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# **OPERATIONAL MANUAL FOR NON-GOVERNMENTAL ORGANIZATIONS ON PROVIDING SERVICES TO CHILDREN AFFECTED BY MIGRATION**

**Tested in the cities of Nur-Sultan, Almaty  
and Shymkent and Turkestan Oblast**





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**2020-2021**

**Operational manual for non-governmental organizations on providing services to children affected by migration, 2021**

**Tested in the cities of Nur-Sultan, Almaty and Shymkent and Turkestan Oblast.**

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# ACRONYMS

CABM	Child affected by migration
CAM	Centre of Adaptation of Minors
CAT	UN Committee against Torture
CRC Committee	UN Committee on the Rights of the Child
CSC	Centre for the Support of Children in Difficult Life Situations in Nur Sultan
EU	European Union
NGO/ NGOs	Non-governmental organisation/s
SDGs	Sustainable Development Goals
UN	United Nations
UNICEF	United Nations Children's Fund





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# 1.

## PURPOSE OF THE MANUAL

This Manual contains guidance for non-governmental organisations (NGOs) on delivering

support services to children affected by migration in Kazakhstan.



**'Children affected by migration'** or **'CABM'** are:

- Children who are cross-border or internal migrants, either alone or with their families;
- Children who remain in Kazakhstan while one or both of their parents or legal representatives migrate elsewhere;
- Children born in Kazakhstan to migrant parents;
- Children who are repatriated to Kazakhstan or who are returned to Kazakhstan as their country of origin.

This definition includes child asylum-seekers, child refugees and child victims of trafficking, but excludes kandas. A **'child'** is a person aged 0 to 18.

The implementation of this Manual tested and approved by the following bodies in the following locations for 12 months between 2020 and 2021:

- Kazakhstan International Bureau for Human Rights in Nur Sultan City;
- 'Rodnik' in Almaty City; and

- 'Sana Sezim' in Shymkent City and Turkestan Oblast.

This Manual should be used by all employees, consultants, interns and volunteers (referred to as **'staff'** or **'staff members'**) of the NGOs to deliver support services to CABM in their respective localities.



**Covid-19:** Please note that the development of this Manual commenced before the Covid-19 pandemic and is therefore based on the assumption that no social distancing or quarantine measures are in place. However, staff from the selected NGOs participating in the project will be coached on adapting the procedures in this Manual in light of any Covid-19 restrictions in place at the time.

Any future users of this Manual should make the necessary adjustments to the procedures set out in this Manual in order to comply with any existing social distancing or quarantine measures in place. Such adjustments should, however, continue to comply with the guiding principles set out in Part 5 of this Manual.

# 2.

## KEY TERMS AND DEFINITIONS

For the purposes of this Manual, the following terms have the following meanings:

A **'child'** is an individual aged 0 to 18 years;

A **'child affected by migration'** or **'CABM'** refers to a child who falls under one or more of the following categories:

- Children who are cross-border or internal migrants, either alone or with their families;
- Children who remain in Kazakhstan while one or both of their parents or legal representatives migrate elsewhere;
- Children born in Kazakhstan to migrant parents;
- Children who are repatriated to Kazakhstan or who are returned to Kazakhstan as their country of origin.

This definition includes child asylum-seekers, child refugees and child victims of trafficking, but excludes kandas.

A **'child in need of care and protection'** is any child who is suffering or at risk of suffering significant harm, regardless of whether or not the child is left without parental care or is an orphan.

**'Country of origin'** refers to an individual's country of nationality (i.e. citizenship) or, if the individual is stateless, the country in which he/she is habitually resident.

**'Deputy Safeguarding Lead'** refers to the role played by a designated staff member in safeguarding children who come into contact with the NGO, according to the child protection policy in Part 13.

**'Exploitation'** refers to the act of taking advantage of a child, including through:

- Economic exploitation, including forced labour, and any other work that is likely to be hazardous or interfere with the child's education, or be harmful to the child's health

or physical, mental, spiritual, moral or social development;

- Exploitation for illicit drug production and trafficking;
- Sexual exploitation and sexual abuse, specifically the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices and the exploitative use of children in pornographic performances and materials; and
- The abduction of, sale of or trafficking in children, or any other forms of child exploitation, including slavery, practices similar to slavery, servitude or the removal of organs.<sup>1</sup>

**'Harm'** means ill treatment or the impairment of physical, mental, intellectual, emotional or behavioural health or development, including impairment suffered from seeing or hearing the ill-treatment of another. Harm may be caused by physical, sexual or emotional abuse, neglect or exploitation.

The **'Manual on Intersectoral Coordination'** is the guidance manual for stakeholders on how to coordinate cases involving CABM under the model, including the identification of CABM in need of protective services, the referral of the child to the relevant body, coordinating the delivery of services, and monitoring the model.

**'Migrant'** or **'Migration'** refers to any movement of a person away from his/her usual place of residence, whether within Kazakhstan or across Kazakhstan's international borders, temporarily or permanently.

**'Personal details'** refer to any information, or combination of information, which may reveal the identity of an individual.

**'Programme'** refers to the NGO's programme of delivering support services to CABM under the Joint Project as set out in this Manual.

<sup>1</sup> Based on the definition of 'child exploitation' contained in the IOM's Glossary on Migration (2019) and the description contained in Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol).

The **'Programme Coordinator'** is the staff member responsible for the day-to-day management and supervision of the Programme Social Worker, Lawyer and Psychologist, and the day-to-day Programme operations.

The **'Programme Director'** is the staff member responsible for the overall management, development and implementation of the Programme.

The **'Programme Lawyer'** is the staff member responsible for providing legal advice and legal advocacy services under the Programme.

The **'Programme Psychologist'** is the staff member responsible for providing psychological counselling services to CABM under the Programme.

The **'Programme Social Worker'** is the person responsible for providing family-focused social work case management services to CABM under the Programme.

**'Safeguarding Lead'** refers to the role played by the Programme Coordinator pursuant to the child protection policy in Part 13 in safeguarding children who come into contact with the NGO.

**'Separated children'** are children who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.<sup>2</sup>

**'Staff'** or **'staff members'** refers to all employees, consultants, interns and volunteers of the NGO.

**'Support services'** refers to the services provided by the NGOs to CABM under the Joint Project, as described in this Manual.

**'Trafficking'** of children refers to the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation. Child trafficking includes both internal and cross-border recruitment, transportation, transfer, harbouring or receipt of a child for the purposes of exploitation;

**'Unaccompanied children'** refers to children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.<sup>3</sup>

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2 CRC GC No. 6, para 8.

3 Broadly based on the description provided by the CRC Committee in CRC GC No. 6, para 7.



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# 3.

## CONTEXT

### 3.1. INTERNATIONAL STANDARDS

#### Key Treaties and Instruments

Kazakhstan has obligations under international law to protect the rights of CABM. These obligations derive mainly from the Convention on the Rights of the Child (CRC),<sup>4</sup> its Optional Protocol on the Involvement of Children in Armed Conflict<sup>5</sup> and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.<sup>6</sup> In particular, under Article 2(1) of the CRC, Kazakhstan has an obligation to respect and ensure the rights contained in the CRC to every child within its jurisdiction without discrimination of any kind, irrespective of the child's or the child's parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or 'other status.' 'Other status' includes statelessness, nationality and immigration status.<sup>7</sup> Therefore, Kazakhstan's obligations under the CRC apply not only to CABM who are Kazakh citizens, but all to CABM who are under Kazakhstan's jurisdiction, regardless of the child's citizenship, nationality or migration situation.

