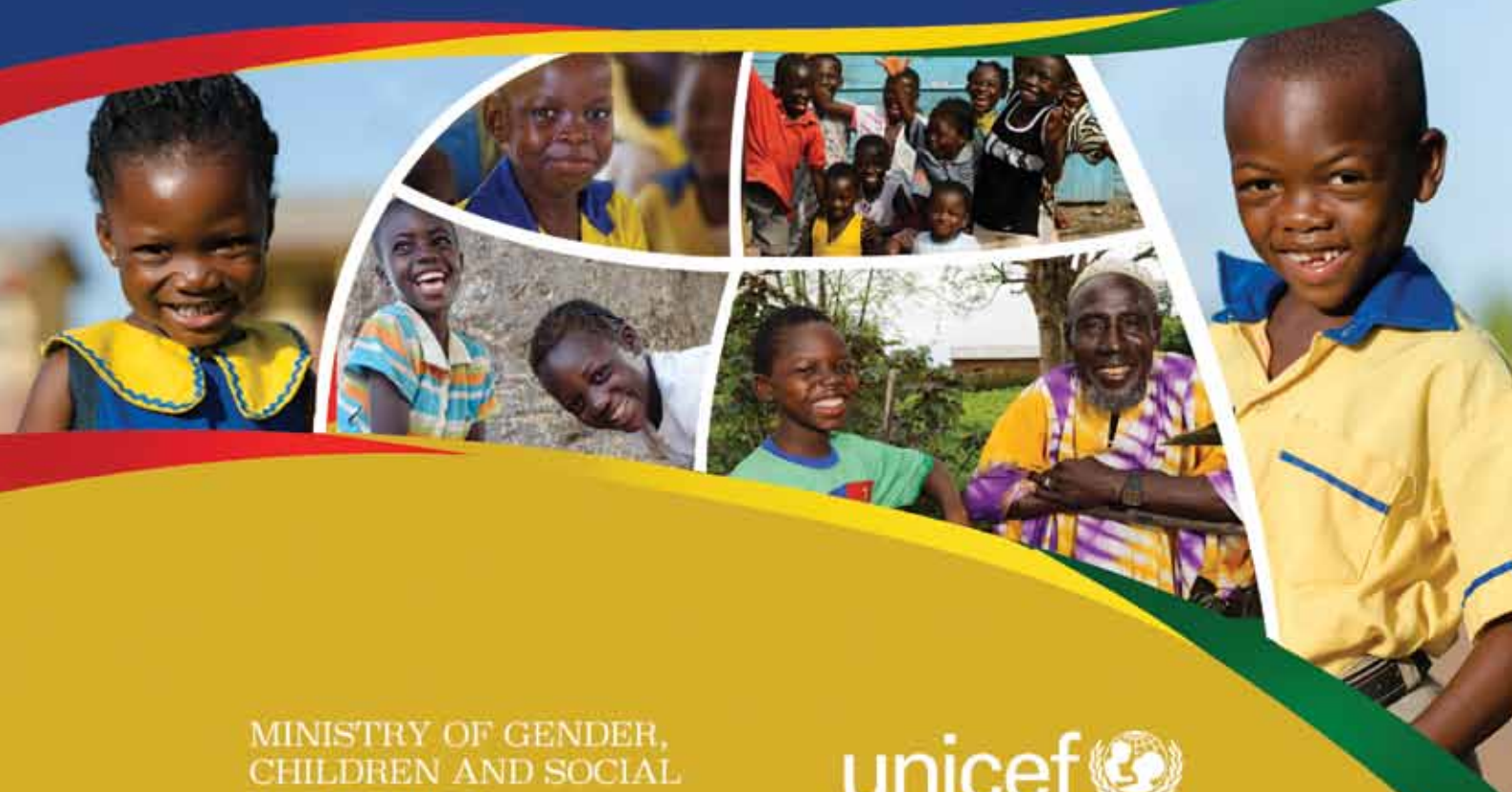




WHAT YOU NEED TO KNOW ABOUT THE CHILD AND FAMILY WELFARE POLICY



MINISTRY OF GENDER,
CHILDREN AND SOCIAL
PROTECTION

unicef 

This Policy was developed by the Government of Ghana – Ministry of Gender Children and Social Protection, supported by Unicef and other local and international organisations and civil society.

