

- According to the new law on RPC, SARP is the responsible body for the coordination and organisation of the integrated child protection system, but there are no detailed responsibilities with regard to the development of a coordinating body, including all relevant actors in monitoring and inspection, with regard to quality review of services. Within NCRPC, as defined by law, technical and consultative committees with defined tasks could be set, but so far this Council has gathered only twice.
- Several documents of standards are dated, based on previous relevant laws and in need of review and improvement.
- There is a lack of legally approved methodology documents, linked to the documents of standards for the SSS and SAPCR. The only institution with such a document is ISS (by DCM).
- SSS refers to the documents of standards during its monitoring process, but can only give recommendations, not administrative measures, and thereof, often there is no response to their recommendations and no penalisations/follow up for that.
- Legal provisions in transparency and feedback to service users and the public with regard to quality reviews are lacking.
- Involvement of services users in quality review processes is not clearly defined, or not thorough in all documents.
- Better definitions of roles and responsibilities of each actor in quality review processes are necessary. There is overlapping in monitoring, which need to be reduced by such clarifications, (especially through the DCMs of the new law on RPC) such as between ISS and SARPC, or about the monitoring tasks of SSS.

## 5. ASSESSMENT OF THE SYSTEM

The need for strengthening the quality review mechanisms within the child protection system has been emphasized in several important documents prepared by important international actors and also by all stakeholders involved in this review. Their recommendations, views and reflections will be presented in this section.

*EU progress report (2016)*<sup>36</sup>

This progress report doesn't mention in particular quality review mechanisms, but overall qualifies the institutional mechanisms in child protection as still poor and in need of improvement. It also emphasises the need to improve data collection and reporting mechanisms in child protection, and to improve cross-sectoral and inter-institutional coordination and cooperation mechanisms.

*Mapping and analysis of the child protection system in Albania (Maestral, 2016)*<sup>37</sup>

According to the latest analysis of the CP system, despite overall progress, parts of the system work in fragmentation and implementation of legislation and policies is difficult and also lack proper budgeting. Monitoring and evaluation is one of the weak points of the system. The analysis shows that monitoring and evaluation is not well thought out, nor regularly enforced, and thus cannot provide the base of evidence needed to plan child protection services and to oversee and adjust them when necessary. There is no Information Management System in place for child protection. Monitoring is seldom implemented through time and resource-consuming monitoring visits, and very often is focusing on institutional residential care not family care or community services. There is no standard for reporting data and activity of the CP workforce, which is done only upon request from the superior level. The understanding of the importance of monitoring is mostly associated with reporting duties, rather than as an opportunity to review what is implemented and how and to make quality improvements.<sup>38</sup>

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36 EU. (2016). Albania 2016 report. Accessed at [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2016/20161109\\_report\\_albania.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_albania.pdf)

37 Maestral. (2016). Mapping and analysis of the Albania CP system. Accessed at <https://www.unicef.org/albania/CPS-report2015.pdf>

38 Maestral. (2016). Mapping and analysis of the Albania CP system. Accessed at <https://www.unicef.org/albania/CPS-report2015.pdf>

### 5.1. Relevance

The discussion of relevance of the quality review system should start with emphasizing the need for building such a system, based on the fact, that so far there are fragmented parts of it which function mostly separately and would need to come together under a coordinating body, including all relevant actors in monitoring and inspection, in relation to quality review of services.

The only institution that is independent from service provision and inspects most of services is ISS, while SARPC is also independent in that regard, only in relation to CPU services. SSS and municipalities can only conduct internal monitoring, in relation to public services under their dependence. In relation to independency from the government, ISS considers its position as under the financial and administrative dependence of the line ministry as constricting. The legal power of ISS is limited to proposing measures, which are then approved by the line minister. ISS suggests that financial and administrative independency (similarly to alternative reporting of NGOs), would increase its potential for improving monitoring results.

In relation to transparency, key informants report that transparency within the system and to service users hasn't been an intentional practice so far. ISS's reports are internal and not shared with other institutions, while SSS and SARPC publish reports on their websites, therefore making them also accessible to the service users and the public. ISS publishes on its website only statements in relation to problematic situations, after an inspection process. Limited transparency results also in gaps in information sharing between relevant actors. In regard to that, in the last few years, ISS and SSS report of an internal agreement to share reports of inspection. SSS identified that as a necessity in order to ensure proper placement of children in non-public residential institutions, which are not monitored by SSS, and therefore there was a lack of information on their quality of service, before this agreement. ISS reports that there is a plan to publish the results of inspections in the internal database of the Ministry, to be shared with other relevant institutions under its dependency, but not with users or public.