Kazakhstan is also party to other international human rights conventions, which guarantee protections for children, as well as special protections for migrant children. These treaties include

the International Covenant on Civil and Political Rights,<sup>8</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>9</sup> the Convention on the Elimination of All Forms of Discrimination against Women,<sup>10</sup> the Convention on the Rights of Persons with Disabilities,<sup>11</sup> the 1951 Convention Relating to the Status of Refugees,<sup>12</sup> the Protocol Relating to the Status of Refugees 1967,<sup>13</sup> the Minimum Age Convention 1973,<sup>14</sup> the Worst Forms of Child Labour Convention 1999,<sup>15</sup> the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment<sup>16</sup> and its Optional Protocol.<sup>17</sup>

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families is also an important treaty, which protects the rights of CABM. The United Nations (UN) Committee on the Rights of the Child (CRC Committee) and the UN Committee on the Protection of the Rights of All Migrant Workers stress the primacy of children's rights in the context of migration and the need for this treaty and the CRC to be integrated by States into migration-related frameworks.<sup>18</sup>

Kazakhstan's international obligations are elab-

4 Kazakhstan ratified the Convention on the Rights of the Child (CRC) on 12 August 1994.

5 Kazakhstan ratified the Optional Protocol on 10 April 2003.

6 Kazakhstan ratified the Optional Protocol on 24 August 2001.

7 United Nations (UN) Committee on the Rights of the Child (CRC Committee), General Comment No. 6, para 12; CRC Committee, General Comment No. 22, para 12.

8 Kazakhstan ratified this treaty on 24 January 2006.

9 Kazakhstan ratified this treaty on 24 January 2006.

10 Kazakhstan became party to this convention on 26 August 1998.

11 Kazakhstan became party to this convention on 21 April 2015.

12 Kazakhstan became a party to this convention on 15 January 1999 without making any reservations.

13 Kazakhstan became a party to this protocol on 15 January 1999 without making any reservations.

14 Kazakhstan ratified this treaty on 18 May 2001 and has specified a minimum age of 16 years for the purposes of this treaty; retrieved from [https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312283](https://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312283) on 1 November 2019.

15 Kazakhstan ratified this treaty on 26 February 2003.

16 Kazakhstan became party to this treaty on 26 August 1998.

17 Kazakhstan ratified this instrument on 22 October 2008.

18 CRC Committee, General Comment No. 22, para 13. Though note that Kazakhstan is not a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.



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orated in a range of 'soft law' standards. These include general comments issued by UN human rights monitoring bodies, and guidelines developed by UN agencies and multilateral organisa-

tions.<sup>19</sup> Further, safe migration of all humans, including children, is a key part of the Sustainable Development Goals (SDGs), which Kazakhstan is aiming to achieve by 2030.<sup>20</sup>

## The Rights of Children Affected by Migration

Under international standards, Kazakhstan should ensure that all CABM and their families are integrated into the local community by ensuring the realization of their rights and access to services on an equal footing to nationals.<sup>21</sup> This standard stems from the child's right to life, survival and de-

velopment under Article 6 of the CRC, as well as a range of economic, social and cultural rights in the CRC, which children are entitled to without discrimination on the basis of their migration status or those of their parents or legal representatives.<sup>22</sup> These rights include:



**The right to health:**<sup>23</sup> every CABM should have access to health equal to that of nationals, regardless of their migration status.<sup>24</sup> In particular, CABM should have access to health services without being required to present a residence permit or asylum registration.<sup>25</sup> Administrative and financial barriers to accessing health services should also be removed;<sup>26</sup>



**The right to education:**<sup>27</sup> All CABM, irrespective of their status, should have full access to all levels and all aspects of education, including early childhood education and vocational training, on an equal basis to nationals.<sup>28</sup> Kazakhstan should therefore ensure equal access to quality and inclusive education for all CABM, irrespective of the child's migration status.<sup>29</sup> Kazakhstan should also take positive steps to eliminate discrimination against CABM and adopt a gender-sensitive approach to removing barriers to education. This includes additional language education and intercultural support; dedicated staff to facilitate the child's access to education and promote the child's integration in school; prohibiting and preventing segregation in education and providing psychosocial support;<sup>30</sup>

19 The CRC Committee's General Comment No. 6 (2005) on the Treatment of Unaccompanied and Separated Children Outside their Country of Origin; Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the CRC Committee on the General Principles regarding the Human Rights of Children in the Context of International Migration; Joint General Comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the CRC Committee on State Obligations regarding the Human Rights of Children in the Context of International Migration in Countries of Origin, Transit, Destination and Return; and the Recommended Principles to Guide Actions Concerning Children on the Move and Other Children Affected by Migration, retrieved from <http://un-act.org/publication/view/recommended-principles-to-guide-actions-concerning-children-on-the-move-and-other-children-affected-by-migration/> on 1 November 2019.

20 SDG Target 10.7 is for all States to 'facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.' One of the indicators for this target is the 'number of countries that have implemented well-managed migration policies.' SDG 16 on promoting peaceful and inclusive societies is also relevant, particularly the targets to end the abuse, exploitation, trafficking and all forms of violence against and torture of children (SDG 16.2), ensuring equal access to justice for all (SDG 16.3), and by 2030, providing legal identity for all including birth registration (SDG 16.9).

21 CRC Committee, General Comment No. 22, para 22.

22 CRC, Arts 2 and 6; CRC Committee, General Comment No. 23, para 53.

23 Articles 23, 24 and 39 of the CRC.

24 CRC Committee, General Comment No. 23, para 55.

25 CRC Committee, General Comment No. 23, para 56.

26 CRC Committee, General Comment No. 23, para 56.

27 Articles 28 to 31 of the CRC.

28 CRC Committee, General Comment No. 23, para 59.

29 CRC Committee, General Comment No. 23, para 59.

30 CRC Committee, General Comment No. 23, para 62.





**Adequate standard of living and social assistance:**<sup>31</sup> Kazakhstan is required to recognise the right of every child, including CABM, to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. Whilst parents and others responsible for the child have primary responsibility for securing these conditions for the child within their abilities and financial capacities, Kazakhstan is required to take 'appropriate measures' to assist parents/persons responsible to implement this right in accordance with national conditions and within its means. Assistance includes material assistance and support programmes, particularly with regard to nutrition, clothing and housing. Kazakhstan should also expeditiously reform legislation, policies and practices that discriminate against CABM and their families, including those in an irregular situation, or that prevent them from effectively accessing services and benefits, such as social assistance;<sup>32</sup>



**Birth registration:**<sup>33</sup> Children have the right to be registered immediately after birth. The absence of birth registration may restrict the child's access to their other rights and contribute towards child marriage, trafficking, forced recruitment and child labour. Kazakhstan should therefore take all necessary measures to ensure that all children are immediately registered at birth and issued birth certificates, irrespective of the child's or parent's migration status.<sup>34</sup> Legal barriers to accessing birth registration services should therefore be removed such as requiring parents to produce documentation regarding their migration status.<sup>35</sup> Importantly, children who do not have birth registration should be ensured equal access to health care, child protection, education and other social services.<sup>36</sup>

## Prohibition of the Detention of Children on the Basis of their Migration Status

The deprivation of a child's liberty (i.e. detention) has very negative consequences for a child's development and seriously hampers the child's integration in society.<sup>37</sup> If a child placed in a public or private custodial setting by an order of any judicial, administrative or other public authority and the child is not permitted to leave that custodial setting at will, then the child is regarded under international standards as being detained / deprived of liberty.

