



## How and why to offer guardianship and alternative care to unaccompanied minors

### WEBINAR SUMMARY 22 May 2017

#### I. Expert:

**Drs. Tin Verstegen** is a director of Nidos, the national guardianship institution for all unaccompanied asylum seeking children in the Netherlands. In 2008, Nidos founded the European Network of Guardianship Institutions – ENGI, which aims to contribute to improving (professional) services to unaccompanied children in Europe.

#### II. Content:

In this webinar, **Drs. Tin Verstegen** presented the Nidos organization, their mission, vision, principles they rely on, and provided valuable insights into how the system of guardianship for UAM in the Netherlands functions in practice.

Nidos is a national guardianship institution for all unaccompanied asylum-seeking children in the Netherlands. The organization is connected to ENGI, European Network of Guardianship Institutions, which aims at improving (professional) services to unaccompanied children in Europe. They have been cooperating in different countries, developing guardianship, providing advice and information about the guardianship, as well as helping politicians with policy making.

Nidos is a professional guardianship institution with:

- Legal guardianship arrangements for all UAM that come to the Netherlands asking for asylum, provided nationwide
- Lawful assignment of authority to supervise and promote the interest and wellbeing of UAM. They are appointed by the judge, and have the authority like parents, which enables them to make decisions about every aspect of child's life. In the civil law it is mentioned a child in Netherlands without parents must have a guardian, and in case of UAM from abroad, this guardian will be Nidos. It is also specified that Nidos' main responsibility is to care for the best interest of the child. Should they see the child is not developing in a proper way, it is their responsibility to intervene.



Nidos` working definition is simple: they are responsible and accountable for the wellbeing of the entrusted child. Every decision must be in line with the best interest of the child, and guardians must always be able to justify decisions they made in light of this principle.

In 2015, Nidos was taking care of more than 5000 children, while now this number is around 6000. They have witnessed an 120% influx in half a year, in the period of 2015-2016. This has increased the workload and demands more capacities, but still all children get a guardian from Nidos as soon as they arrive to the Netherlands, without waiting.

To be done in proper way, according to Mr. Verstegen, guardianship has to be:

- Independent
- Professionally organized
- Embedded in a wider institutional process – guardians do not act on their own, but in cooperation with other relevant actors (border police, immigration officers, etc.)

Reception has to be:

- Specialized
- The smallest scale possible (preferable foster families)
- Focused on empowerment

This means guardians must be:

- Independent
- Educated – Nidos guardians have a Bachelor degree in Social work, knowledge about legal procedures and the position of a guardian, and they follow Nidos protocols. New guardians attend 4 days introduction course, and 10 days training on Nidos methodology on guiding children. In addition, guardians are trained every year on topics like signs of child abuse and other relevant topics to their work.
- Supervised – the supervision in Nidos is both external and internal:
  - o External supervision is conducted by the government Inspectorate for youth care, Ministry of Justice, and institutions that evaluate the quality of Nidos services
  - o Internal supervision is conducted within the organization – every guardian is supervised by a team manager, including performance indicators (for example, how many times a guardian visits the children). At the same time, team managers are supervised by headquarters, and lot of emphasis is placed on transparent file sharing.

Support and correction is important, and Nidos works to ensure guardians are not in their ‘bubble’, working on their own, but consulting with others and getting support. This practice has proven to be essential also for knowledge sharing among guardians.

- Monitored – similarly to the supervision, monitoring is conducted both externally and internally:
  - o External monitoring is based on Nidos` cooperation with universities. For example, University of Leiden conducted scientific research on how well children entrusted



by Nidos do after they turn 18 and leave foster care. One of Nidos' main aims is to ensure those children become self-reliant, and able to continue their life integrated in the Dutch society. The study found that 80% of the children went to school or found work, and those who did not didn't use social service, and there was no record of drug use or criminal offences.

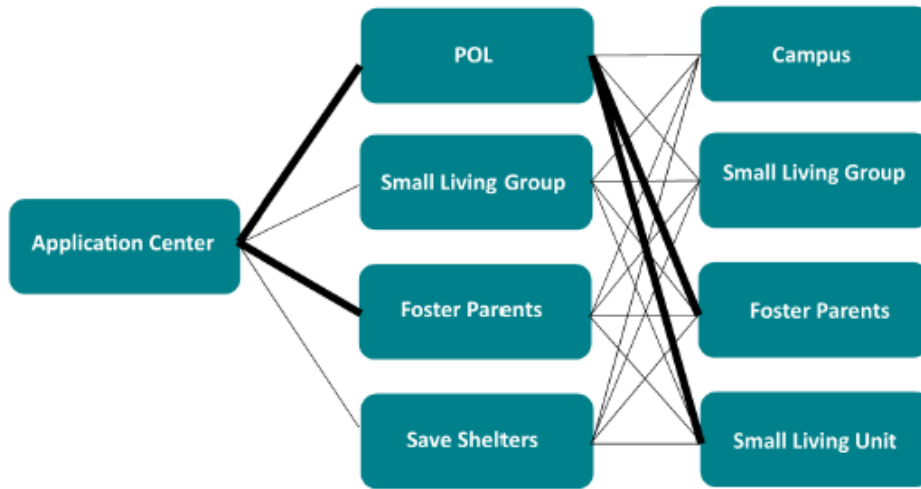
- Internal: as part of Ama-monitoring, Nidos reaches to minors to learn what they think about the organization. This is usually done in form of World Cafes, where they discuss this and similar issues with children. When asked who is a good guardian, children said a good guardian is there when needed, when it really counts (when they have to go to the hospital for example). This, however, is not very easy for a guardian to manage, since a full-time guardian in Nidos works with 24 children on average, while most of the guardians work part time, taking care of around 20 children on average.

Nidos' mission has three goals:

1. Take care of the best interest of the child and be legal representative;
2. Ensure they are self-reliant from 18;
3. Guide them to their perspective:
  - a. If they have a permit to stay, they have to work on their integration in the Dutch society, to build up a Dutch network, find friends outside the foster family, or other housing;
  - b. If they don't get a permit to stay and have to return, it is important to discuss how to use the time in the Netherlands to learn something new and useful, something valuable to bring back home

Nidos' vision emphasizes that children who arrive as UAM to the Netherlands should be treated as winners – they see themselves as winners and Nidos recognizes this too. Those children in most cases are not in need of medical treatment, they are often strong youngsters, but they lack their parents/family, and it is Nidos' task to ensure they still develop in a proper way.

When it comes to housing, children under 15 years are always placed in foster care, even while they are waiting for the residence permit decision. These children are best off to grow up in families of their (nearby) own culture, as they will understand them the best, help them and guide them, thanks to their similar experience. Nidos believes that foster care combined with guardianship is very good. Foster care without guardianship however is dangerous, as no one will look into how those children are developing. Children over 15 live in small living units (4 children, visited by social workers on a daily basis, they cook for themselves and live their life independently) or small living groups (12 children, 24/7 guidance). Safety is seen as a pre-condition for the future integration, so a lot of emphasis is placed on this issue. Only children older than 15 who are not granted a residence permit live in big centers until they leave the Netherlands.



Nidos guardians have a lot of responsibility and important roles, acting as a case manager, supervisor, guide for foster parents, and the handling legal procedure. Professional guardianship is the safeguard of the best interest of the child, but daily care is in the hands of others and the guardian will supervise it.

Based on Nidos' experiences, there is no integration without education, from the first moment that the children arrive in the Netherlands they go to school and learn Dutch.

Mr. Versteegen concluded emphasizing: that these children will only have a reason to stay if you show them a safe future (education/job). If not, they will go on the move. This will put them in further danger.