Government of Ghana, Ministry of Gender, Children and Social Protection
with support from UNICEF

WHAT YOU NEED TO KNOW ABOUT THE Child and Family Welfare Policy

February 2015



About the new Policy

The Child and Family Welfare Policy summarized here, recognizes that a child is an integral part of the family, and as such, a child's welfare cannot be separated from that of the family.

Child and Family Welfare is concerned with all activities, services and norms which support the child in the context of his or her wider family setting. The Child Protection System - of which Child and Family Welfare is one part - includes additional functions such as the overarching legal framework including children and justice, and the education and health systems. As such, the Child Protection System as a whole engages more actors and ministries.

This Policy is concerned with both the 'formal' component of Child and Family Welfare services (governed by laws, policies and regulations and delivered by state institutions) and the 'informal' (based on community and traditional processes and resources).

A landmark document, the Policy heralds a reformed child protection system in Ghana which will both address and prevent harm to children, and has at its foundations the positive traditional values, principles and protective practices inherent in Ghanaian culture.

The Policy is aligned with national legal and policy frameworks, and international conventions, treaties and protocols ratified and signed by the Government of Ghana. These include the Convention on the Rights of the Child, the 1992 Constitution and the 1998 Children's Act.

Specifically, the policy is guided by the key principles of non-discrimination, the best interests of the child, the right to survival and development, and the child's right to participation.



An inclusive, consultative and evidence-based Policy

Since 2010, key actors in the area of Child Protection have collaborated to set standards for addressing harm to children in a holistic manner. This process has been overseen by a high-level Child Protection Advisory Committee, made up of stakeholders including government, civil society organizations, religious groups, traditional leaders and children.

The drafting process involved extensive consultations with a broad range of stakeholders at national, regional, district and communal levels, to reflect national priorities and aspirations.

Key principles and beliefs also guided the policy's development including family and community cohesion and harmony, the common responsibility of families and communities, non-discrimination, and considering children's perspectives in decisions affecting them.

Why Ghana needs a new Policy

A National Child Protection Study commissioned by UNICEF, ensured evidence for the Child and Family Welfare Policy, its direction and approaches.

This research along with other studies, revealed that while children in Ghana often live in closely-connected families where members of the extended family participate in their care and protection, child maltreatment is assuming worrying heights.

Corporal punishment, domestic violence, sexual abuse, sexual violence and exploitation are prevalent. Other challenges are child labour and child trafficking, children living and/or working on the streets, child marriage, female genital mutilation/cutting and the *trokosi* system of ritual enslavement which persist in certain regions of the country.

Birth registration – an important pre-requisite for the protection of children both in terms of welfare services and in cases of justice – is still not reaching all children.

The existing legal and policy framework is often disjointed and works in an uncoordinated manner. The child protection system in general is also reactive with few effective preventive measures. The system is characterized by weak information management systems and ineffective coordination between the key actors.

For children and families, the main entry points into existing Child and Family Welfare services are the police and social welfare agencies. However, these institutions are focussed on response not prevention and are hampered by a general lack of financial and human resources to effectively deliver services.

Community structures – mostly led by family heads, religious leaders, chiefs, queen-mothers and assembly members - often emphasize compensation, reconciliation and restoring harmony in the family and community over the needs of the child who has been harmed.