Given the seriousness of depriving a child of his/her liberty, Article 37(b) of the CRC requires that no child shall be deprived of his/her liberty unlawfully or arbitrarily and that the arrest, detention or imprisonment of a child must be in conformity with the law and used only as a measure of last resort and for the shortest appropriate period of time. In migration contexts, this means that:



- Unaccompanied or separated children should not, as a general rule, be detained;<sup>38</sup> and
- Detention cannot be justified solely on the basis of the child being unaccompanied or separated, or on the child's migratory or residence status, or lack thereof.<sup>39</sup>

Further, where it is necessary as a measure of last resort to place a child in detention, the child is entitled to procedural safeguards, including the right to prompt access to legal and other appropriate assistance, and the right to challenge the legality of the detention before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.<sup>40</sup>

31 Article 27 of the CRC.

32 CRC Committee, General Comment No. 23, para 53.

33 Article 7 of the CRC.

34 CRC Committee, General Comment No. 23, para 20.

35 CRC Committee, General Comment No. 23, para 21.

36 CRC Committee, General Comment No. 23, para 22.

37 UN Committee on the Rights of the Child, General Comment No. 24 (2019), Children's rights in juvenile justice, para 13.

38 CRC Committee, GC No. 6, para 62.

39 CRC Committee, GC No. 6, para 60.

40 CRC, Art 37(d).

## Integration of Child Migrants in the Child Protection System

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An effective child protection system is one that prevents and responds to violence, exploitation and abuse of children. Under international standards, child protection systems at the national and local levels should mainstream child migrants into their programmes, regardless of whether the State is a country of origin, transit, destination or return for the child.<sup>41</sup> This means that CABM should be identified promptly in border controls and other migration-control procedures within the State's jurisdiction, and that anyone claiming to be a child is treated as such and promptly referred to child protection authorities and other relevant services.<sup>42</sup>

Case management is an important part of implementing an effective child protection system. Case management can be defined as 'a process practiced by social service workers that supports or guides the delivery of social service support to vulnerable children and families and other populations in need.'<sup>43</sup> Child protection case management includes:

- **Identification** that the CABM is or might be in need of care and protection;

- **Referral** of the CABM to the responsible child protection authority;
- **Social assessment** of the needs and best interests of the CABM, including their family situation by a skilled social worker;
- **Decision-making** on whether the CABM is in need of care and protection;
- **Developing individualised care plans** by identifying and matching services to assessed needs and defined goals;
- **Coordinating** the implementation of the care plan;
- **Monitoring** the child and family's progress, and making adjustments to the plan as needs change; and
- **Closing** the case when goals are met.

In addition, particular considerations apply to unaccompanied and separated children, including family tracing and family reunification.

As a matter of good practice, and given the State's duty to protect children in need of care and protection, child protection case management functions should remain within Government.<sup>44</sup>

## 3.2. THE JOINT PROJECT TO PROTECT CHILDREN AFFECTED BY MIGRATION IN KAZAKHSTAN

The Commissioner for Human Rights in the Republic of Kazakhstan launched a programme in partnership with UNICEF Kazakhstan and with funding and support from the European Union (EU), to 'Protect Children Affected by Migration in Kazakhstan' (the 'Joint Project'). The Joint Project is part of UNICEF's larger EU-funded programme, which covers seven countries (Bangladesh; Kazakhstan; Kyrgyzstan; Myanmar; Tajikistan; Thailand; and Uzbekistan) and runs from 2017 to 2021.

As part of the Joint Project, UNICEF engaged Coram International as consultants to help design and 'test' the implementation of a model for providing protective services to CABM in three selected locations: Nur Sultan; Almaty; and Shymkent/ Turkestan Oblast. The overall goal of the model is to contribute to ensuring that CABM are protected effectively and that their rights are progressively realised. This Manual sets out part of the framework for the model protective services developed under the Joint Project

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41 CRC General Comment No. 22, para 14.

42 CRC General Comment No. 22, para 32(h).

43 Global Social Service Workforce Alliance, Core Concepts and Principles of Effective Case Management: Approaches for the Social Service Workforce, 2018, p 7.

44 C. Hamilton, Commentary on the Proposed Legislative Amendments to the Code of the Republic of Kazakhstan on Marriage (Matrimony) and Family 2011, as amended, 2019, p 6.



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### 3.3. SITUATION OF CHILDREN AFFECTED BY MIGRATION

Between November 2019 and January 2020, Co-ram International carried out research into the situation of CABM in three Cities (Nur Sultan; Almaty and Shymkent) to inform the design of the model protective services. The research focused on the risks and challenges that CABM face; their ability to access services to meet their needs and realise their rights in line with international standards; whether and how CABM are integrated into the child protection system at the national and local levels; and the legal mandates, organisational structures and job descriptions of those involved in providing protective services to CABM.

The research found that all categories of CABM are prevalent in the test Cities, though their exact numbers were undetermined. This is due in part to gaps in the indicators used to collect administrative data, as well as children fluctuating in and out of the definition of 'CABM.' CABM and their parents are also largely 'hidden,' either because they are reluctant to approach the authorities due to mistrust or fears of deportation, or because they are unaware that their migration situation is an issue until they are in need of services (e.g. when the child becomes ill or graduates from school and requires an official certificate).

Further, CABM potentially have very different needs, given the various categories of children that fall within this definition. Children may also fall under more than one category of the definition of CABM, and face multiple risks and challenges. The risks and challenges CABM may face include:



**Barriers to accessing education and health services:** participants reported instances of schools and clinics asking children and parents to provide certain documentation, such as the child's individual identification number, in order to enrol a child in school or access health services, which undocumented or irregular<sup>45</sup> CABM are unable to provide;



**Barriers to accessing legal services:** it is not clear whether and at what stage in the legal process free legal services are provided to CABM and their families when they come into contact with law enforcement authorities, particularly in cases where parents are deprived of parental responsibility, and when CABM come into contact with juvenile police. Further, undocumented CABM and their families appear to rely on NGOs to provide free legal services to resolve issues surrounding their documentation (e.g. registration for migration purposes; citizenship; birth registration etc.). Further, there was no evidence that CABM who are deprived of their liberty in the Centres of Adaptation of Minors in Almaty and Shymkent/Turkestan Oblast (**CAMs**), or in the Centre for the Support of Children in Difficult Life Situations (**CSC**) in Nur Sultan, are provided with legal and other appropriate assistance, as required by Article 37(d) of the CRC;



**Barriers to accessing social welfare:** key social welfare services, particularly those applying to children and families in difficult life situations, apply only to Kazakh citizens or foreign or stateless persons residing permanently in Kazakhstan,<sup>46</sup> leaving a legal gap in the provision of social welfare services to CABM temporarily resident in Kazakhstan or those in irregular migration situations. CABM and families who are not eligible for these services may therefore have difficulties accessing services and benefits to help meet their basic needs, including food, clothing and shelter;

45 Irregular migration refers to situations where a person enters or remains in Kazakhstan without the requisite authorisation, documentation or registration with the Department of Migration Services, or where the person works in Kazakhstan without a work permit or for an employer which is not authorised to hire foreign employees (irregular labour migration).