Further than that, there are no mechanisms to make sure that feedback is given to service users, about monitoring/inspection results. Such measures are not mentioned in any of the documents of standards, or others. There is an attempt to present such measures in the draft methodology for child participation in monitoring/inspection (see section 6), but actors emphasize that specific tools and capacity building on that regard is necessary, to develop such new procedures. The same needs are pointed out in relation to the ability of the mechanism to assess child-sensitiveness to the services.

## **5.2. Effectiveness**

In relation to effectiveness, key informants report that although on paper the end goal of the system is to improve the quality of services, in practice, only basic inspection takes places. Fines and other executive measures are not sufficient, if there are no continuous efforts for the implementation of recommendations given by institutions, which would reduce monitoring to identifying violations and punishing violators. On the other hand, ISS is the only institution which can take executive measures, while the role SSS and SARPC is limited to giving recommendations, which receive no penalties, if not followed. Therefore, there is a lack of response to complaints, especially by municipalities, as SSS reported in some recent cases. The new law on RPC gives SAPCR, too, the mandate to take administrative measures and fine the relevant institutions and personnel, in cases of violations of rights of children and protective measures, but the implementation of this mandate has still to be detailed in a future DCM.

Key informants report that the inspection of standards has usually been focused on inspection of residential institutions, which have been its first focus. Although documents of standards are in place for various types of services, their implementation hasn't started yet, for example for alternative care services, daily centres, etc., because of lack of infrastructure (transport), a lack of developed methodologies for the implementation of inspection for each standard and a lack of development of contacts with local government units in order to create ways for communicating with and contacting families and children (service users).

Furthermore, there is a lack of standards for services in the family. As a rule, any service which lacks specific standards is inspected based on the general document of standards of social services, which lists minimum requirements and are dated, but in practice, as mentioned above, this doesn't happen.

SARPC reports a need to clarify the monitoring of the work of the Intersectoral Technical Group for child protection, in the document of standards for CPUs and also a need to review these standards (though recently approved), in the light of the new law on RPC. Overall, all the documents of standards are in need of review, being dated and based on previous laws on child protection, social services, local governance, etc. the benchmarks for each document are minimal, not sufficient and need to be further developed, as reported by key informants.

In relation to internal monitoring, another factor hindering effectiveness is the the fact that the responsibilities for monitoring social services at the local level are unclear, as identified in several needs assessments of local government units with regard to social care planning and delivery. With the new law for local governance, the local social services, previously monitored by SSS, are now monitored by the municipalities. The staff of municipalities has noted their overlapping roles with SSS, but they cannot clarify this overlapping. Directorates of Social Services in the municipalities emphasise the need for appointing one staff member with the responsibility of monitoring these centres, who needs to be familiar with the standards of these institutions and develop monitoring skills. In relation to the social care services managed by the municipality at the administrative unit level, the staff reports that they do not have clear responsibilities in this regard. There is strong need for developing guidelines, procedures for monitoring of local social care services and reflecting them in the job descriptions of municipality staff, and also close cooperation between SSS and municipalities for sharing experience and lessons learned throughout the years.

Key informants reports that monthly reports of the progress of their work by services, based on predefined guidelines and formats, would help ISS in the inspection process, and such procedures should become obligatory. There is such an experience with CPUs reporting to SARPC. The rate of CPUs reporting was low in the first report, but gradually increased, although quality of reporting needs to be improved.

### **5.3. Efficiency**

Key informants find it difficult to discuss the efficiency of the system, given its limitations in implementing even the existing documents of standards, because of lack of human and financial resources. Even so, they identify overlapping work between SAPCR, SSS and ISS, which is considered by all parties unnecessary. The need to better define the roles of each institution in relation to monitoring the quality of services is considered very important.

ISS notes a clash between the law on inspection, which suggests selection of institutions to be inspected based on an assessment of the level of risk, and the new law on social services, which requires a twice-yearly inspection of all institutions under their responsibility. ISS emphasises that especially in the situation of lack of human and financial resources, it is not possible to fulfil this requirement and doesn't help the efficiency of the system.