Serious types of violence, abuse and exploitation affect children all over the country:

Child marriage: 6% of women are married before the age of 15 and 27% before the age of 18;

Female genital mutilation/cutting: 4% of Ghanaian girls and women between the ages of 15 and 49 years have undergone FGM/C. In the Upper West Region, 60% of women aged 45 to 49, and 16% of girls aged between 15 and 19 years have undergone FGM/C;

Rape & defilement: 25% of girls under the age of 15 and 16% of girls aged 15-19 had their first experience of sexual intercourse forced against their will. Levels of rape and defilement (when sexual intercourse takes place when one is younger than 16 and the other is older than 16) are so high, Ghana is ranked with countries that have a recent history of violent conflict;

Children in street situations: In the Greater Accra Region alone, over 61,000 children were identified as living or working on the streets in 2011, of whom 59% were girls;

Child labour: 23% of children aged between 5 and 14 in Ghana are engaged in some form of economic activity;

Child trafficking: Children in Ghana are trafficked for various exploitative practices including for labour in fishing, agriculture and street vending, domestic service, illegal mining, head portering (*kayayee*), ritual servitude/enslavement of girls (*trokosi* system), and commercial sexual exploitation of girls.

The role of extended family

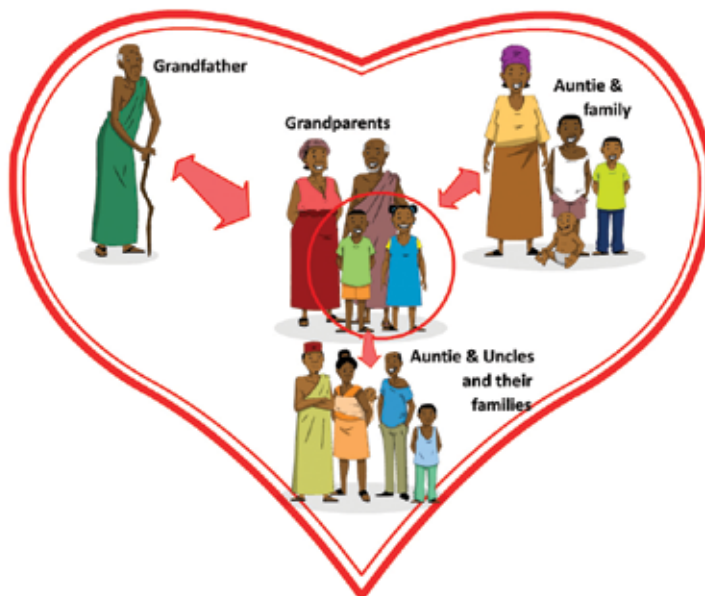
Informal foster care has typically been used as a 'safety net' for children from poor families and traditionally the Ghanaian kinship network acts as a complete social welfare system, ensuring that resources are shared across the different levels of the family for the survival of all, strengthening kinship ties in the process.

Although the extended family network remains intact in much of the country, poverty, rapid rural–urban migration patterns and family breakdown are resulting in the break-up of extended family support networks and undermining the commitment to care for children by lineage groups.

Similarly, informal fostering takes on abusive dimensions when it means little more than food and shelter in exchange for labour, with no provision made for attending school.

Informal foster care continues to be the primary strategy used to ensure that care, support and protection for children remains fundamental to their socialization and upbringing. It should be recognized for the value it brings in the majority of cases.

EXTENDED FAMILY PROVIDES CARE AND PROTECTION FOR THE CHILD



What the new Policy hopes to achieve

The overall goal of the Child and Family Welfare Policy is to establish an effective child and family welfare component of the overall child protection system, with the following specific objectives:

- To design child and family welfare programmes and activities to more effectively prevent and protect children from all forms of violence, abuse, neglect and exploitation;
- To ensure effective coordination of the child and family welfare service at all levels;
- To empower children and families to better understand abusive situations and make choices to prevent and respond to situations of risk;

- To build the capacity of institutions and service providers to ensure quality of services for children and families in urban and rural areas;
- To reform existing laws and policies to conform to the new vision for Child and Family Welfare ;
- To ensure provision of adequate resources for the functioning of the Child and Family Welfare service at all levels.