46 For example, Kazakhstan's Law on Special Social Services 2008.



**Children left without parental care:** research indicates that children placed with relatives or family friends while their parents migrate are subsequently removed by the authorities and placed in State care due to the absence of a power of attorney formalising the care arrangement with the relative or family friend;



**Risk of exploitation:** the research indicated links between irregular migration, the lack of documentation and children's experiences of labour and other forms of exploitation, as well as begging on the streets;



**Access to the child protection or social welfare system:** participants' responses indicated that migrant families who work or beg on the streets, particularly those from the Lyuli community, are not being recognised by the authorities as being vulnerable or at risk of harm. These families are consequently handled predominantly using a 'law enforcement' approach, including the temporary detention of children in the CAM/CSC while the police address the parents. These families revert to their difficult life situation after they reunite due to the absence of family support services;



**Administrative liability:** under the national law, CABM aged over 16 may be held administratively liable for migration-related offences. These offences relate predominantly to irregular migration situations. While children under the age of 16 cannot themselves be administratively responsible, they may nevertheless be questioned by police leading to administrative liability and penalties being imposed on their parents.

In addition, the study found that the fragmentation of the child protection system and the absence of a designated child protection body is resulting in CABM who are in need of care and protection being referred to a range of different stakeholder bodies, without any clear lines of coordination and referral. Where CABM are referred to the child protection system, participants' responses indicate that the children do not have meaningful participation in the matter, contrary to Article 12 of the CRC on the right of the child to be heard. This can leave the child feeling powerless and confused about their current or future situation.

The CAMs/CSC are places of detention. The research highlighted cases where CABM are detained in the CAMs/CSC solely on the basis of their migration status or due to the absence of temporary alternative care measures in the community. This is a violation of Kazakhstan's obligations under the CRC, and is in urgent need of reform.

These findings formed the basis for the design of the model protective services developed and tested under the Joint Project

# 4.

## OVERVIEW OF THE MODEL PROTECTIVE SERVICES

The Commissioner for Human Rights has worked closely with stakeholders at the national and local levels to develop a 'model' for providing protective services to CABM, with the support of UNICEF and the EU and technical expertise from Coram

International. The implementation of this model tested in the Cities of Nur-Sultan, Almaty, Shymkent and Turkestan Oblast for 12 months between 2020 and 2021 under the Joint Project.



Under the model, the following bodies are tasked with providing the following services:

1. The CAMs (in Almaty, and Shymkent/ Turkestan Oblast) and CSC in Nur Sultan shall provide child protection case management services for all CABM from the age of 3 who are in need of care and protection, to ensure that the child is protected from all forms of harm;
2. The selected NGOs in each of the test locations shall provide four types of support services to CABM who meet the admission criteria set out in this Manual: social support services; legal services; psychological counselling services; and 'independent supporter' services.

A description of the model protective services is provided below.

### 4.1. CHILD PROTECTION CASE MANAGEMENT BY THE CAMS/CSC

To address the fragmentation in the child protection system, it was decided that child protection case management functions should be assigned to a single body within Government. After detailed consideration of the mandates and capacities of various local Government bodies, it was decided that the CAMs (in Almaty and Shymkent/Turkestan Oblast) and the CSC (in Nur Sultan) would be best placed to take on these functions during the Joint Project. However, the CAMs/CSC do not have jurisdiction over children under three years of age. Given UNICEF's parallel efforts to strengthen child protection case management of children under the age of 3 in partnership with the

Ministry of Health and other stakeholder bodies, it was decided that children from the age of 3 years of age would not be included in the model tested by the CAMs/CSC under the Joint Project.

This means that all **CABM from the age of three in the test locations should be referred to the CAM/CSC if there is reason to believe that the child is in need of care and protection, regardless of whether or not the child is without parental care.** For CABM under the age of 3 who are in need of care and protection, the referral should be made to the Guardianship and Tutelage Authority.



A **'child in need of care and protection'** is one who is suffering or at risk of suffering significant harm.

**'Harm'** means ill-treatment or the impairment of physical, mental, intellectual, emotional or behavioural health or development, including impairment suffered from seeing or hearing the ill-treatment of another. Harm may be caused by physical, sexual or emotional abuse, neglect or exploitation.

**However, the referral of the child to the CAM/CSC does not necessarily mean that the child should reside in the CAM/CSC.** The child may, instead, remain with their family or in an alternative care arrangement in the community, depending on what is in the child's best interests. Under the model, it is the responsibility of the social work case manager in the CAM/CSC to conduct an assessment of the child's situation, determine whether the child is in need of care and protection, and develop, coordinate and monitor a care plan that is in the child's best interests. This means that the CAMs/CSC will be providing

case management for CABM who are in need of care and protection and living in the community, as well as those residing on their premises.

Further, under the model protective services, the CAM/CSC should, as a general rule, operate an **open regime**. This means that CABM residing in the CAM/CSC should as a general rule attend school in the community, though the CAM/CSC may provide remedial education and other support to assist the child in catching up at school and integrating into community life.

## 4.2. SUPPORT SERVICES PROVIDED BY THE TEST NGOS

### NGOs as Service Providers

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Under the model protective services, NGOs take on the role of 'service provider.' This means that whenever the NGO comes into contact with a child who it considers might be in need of care and protection, it should.

- Refer the child to the CAM/CSC for case management if the child is aged 3 or above with a notification to the Guardianship and Tutelage Authority; or
- Refer the child to the Guardianship and Tutelage Authority for children under the age of 3.

If the CAM/CSC considers that the services provided by the NGO match the child's needs, the

CAM/CSC can approach the NGO and request it to provide the necessary services as part of the child's care plan. However, in such cases, the management of the child's case would remain with the case manager in the CAM/CSC.

Where a child does not appear to be in need of care and protection and a child protection referral to the CAM/CSC does not need to be made, the CABM may be referred to the NGO directly in order to receive legal, social support services or psychological counselling services. In such cases, the NGO is responsible for managing the child's case.

### Independent Supporter Services

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Given the serious risks that unaccompanied and separated child migrants face, under the model protective services, these children are regarded as 'in need of care and protection' and should be referred to the CAM/CSC immediately for child protection case management. However, the processes involved in handling cases involving unaccompanied and separated CABM are often complex with multiple authorities making decisions, including the CAM/CSC, the Guardianship and Tutelage Authority and Department of Education, the Commission on Issues of Minors, the Department of Migration Services etc. The child may even be involved in criminal or administrative proceedings, for example, as a victim

of trafficking. Therefore, there is a need for an independent person to mentor and provide emotional support to the child, while helping the child to navigate the system, and acting as a check to ensure that all relevant authorities are involved and meeting the child's needs (whether legal, social, health, psychological, material, educational or other needs).