### 5.4. Impact

Although based on the above review the results of the system so far are not sufficient, there are still some improvements and changes made to the system, based on the mechanism:

- SAPCR reports that the number of CPUs has increased and the quality of case management has improved, based on the mechanism. Additionally, the number of Technical Intersectoral Groups in child protection has increased from 15 groups to start with, to 45 in 2016, together with the number of CPUs, which cover better geographically the country.
- The approval of the new law on RPC sets the place for better coordination of the parts of CP system, under the care of SARP and increases its monitoring role, also through the competence to take executive measures
- The approval of the standards of services of CPUs makes possible the quality control of the system
- The results of reviews and reports, supported by NGOs served as a basis for the preparation of the National Agenda for Children's Rights, 2017-2020
- There is stronger cooperation of relevant monitoring actors in the preparation of methodologies for standards of CPUs

### 5.5. Sustainability

The existence of all the above mentioned institutions, which are public ones funded by the state budget according to relevant legislation, ensures sustainability. Still, the development of the mechanism needs to occur simultaneously with a budget increase in this regard, as reported by all key informants. The budget for monitoring and for increasing the capacities of actors who conduct quality monitoring is limited. There is a high dependency on NGOs by the state actors in this regard. Also, the preparation of documents of standards and related methodologies has been supported by NGOs, both financially and through the NGOs' expertise.

ISS is composed of a staff of four people to this day, while it inspects over 200 services (its regional offices no longer have the mandate to conduct inspections since 2011, with the approval of the new law on inspection).

Additionally, the added goal of increasing participation of children in monitoring, which is emphasised by new documents and methodologies, brings an extra burden for ISS, because it requires time and infrastructure in order to ensure proper participation. Methodologies suggest individual interviews and focus groups with children as proper tools to collect information, which requires voluntary participation and random selection of participants. Therefore, there is a need for additionally preparatory time, and the time for inspectors to spend in visits to services increases from one to several days; however, in practice this doesn't happen, due to lack of transport and budget.

## **5.6. Participation of children and families**

In legal terms, the participation of children and families in monitoring varies. For example, it is an explicit component of some of the documents of standards, including those on residential care, residential and daily care for persons with limited abilities, and for CPUs. However, it is undefined as the 'beneficiary' involved in monitoring in other standards, as in the standards for residential centres for victims/persons at risk of trafficking, or as 'the inhabitant', in the standards for NTEC. Moreover, it is not at all included in other standards, as in the standards for the victims of domestic violence and it is totally lacking as a component of indicators and measures for each criterion, in the standards for alternative care. Additionally, the level of involvement varies from strong involvement for each relevant criterion in the standards for CPUs, to a limited level of involvement in the standards for children in need in daily centres, where children are involved in the monitoring of a few criteria 'when possible'.

In practice, as mentioned previously, children have been involved in the inspection of standards for residential care in a limited way, because of limited financial, human resources and methodologies, while other documents of standards haven't been put to practice at all.

With regard to the mechanism of feedback to services users, there are no procedures in places that ensure that children and families informed of the results of the quality control, in any relevant document.

Child participation has been gaining focus only recently in child protection, and there are struggles in its understanding and putting it into practice by institutions. For example, as SARPC reported, there has been a lot of discussion in trying to prepare a documents for standards on child participation, because the development of standards has been linked to specific services, based on the law for social services and it seems that legally it is not possible to develop standards without linking them to a specific service, or it is a lack of conceptual clarity that feeds this impasse.

## 6. PROMISING PRACTICES

The key stakeholders report two promising practices closely related to the improvement of the quality review processes.

The first one is related to the preparation of the standard methodology accompanying the standards of services for CPU units. This process continued during 2016-2017 and was supported by the Terres des hommes Albania, with the cooperation of SAPCR, SSS and ISS and the technical support of an international expert. All relevant actors were involved in the preparation of a document which details the methods and instruments necessary to ensure a high quality review of the standards. The document is in its final draft and the final comments on it are being discussed and agreed upon by all involved actors, which expressed their content with the participatory process, and the technical support that this product will offer them in their next inspections and monitoring. This is the first document in this regard and also the first methodology accompanying a standards of social services document, with the aim of making it a legal document, with the support of SARPC.