Addressing areas of concern

To achieve these objectives, 11 strategies have been identified to help inform a dynamic dialogue towards change and the improvement of our beliefs, practices and outcomes for the welfare of children, families and communities.

Strategies for Change

Strategy 1: Strengthening community structures

Strategy 2: Early intervention through social protection

Strategy 3: Improved child and family welfare services

Strategy 4: Alternative care – when the child's family is not an option

Strategy 5: Regular coordination and improved information and data management

Strategy 6: Empower children and young people

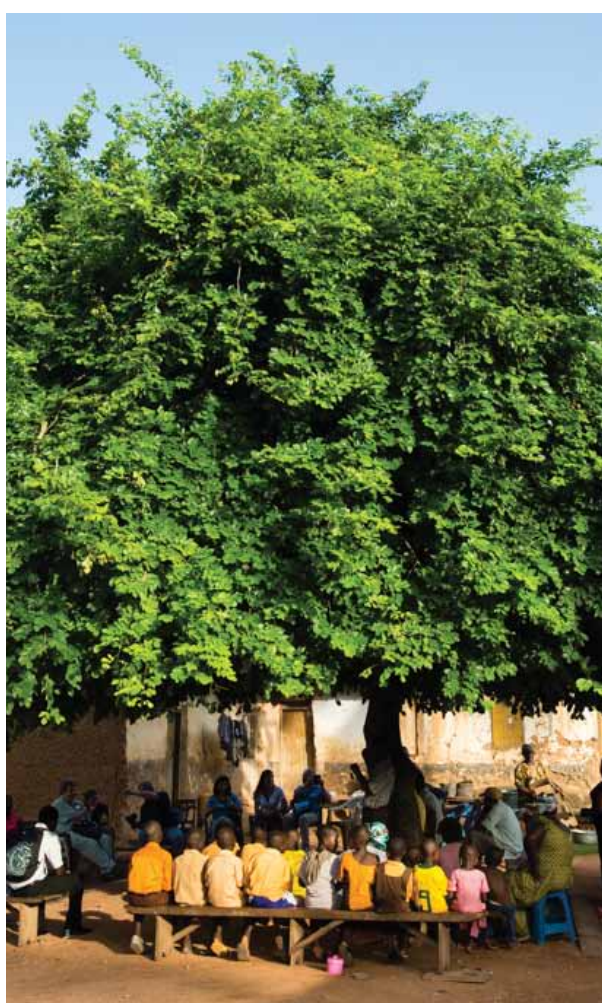
Strategy 7: Empower families through social dialogue and change

Strategy 8: Social welfare resources and capacity building

Strategy 9: Building alliances with Civil Society Organizations

Strategy 10: Legal and policy reform

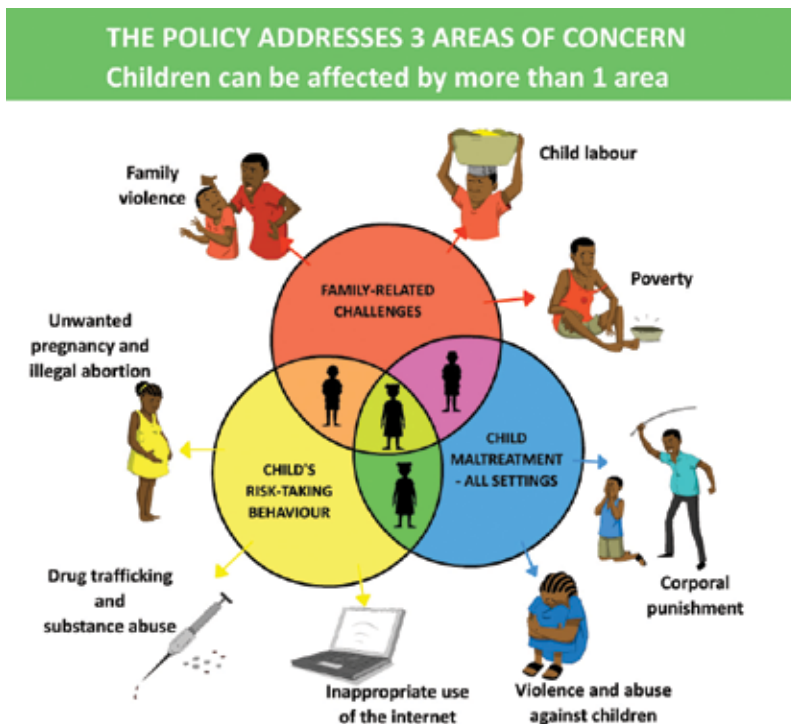
Strategy 11: Analysis of and advocacy for adequate financial, technical and human resources