In addition, unaccompanied and separated child migrants, as well as other categories of CABM who are the subject of child protection case management by the CAM/CSC, may be left feeling confused about why they are in contact with the authorities or unclear about the status of their

case. Further, the impact of the decisions by the authorities on the child can be profound, and may include the child being settled in another State, or being removed from the care of their parents if this is in the child's best interests. In such situations, it is important that children who are capable of forming their own views have the opportunity to voice their views freely and have these views taken into account in accordance with their age and maturity, in line with their right to be heard under Article 12 of the CRC. To facilitate this, an independent person should be assigned to the child to explain why the child has come into contact with the authorities and the process involved; keep the child informed about the progress of his/her case; ascertain the child's views, wishes and feelings on his/her current and future situation; help the child to convey his/her views, wishes and feelings to the decision-making bodies; explain to the child why a particular decision was taken if the deci-

sion departs from the child's views, wishes and feelings.

The arrangements for providing these services vary from State to State. Under Kazakh law, legal representation for children without parental care or orphans is normally provided by the body providing the child with alternative care, such as the CAM/CSC or children's home. However, many of the alternative care providers, such as the CAM/CSC, are State bodies mandated to make decisions about the child, which means that they are not sufficiently independent to be appropriate 'independent supporters.' Therefore, under the Joint Project, the role of the independent supporter will be tested by the selected NGO in each test location, provided that the NGO does not have any conflict or potential conflict of interest – a decision that needs to be made based on the facts of each individual case.

### 4.3. IDENTIFICATION AND REFERRAL OF CABM

To implement the model protective services, all persons who come into contact with a CABM (teachers; juvenile police; border guards; Guardianship and Tutelage Authority; Commissions on Issues of Minors, Department of Migration Services etc.) should identify CABM who are in need

of protective services, and refer them to the appropriate body without delay. These stakeholder bodies will also collaborate with the CAM/CSC and NGO to ensure the delivery of the protective services.

### 4.4. DOCUMENTATION IMPLEMENTING THE MODEL PROTECTIVE SERVICES

To implement the model protective services, the following documentation has been developed:



- A guidance manual for stakeholders (excluding the NGOs and CAMs/CSC) on how to coordinate cases involving CABM under the model, including the identification of CABM in need of protective services, the referral of the child to the relevant body, coordinating the delivery of services, and monitoring the model ('**Manual on Intersectoral Coordination**');
- The development of this Manual for the selected NGOs in the test locations on delivering support services to CABM and their families; and
- The development of a **Manual** for the CAM (in Almaty and Shymkent/ Turkestan Oblast) and CSC (in Nur Sultan) on providing child protection case management services to CABM.

These documents should be read together in order to obtain a complete understanding of how the system for providing model protective services to CABM operates.

**The remainder of this Manual sets out the operational framework for the NGOs to deliver support services under the model.**





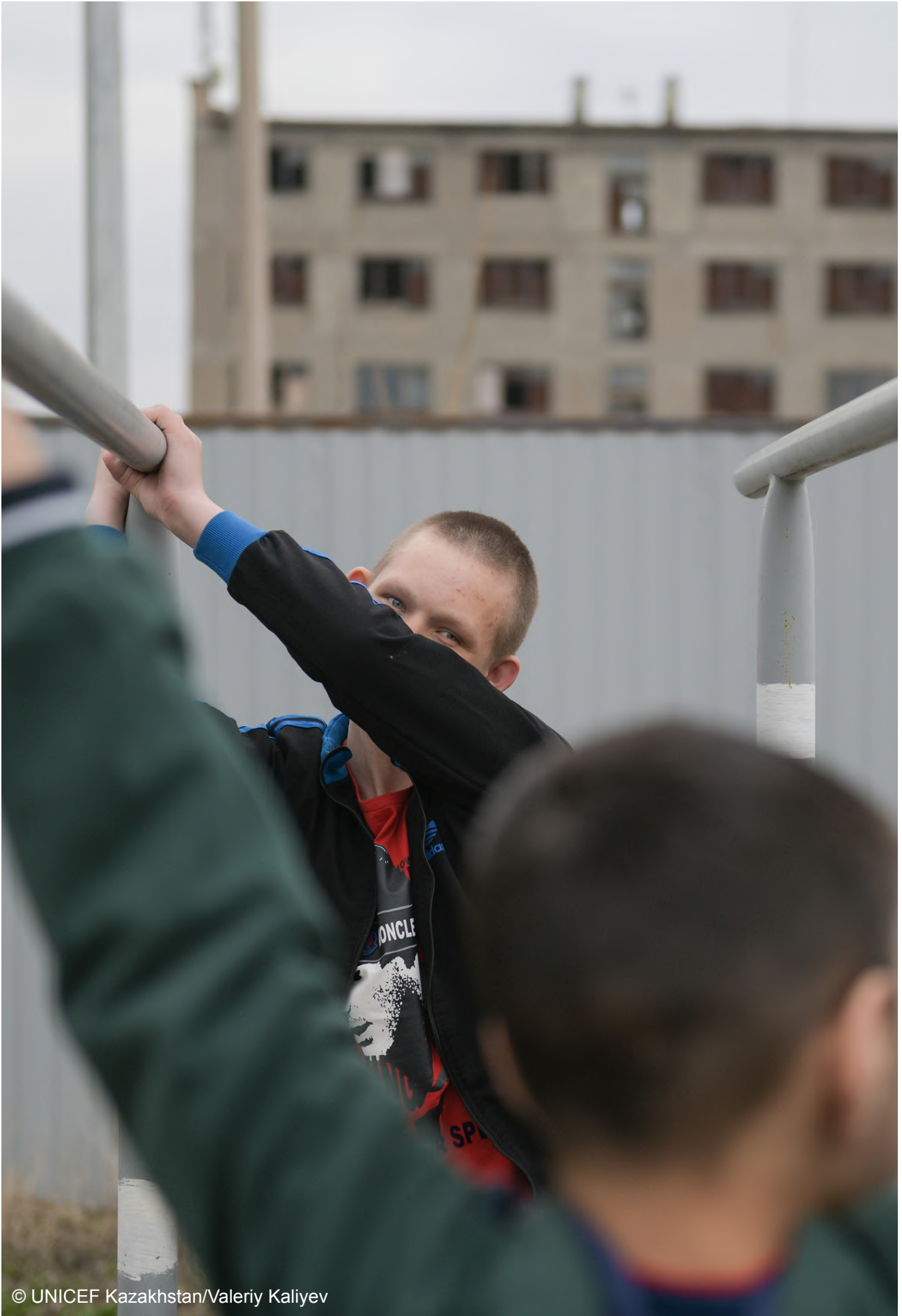
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# 5.