The second practice is related to the preparation of the component of child participation of the standard methodology accompanying the standards of services for CPU units. This process is ongoing during 2017 and was supported by Save the Children Albania and implemented by the Resource Centre for the Wellbeing of Children and Families, with the cooperation of SAPCR, SSS and ISS, groups of children in need for child protection and the technical support of an international expert. Again, as in the first case, all relevant actors were involved in the preparation and discussion of a document which lists the framework and various instruments for child participation in monitoring, adapted to the age and needs of the child. The instruments were tested by relevant actors during monitoring visits in institutions and it is now in its final draft, with the aim of becoming a legal document, with the support of SARPC.

## 7. RECOMMENDATIONS FOR IMPROVEMENT

Based on the reports and key stakeholders' feedback, the review recommends the following steps with regard to reducing gaps in the regulatory framework related to quality review mechanisms and improving implementation and participation of children and families in quality review processes:

### *Regulatory framework*

- Building a coordinating body in relation to quality review of services, with specific tasks and roles, through the DCMs of the new law for RPC
- Reviewing and improving all documents of standards of services, based on new relevant laws
- Developing legally approved methodology documents linked to the documents of standards for the SSS and SAPCR, starting with promising practices in this regard, such as the general methodology and the child participation methodology accompanying the standards of services for CPUs
- Developing better definitions of roles and responsibilities of each actor in quality review processes in order to avoid overlapping
- Reinforcing the power of recommendations given by SSS, through executive measures
- Creating legal provisions in order to improve sharing of monitoring information between relevant actors
- Increasing the independence of institutions, such as ISS, through removal of financial and administrative dependency
- Developing new documents of standards to accompany the development of new services, such as services in the family
- Developing the monitoring role of municipalities through regulations and job descriptions



*Implementation*

- Developing a new conceptual approach to quality review processes, which aims at the improvement of quality of services, versus formality of reporting duties
- Increasing human and financial resources of monitoring institutions, in order to implement assigned quality review obligations and ensure appropriate monitoring of all relevant CP services
- Increasing capacities of all relevant actors to improve the quality of monitoring and inspections conducted
- Building an Information Management System for child protection, which allows monitoring of the situation of CP in the country and improves monitoring of all individual institutions and CP cases

*Participation of children and families*

- Creating legal provisions in order to build transparency and feedback to service users and the public with regard to quality reviews
- Ensuring clear involvement of service users in all relevant quality review processes, through all documents of standards
- Increase the capacities of monitoring actors to conduct child-sensitive monitoring processes, through further training

## **8. CONCLUSIONS**

The quality review mechanism in Albania is not strong and the scope of quality control is limited in legal terms. The regulatory framework is in need of harmonisation and especially of the development of improved documents of standards of services. The implementation of quality control is weak, focused more on reporting duties, than on improvement of quality of services and also lack human and financial resources and full independence to do so. Overlapping roles of actors in this regard increases confusion in implementation and responsibility taking. Transparency to services users and public has not been a goal of the system, while meaningful participation of children and families in monitoring process is only recently becoming such, but not sufficiently reflected in relevant documents and even more so during their implementation.

## 9. APPENDIX

### Guideline for the interview with key stakeholders

<i>Personal data (name, gender, profession, workplace institution)</i>
<i>Role of person in the design, development, legislating, implementation, supervision, oversight of quality mechanisms in the country</i>
<ul style="list-style-type: none"> <li>What are the hindering and facilitating factors when it comes to quality oversight of child protection services?</li> </ul>
<ul style="list-style-type: none"> <li>Who are allies in ensuring monitoring is done?</li> </ul>
<ul style="list-style-type: none"> <li>Can you identify any promising practice either in country or outside?</li> </ul>
Describe the identified promising practice
Describe what aspect of the quality mechanism it is about
Describe how it works
Describe the results of this practice so far
Describe why it is considered a promising practice
<ul style="list-style-type: none"> <li>What is the role of family in the child care and protection system (what should it be)?</li> </ul>
<ul style="list-style-type: none"> <li>What are your recommendations for improvement</li> </ul>
For the regulatory framework
For implementation
For participation of children and families
<ul style="list-style-type: none"> <li>Are there other key stakeholders we should interview?</li> </ul>

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