These strategies are detailed below and together address three key core areas of concern:

- Child Protection issues stemming out of family-related challenges such as domestic violence, and children living and/or working on the street;
- Child maltreatment including all forms of violence, abuse, exploitation and neglect in all settings;
- Other protection issues concerning (especially older) children, that are not brought

about by a third party but result from individual risk-taking behaviour, such as unwanted pregnancy, substance abuse and children in conflict with the law.



The well-being of the child, the family and the community

The strategies emphasize the role of specialized services, especially the Department of Social Welfare and Community Development at district level, in more closely interacting with families and communities and helping facilitate solutions when problems arise.

The Policy's emphasis is on promoting welfare and restoring the well-being of the child, the family and the community.

The Policy also stresses the importance of implementation, monitoring, evaluation, research and advocacy and highlights the need for improving the overall child protection information management system for better data and evidence of impact of the expected reform.

The Ministry of Gender, Children and Social Protection (MGCSP) will lead and coordinate implementation of the Policy while other key line ministries, departments and agencies have been identified to perform various roles and responsibilities as critical contributors to successfully reform the Child and Family Welfare service.

A System fit for Ghana and her children

A vision for effective Child and Family Welfare delivery
Ghana's new Child and Family Welfare Policy focusses on the prevention of violence, abuse and exploitation of children. It underpins a child protection system that will safeguard and respond to children and their families when needed and provide support to mitigate risks for vulnerable families.

A vision for effective Child and Family Welfare delivery

It shall integrate formal services with informal, community-based processes. In doing so, it will unify families, communities and state institutions to work together as a cohesive national system for the wellbeing of children.

Coordination between all actors will contribute to more effective use of resources, and improved data and information management.

Strategy 1: Strengthening community structures

The family and community have a vital role and responsibility in protecting children from violence, abuse, neglect and exploitation.

Traditional and community leaders, elders, Chiefs and Queen mothers are encouraged to raise awareness of child protection issues through community forums, and to gauge the wellbeing of families and mobilize support when challenges arise.

Leaders of faith-based organizations are encouraged to support positive family values and non-violent behavior through communication and education initiatives, and to provide care and support services to families, children and adolescents including advocating for vulnerable families.

Strategy 2: Early intervention through social protection

One of the best ways to safeguard children from harm is social protection by reducing poverty amongst the extreme poor.

Poverty can directly harm children by leading to unnecessary separation from family, child marriage and child labour, and further research will be undertaken to better understand the impact of existing social protection interventions.

The Department of Social Welfare will maximize the use of social protection interventions to address child and family welfare concerns, through for example:

- Economic empowerment through programmes such as Livelihood Empowerment against Poverty (LEAP), capitation grants, the National Health Insurance Scheme and free maternal care, school uniforms or school feeding programmes;
- Community day-care options for children to ensure they are cared for in a safe environment while family members are engaged in other activities.

Strategy 3: Improved child and family welfare services

The Government has an obligation to provide specialized services to children, families and communities when community structures fail.