## GUIDING PRINCIPLES

All staff members of the NGO must apply the following principles when implementing this Manual and providing support services to children under the Programme:

- I. In all actions concerning the child, the **best interests of the child** are a primary consideration;
- II. The child's right to **life, survival and holistic development** shall be respected and protected at all times;
- III. The child must **not be discriminated against** on the basis of the child's or his/her parent's or legal representative's race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth, migration, or other status. This means that all children who are eligible for support services under this Manual must be treated equally and without discrimination on any of these grounds;
- IV. The child has the **right to be heard**. This means that, where the child is capable of forming his/her own views, the child has the right to express those views freely, and to have those views given due weight in accordance with the child's age and maturity. Every child should be presumed to be capable of forming his/her own views, unless proven otherwise;
- V. **The child's dignity shall be respected and protected at all times.** This means that the child must be treated with care, sensitivity, fairness and respect, with special attention given to his/her personal situation, wellbeing and specific needs, and with full respect for the child's physical and psychological integrity;
- VI. Staff must use their best endeavours to **handle the child's case as expeditiously as possible**, with delays only being permitted where this is in the best interests of the child; and
- VII. The child's right to privacy shall be respected at all times in line with the policy outlined in Part 12 of this Manual.



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# 6.

## OVERVIEW OF THE NGO SUPPORT SERVICES PROGRAMME

### 6.1. IMPACT, OUTCOME AND OBJECTIVE

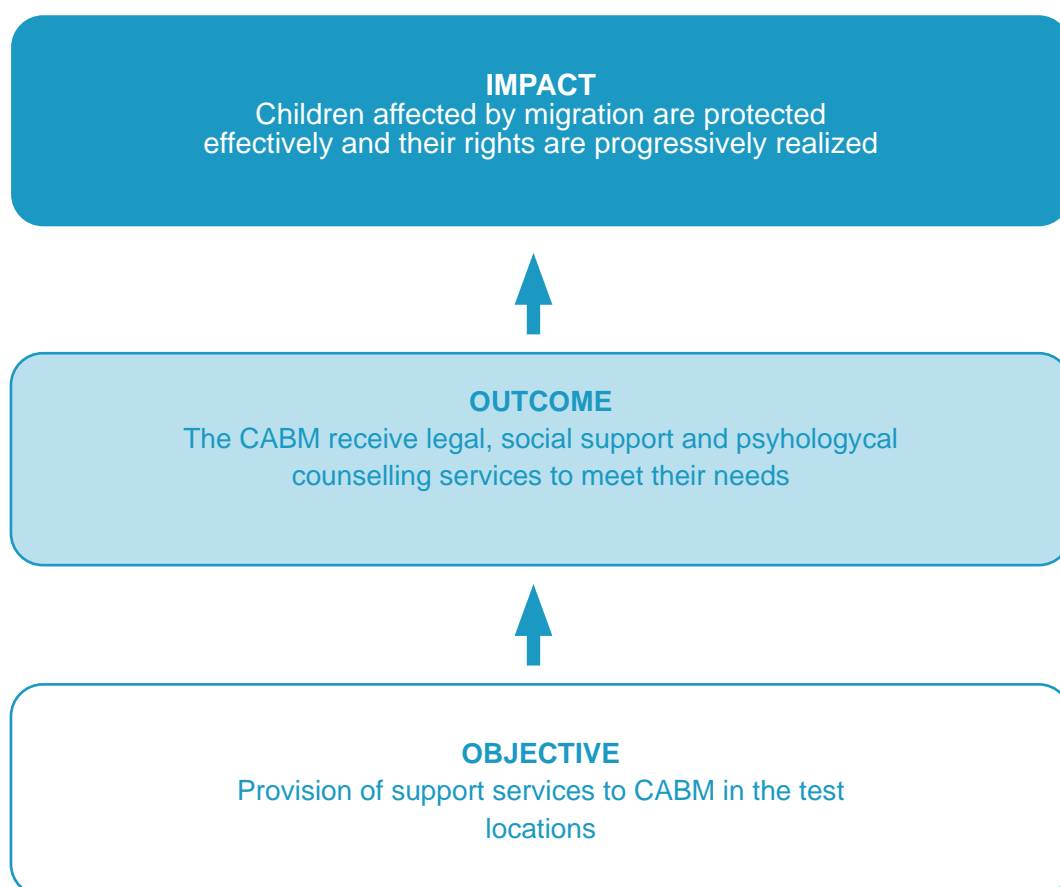
The **objective** of the Programme is to provide 'support services' to CABM in the test locations of Nur Sultan City, Almaty City, Shymkent City and Turkestan Oblast.

The intended **outcome** of the Programme is that the CABM receive legal, social support and

psychological counselling services to meet their needs.

The overall aim or **impact** of the Programme is to contribute towards ensuring that CABM are protected effectively and that their rights are progressively realised.

Figure 1: Impact, Outcome and Objective of the Programme



## 6.2. WHAT ‘SUPPORT SERVICES’ ARE PROVIDED BY THE NGO?

Under the model protective services, the NGOs shall provide the following four types of support services free of charge:

1. **Social support services (see Part 8):** the provision of social support services to CABM and their families in order to meet their assessed needs; alleviate poverty; ensure their healthy development, well-being and integration into the community; and prevent family separation;
2. **Legal services (see Part 9):** the provision of legal advice and representation relating to any of the following issues:
  - a. The regularisation of a child’s migration status or documentation of a CABM;
  - b. ACABM’s inability to access government education, health, birth registration or social welfare services on an equal footing to a Kazakh national;
  - c. Any administrative or criminal charge against a child based solely on his/her migration status; or
  - d. Supporting the safe return of a child and his/her family to their country of origin or third country, provided that such services shall only be provided to separated or unaccompanied children where requested by the CAM/CSC following a best interests assessment and determination.
3. **Psychological counselling services (see Part 10):** the provision of psychological counselling to a CABM;
4. **Independent supporter services (see Part 11):** the provision of independent supporter services to CABM who are subject to child protection case management by the CAM/CSC, provided that there is no potential conflict of interest with the child. The role of the independent supporter is to represent the child’s views, wishes and feelings to the authorities and decision-makers or, where the child does not have sufficient maturity and understanding to provide instructions, to represent the child’s best interests in all decision-making processes relating to the child, until the closure of the child’s case with the CAM/CSC.



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# 7.

## ROLES AND RESPONSIBILITIES, AND HUMAN RESOURCES

This Part 7 sets out the provisions on recruitment, roles and responsibilities of staff members re-

quired to deliver the NGO programme, as well as other key stakeholder bodies.

### 7.1. SAFE RECRUITMENT POLICY

The NGO is committed to the safety and wellbeing of all children participating in the Programme. All staff members must share, and act according to, this commitment. The NGO therefore operates a 'Safe Recruitment Policy' whereby all can-

didates are vetted according to safety standards and checks to ensure that they are appropriately skilled and qualified to work with children and uphold this commitment. The Safe Recruitment Policy is enclosed in ANNEX A.



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### 7.2. ROLES AND RESPONSIBILITIES OF NGO STAFF

The Programme requires the recruitment of the following:

- Programme Director;
- Programme Coordinator;
- Programme Social Worker;
- Programme Psychologist; and
- Programme Lawyer.

Ideally, the roles of the Director and Coordinator should be carried out by separate individuals, giv-

en the wide scope of their duties, and the need for the Coordinator to be available in the office and manage the day-to-day operations of the Programme, including receipt of referrals. Further, ideally, there should be at least two social workers and two psychologists so that the social support and psychological counselling services can continue if one social worker or psychologist is on annual leave, at a training course, or is unwell.

## Programme Director

The Programme Director is responsible for the overall management, development and implementation of the Programme. This role may be exercised part-time. The Programme Director's responsibilities include:

- The overall management and supervision of staff members participating in the Programme;
- Identification and handling of children in need of care and protection in line with the child protection policy in Part 13;
- Appointing a Deputy Safeguarding Lead in line with the child protection policy in Part 13;
- The overall management of the NGO's finances and supplies;
- Collecting and analysing data from the NGO's activities to measure the indicators in Part 14 and monitor the Programme, and using the data to advocate for evidence-based reforms to laws, policies and practices to protect CABM;
- Representing the NGO and reporting on the programme's activities to the programme's

funders, the Steering Committee and other relevant bodies;

- Evaluating the staff's work for quality assurance;
- Providing opportunities to staff members to build their capacity;
- Monitoring the quality of services delivered by staff members;
- Building links between the NGO, referring bodies, the Steering Committee and other relevant stakeholders, to ensure the efficient running of the programme;
- Drafting public annual reports on the Programme's activities and results;
- Raising public awareness of the aims, achievements and activities of the programme;
- Undertaking such training as is necessary for the efficient management and development of the programme.



The role of the Programme Director must be carried out by an individual, which meets the following requirements:

- University degree in management, development, law, social work, pedagogy or similar subject;
- Meets the Safe Recruitment Policy;
- At least 7 years of experience of managing the delivery of community-based services for vulnerable children and families;
- Strong track record at senior levels of organisational planning and development, and leadership;
- Excellent interpersonal and organisational skills;
- Experience of developing and sustaining collaborative institutional working relationships with other bodies;
- Strong knowledge and understanding of national laws and procedures relating to the protection of children;
- Demonstrates a commitment to the objectives of the Programme, the Guiding Principles and the safety and wellbeing of all children participating in the Programme;
- Ability to advocate for the protection and promotion of children's rights;
- Is flexible and has a dynamic approach to work.

## Programme Coordinator

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The Programme Coordinator is responsible for the day-to-day management and supervision of the Programme Social Worker, Lawyer and Psychologist, and the day-to-day Programme operations. This is a full-time role. The Programme Coordinator is responsible for:

- The day-to-day management and supervision of the Programme Social Worker, Psychologist and Lawyer, including the allocation of work between them;
- Acting as the initial point of contact at the NGO for the referring bodies;
- Determining whether there is capacity on the Programme to take on a case;
- Making an initial assessment of whether or not a matter meets the admission criteria to the Programme;
- Ensuring that a **REFERRAL REQUEST FORM** (see ANNEX C) is completed for all referral requests;
- Approving donations to children and families based on the assessment of the Programme Social Worker and, when approved, counter-signing the **DONATION RECEIPT FORM** (ANNEX G)
- Liaising and cooperating with referring bodies to ensure that referrals of CABM are being made to the Programme;
- Providing advice to referring bodies on the appropriateness of the support services for individual children with whom the referring bodies come into contact;
- Acting as the Safeguarding Lead for the Programme and making child protection referrals and notifications to external bodies according to the NGO's child protection policy (See Part 13);
- Ensuring that all staff members, and children and adults who are participating in the Programme, are aware of the identities of the Safeguarding Lead and the Deputy Safeguarding Lead and how to contact them;
- Ensuring that all staff members, and children and adults, are informed of any changes to this Manual, particularly the privacy policy in Part 12 and child protection policy in Part 13;
- Receiving progress updates from staff on their individual cases, supervising the progress of individual cases and reviewing case files for quality assurance at least on a monthly basis;
- In collaboration with the Programme Director, representing the NGO at meetings, seminars and conferences, including at meetings with UNICEF, the funder and the Steering Committee;
- Preparing monthly reports on each child's case to the Programme Director;
- Deciding when to close a child's case and providing approvals to the Programme Social Worker, Psychologist or Lawyer (as relevant) to close the child's case;
- Providing relevant statistical data to the Programme Director for monitoring purposes (see Part 14); and
- Together with the Programme Director, raising the profile and public awareness of the Programme's aims, activities and results at the rayon, City and national level.

The Programme Coordinator shall undertake such training as the Programme Director considers necessary for the efficient management and development of the Programme.





The role of the Programme Coordinator must be carried out by an individual, which meets the following requirements:

- University degree in social work, pedagogy or similar subject;
- Meets the Safe Recruitment Policy;
- At least 7 years of experience of delivering support services to vulnerable children and families, preferably child migrants and migrant families;
- Strong experience of social work case management;
- Strong track record at senior levels of team management and supervision of social workers;
- Excellent organisational skills;
- Experience of developing and sustaining collaborative working relationships with others;
- Excellent knowledge and understanding of national laws and procedures relating to the protection of children;
- Cultural sensitivity and adaptable interpersonal skills;
- Excellent ability to communicate with children in a child-sensitive manner and facilitate their participation.



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## Programme Social Worker

The role of the Programme Social Worker is to provide family-focused social work case management services to CABM to meet the child's assessed needs; alleviate poverty; ensure the child's healthy development, well-being and integration into the community; and prevent the child's separation from his/her family. In particular, the Programme Social Worker is responsible for:

- Managing individual cases of CABM who receive social support services or multiple services under the Programme and keeping the child's case file up-to-date;
- Arranging and conducting the initial meeting with the CABM and his/her relevant family members;
- Identifying and handling children in need of care and protection in line with the child protection policy in Part 13;
- Completing the **CASE FILE OPENING FORM** (see ANNEX D) with the parent/legal representative and the CABM (if the child has sufficient maturity and understanding);
- Conducting an assessment of the child's and family's needs using the **ASSESSMENT FORM** (see ANNEX E) including in consultation with other professionals involved in the child's matter;
- Developing an individualised **SERVICE PLAN** (see ANNEX F) with the child (if the child has sufficient maturity and understanding) and relevant family members, including goals and weekly and monthly plans;
- Deciding whether the child and family are eligible for a donation from the NGO and completing the **DONATION RECEIPT FORM** in ANNEX G with the child and parent/legal guardian;
- Coordinating and monitoring the implementation of the Service Plan;
- Delivering counselling services to the child and family, including one-on-one counselling sessions with the child or parent/legal representative, group counselling sessions for children; group counselling sessions for parents; family counselling sessions;
- Adjusting the Service Plan according to the child's and family's changing circumstances and needs;
- Providing the Programme Coordinator with comprehensive updates on the progress of the child's case at least on a monthly basis or, if needed, on a more frequent basis, using the **PROGRESS REPORT** (see ANNEX H);
- Ensuring that any necessary follow-up services or on-going support arrangements are in place before the closure of the child's case;
- In collaboration with the Programme Coordinator, deciding when the goals of the Service Plan are met and that no new goals are required;
- With the Programme Coordinator's approval, closing the case using the **CASE CLOSURE FORM** (see ANNEX I);
- Submitting the completed **CASE CLOSURE FORM** and the rest of the case file to the Programme Coordinator for monitoring purposes (see Part 14).