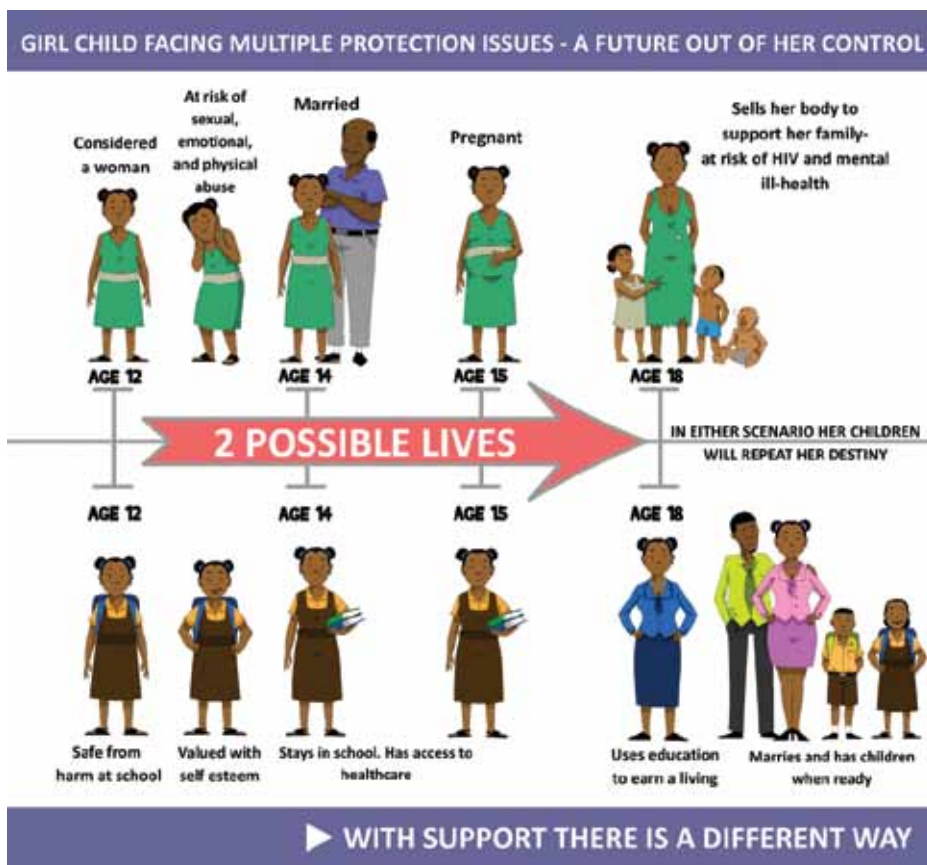
The Policy stresses promoting welfare and restoring the well-being of victims, and as such gives guidance and new powers to different state agents. For example:

- Social welfare officers are provided with greater flexibility and discretion to work with family and community members when a child protection case is brought to their attention.

Welfare cases should be addressed from a welfare perspective rather than from a legal perspective.

- The courts should still be used but in criminal and other specific cases. The Ministry of Justice and Attorney General and law enforcement agencies are responsible for prosecuting perpetrators.
- The police must refer child protection cases to the Social Welfare and Community Development Department and cannot decide on the removal and placement of children unless it is for immediate safety.
- District level Department of Social Welfare and Social Welfare and Community Development Department have the responsibility to: support and engage with traditional processes and community structures; provide mentoring, prevention and response services; create linkages between social welfare and social protection programmes; lead on child protection cases; and collect, analyse and share data generated through service provision.
- Metropolitan, Municipal and District Assemblies (MMDAs) shall support the above by: ensuring adequate staffing and resources for child and family welfare; facilitating dialogue with stakeholders about service delivery; and facilitating strong connections with other social service providers (health, education, social protection).
- National-level direct service delivery operates when problems arise at the district level that go beyond the competence of a district, for example, emergencies on a large scale or issues affecting more than one district (trafficking of children for example).

The Child and Family Welfare Policy aims to ensure that a child and family are supported at the right time, and can change the course of a life and of intergenerational patterns of deprivation.



Strategy 4: Alternative care – when the child’s family is not an option

The best place for a child is within their family, and the Policy only suggests removing a child as a last resort such as immediate danger or if a negotiated solution among all concerned parties is not possible.

Where a child must be removed, a care order is mandated by a court and steps undertaken to find long-term family-based care. The preferred option is family reunification and services will be made available to strengthen and rehabilitate the family and the child, with the intent of reuniting them as soon as possible.

Where this is not possible, foster care or adoption should be sought within his or her family, within the same community or a local placement, with a pool of pre-determined carers established by social workers, in collaboration with chiefs and elders.

Residential homes for children may be considered as a temporary solution if no immediate placement in the community is found.

Some children with severe disabilities may require access to specialized services not available in their community.

Strategy 5: Regular coordination and improved information and data management

The effective implementation of the new Child and Family Welfare Policy requires thorough and regular monitoring, analysis and planning.

A comprehensive information management system shall therefore be established based on:

- Improved processes for information collection and dissemination
- Routine data collection
- Analysis at the local level
- Analysis of specialized services.

This monitoring will be based on performance indicators contained in an Operational Plan, developed by the Department of Children in consultation with key state institutions and other actors. Implementation of the Action Plan shall be monitored at least every six months, based on inputs and up-dates from all stakeholders.

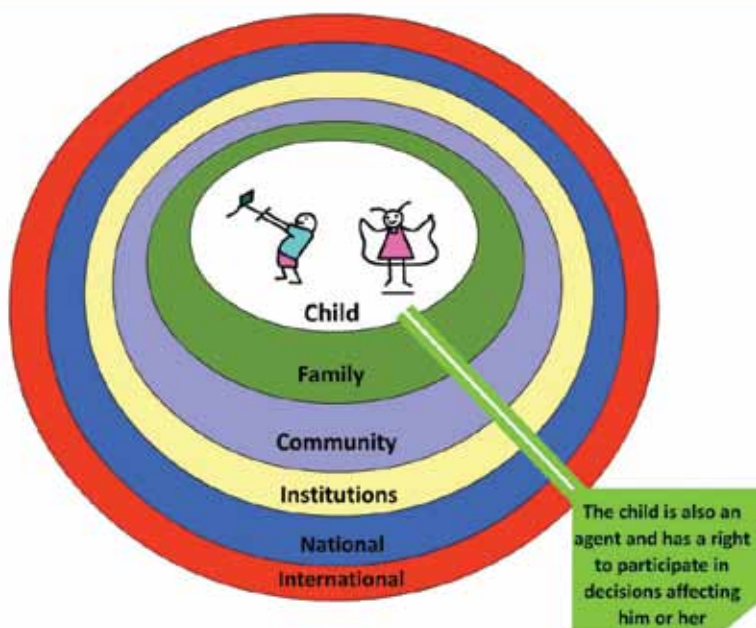
Each Ministry, Department and Agency implementing the Policy shall also monitor its performance, analyse shortcomings and address these to contribute to the Policy objectives.

Strategy 6: Empower children and young people

The Policy recognizes children and young people as agents of change in their own capacity and the active engagement of children and young people in addressing child protection issues is strongly encouraged.

- Specifically, the Policy welcomes:
- Children’s participation in decision making processes at family and community level;
- Efforts that make it possible for children to feel safe in discussing issues of violence and abuse;
- Children’s associations and support groups, including for vulnerable groups such as children living on the street, survivors of child abuse, and children with disabilities;
- Inclusion of children’s voices in research, monitoring and assessments of child protection issues.

A NETWORK OF 5 BROAD GROUPS PROTECT THE CHILD



Strategy 7: Empower families through social dialogue and change

While Parents, care-givers and families have primary responsibility for the welfare of their children the Policy recognizes that they can need support.

The role of community discussions, forums and debates is important in empowering families to prevent and take action against child protection concerns through an open, frank, balanced and respectful dialogue. Activities will include:

- Sharing information on relevant aspects of parenting
- Understanding a child’s physical, social, cognitive, moral and spiritual development.

These exchanges will be led by the Social Welfare and Community Development Department at district level and supported by civil society actors.

The discussions will help families understand and enact responsibilities such as the provision of basic needs, supporting the child in times of distress or sickness, supporting the child’s

socialization and identity development, and providing a safe environment for children, based on love, security and protection from all forms of violence, abuse, exploitation and neglect.

Strategy 8: Social welfare resources and capacity building

A new child protection framework relies upon dedicated staff working to protect children and support families.

New capacities and competencies will be required to interpret and deliver on the Policy, especially in terms of community development, mediation, family and youth work.

An assessment of current human resources of key institutions shall be undertaken, identifying gaps and capacity building needs. Strategic human resources planning to support Policy implementation shall be developed, taking into account the distribution of human resources according to criteria such as population density, incidence of problems, levels of poverty and catchment areas for services.

Curriculum reform in partnership with tertiary level educational institutions is important for long-term capacity strengthening of the work force, as well as in-service training and orientation, and development of detailed guidance and procedures.

Strategy 9: Building alliances with Civil Society Organizations

Civil society has a vital role to play in preventing and responding to harm to children.

Networks such as women's groups, youth organizations, Community Based Organizations, Non-Governmental Organizations and volunteers all have a role to play.

All are encouraged to formulate and implement appropriate programmes in conjunction with other members of civil society such as community leaders, youth groups, religious leaders and professional bodies at each level of society, from the local community to the national level.



While maintaining their independence, these organizations shall operate in conjunction and in collaboration with State child and family welfare actors and work within the Policy framework, adopting its strategic direction and approaches.

In particular, civil society organizations shall:

- Contribute to the development of research, monitoring and evaluation initiatives;
- Advocate for the improvement of services through increased collaboration;
- Participate in national co-ordination and sub-national activities to minimize duplication and enhance the complementarity of programmes;
- Facilitate information sharing through formal or informal networks.

Strategy 10: Legal and policy reform

Successful implementation of the Policy requires that the legal framework be reformed.

While the legal, policy and regulatory framework is comprehensive, there is a disconnect between law and practice, and between the laws and community approaches to dealing with child and family welfare issues. Reform is needed and will include:

- Amendments to the Children's Act 1998 (Act 560)
- Amendments to the Juvenile Justice Act (2003) may also be warranted
- Existing action plans, policies and guidelines on specific child protection issues will be reviewed and amended

The Ministry of Gender, Children and Social Protection (MGCSP) will lead the legal and policy reform process in partnership with relevant ministries.

Strategy 11: Analysis of and advocacy for adequate financial, technical and human resources

The new Child and Family Welfare strategy will be cost-effective and efficient, drawing on locally available resources and the capacities of community-structures as a way to ensure sustainability and greater efficiencies.

Government funded services will not replace community actions, but complement them, and efforts will be made to ensure the appropriateness and sustainability of community initiatives.

An Operational Plan (referred to in Strategy 5 above) will accompany the Policy implementation, identifying budgets, timelines and roles and responsibility for programmes and activities. The implementation will include budget analysis and public expenditure reviews in the area of Child and Family Welfare issues.

For a copy of the ***Child and Family Welfare Policy*** please contact
the Ministry of Gender, Children and Social Protection
P.O BOX MBO 186, Ministries. Accra, Ghana. Tel +233 302688181
Website: www.mogcsp.gov.gh

or

the Department of Children, P.O Box M.273, Ministries, Accra- Ghana, Tel. +233 302225297

If you have a child protection concern you would like to raise, please contact the Department
of Social Welfare, Ministry of Children Gender and Protection, and UNICEF



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