The Programme Social Worker shall undertake such training as the Programme Director or Coordinator considers necessary for the efficient management and development of the Programme.



Remember: the Programme Social Worker shall not provide case management services for children in need of care and protection, as this is the role of the CAM/CSC under the model protective services.



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The role of the Programme Social Worker must be carried out by an individual which meets the following requirements:

- University degree in social work (a degree in social care or social pedagogy is permissible provided that the person has completed educational courses in social work);
- Meets the Safe Recruitment Policy;
- Experience of social work case management;
- Knowledge of national laws and procedures relating to the protection of children;
- At least 5 years' experience of providing social work services to children and families in difficult life situations, and preferably with child migrants and migrant families;
- Excellent ability to communicate with children in a child-sensitive manner and facilitate their participation;
- Cultural sensitivity and adaptable interpersonal skills;
- Demonstrates commitment to the objectives of the Programme, the Guiding Principles and the safety and wellbeing of all children participating in the Programme;
- Has patience, resilience and flexibility; and
- Excellent organisational skills and the ability to be responsible for their own caseload.

## Programme Lawyer

The Programme Lawyer is responsible for providing legal advice and legal advocacy services under the Programme. The responsibilities of the Programme Lawyer include:

- Providing legal advice and legal advocacy services to children admitted to the Programme;
- Securing identification papers (including identification cards, birth certificates, birth registration, death certificates, marriage certificates, divorce certificates and permanent residency certificates) for the child or parent/legal representative, including by cooperating with General Consulates or Embassies of other countries, to the extent that this is necessary for:
  - o The regularisation or documentation of the child's migration status;
  - o Addressing the child's inability to access government education, health, birth registration or social welfare services on an equal footing to a Kazakh national;
  - o Handling an administrative or criminal charge against a child based solely on his/her migration status; or
  - o Supporting the child's return to his/her country of origin or third country for the purposes of family reunification where requested by

the CAM/CSC following a best interests assessment and determination and full social assessment.

EITHER:

- If the child is receiving multiple services under the Programme (i.e. social support services or psychological counselling services), coordinating with the child's case manager (i.e. the Programme Social Worker) to contribute to the development of the child's service plan (in so far as it concerns the child's legal needs), and provide updates to the Programme Social Worker on the progress of the child's legal case, at least on a monthly basis;

OR:

- If the child is not receiving other services under the Programme, providing the Programme Coordinator with comprehensive updates on the progress of the case, at least on a monthly basis and, with the Programme Coordinator's approval, closing the case using the **CASE CLOSURE FORM** (see ANNEX I) upon conclusion of the child's case;
- Submitting the completed **CASE CLOSURE FORM** and the rest of the case file to the Programme Coordinator for monitoring purposes (see Part 14).

Like all staff members, the Programme Lawyer is also under a duty to identify and handle children in need of care and protection in line with the child protection policy in Part 13.

The Programme Lawyer shall undertake such training as the Programme Director or Coordinator considers necessary for the efficient management and development of the Programme.



The role of the Programme Lawyer must be carried out by an individual which meets the following requirements:

- University degree in law;
- Qualification to provide legal advice to the public and legal advocacy for children in court/ in possession of a valid practicing certificate;
- Meets the Safe Recruitment Policy;
- Excellent knowledge of national laws and procedures, particularly those relating to migration, the protection of children, children's rights, and children's access to services;
- At least 5 years' experience of providing legal services for migrant children and children in difficult life situations, including drafting legal documentation and representation in court;
- Excellent ability to communicate with children in a child-sensitive manner and facilitate their participation;
- Cultural sensitivity and adaptable interpersonal skills;
- Demonstrates commitment to the objectives of the Programme, the Guiding Principles and the safety and wellbeing of all children participating in the Programme;
- Has a proactive approach, resilience and flexibility; and
- Excellent organisational skills and the ability to be responsible for their own caseload.

## Programme Psychologist

The Programme Psychologist is responsible for providing psychological counselling services to CABM under the Programme. The responsibilities of the Programme Psychologist include:

- Providing psychological counselling services to CABM admitted to the Programme;

EITHER:

- If the child is receiving multiple services under the Programme, coordinating with the child's case manager (i.e. the Programme Social Worker) to contribute to the development of the child's plan (in so far as it concerns the child's psychological needs), and providing updates to the case manager on the progress of the child, at least on a monthly basis;

OR:

- If the child is not receiving multiple services under the Programme, managing individual cases of CABM who receive psychological counselling services and keeping the child's case file up-to-date;

- Arranging and conducting the initial meeting with the CABM and his/her parent/ legal representative;
- Completing the **CASE FILE OPENING FORM** (see ANNEX D) with the child and the child's parent/legal representative;
- Conducting an assessment of the child's and family's needs using the **ASSESSMENT FORM** (see ANNEX E) including in consultation with other professionals involved in the child's matter;
- Developing an individualised therapy plan with the child;
- Coordinating and monitoring the implementation of the therapy plan;
- Adjusting the therapy plan according to the child's changing circumstances and needs;
- Providing the Programme Coordinator with comprehensive updates on the progress of the child's case at least on a monthly basis or,

- if needed, on a more frequent basis, using the **PROGRESS REPORT** (see ANNEX G);
- Ensuring that any necessary follow-up services or on-going support arrangements are in place before the closure of the child's case;
  - In collaboration with the Programme Coordinator, deciding when the goals of the therapy plan are met and that no new goals are required;
  - With the Programme Coordinator's approval, closing the case using the **CASE CLOSURE FORM** (see ANNEX I) and
    - Submitting the completed **CASE CLOSURE FORM** and the rest of the case file to the Programme Coordinator for monitoring purposes (see Part 14).
- Further, like all staff, the Programme Psychologist has a duty to identify and handle children in need of care and protection in line with the child protection policy in Part 13.
- The Programme Psychologist shall undertake such training as the Programme Director or Coordinator considers necessary for the efficient management and development of the Programme.



The role of the Programme Psychologist must be carried out by an individual which meets the following requirements:

- University degree in psychology or other similar subject;
- Qualified to provide psychological counselling services;
- Meets the Safe Recruitment Policy;
- Knowledge of national laws and procedures relating to the protection of children;
- At least 5 years' experience of delivering psychological counselling services to children and families in difficult life situations, and preferably with child migrants and migrant families;
- Knowledge and in-depth experience of applying psychodiagnostics and psychotherapy to children;
- Excellent ability to communicate with children in a child-sensitive manner;
- Cultural sensitivity and adaptable interpersonal skills;
- Demonstrates a commitment to the objectives of the Programme;
- Demonstrates commitment to the objectives of the Programme, the Guiding Principles and the safety and wellbeing of all children participating in the Programme;
- Has patience, resilience and flexibility; and
- Excellent organisational skills and the ability to be responsible for their own caseload.

## 7.3. UNICEF

During the Joint Project, UNICEF shall provide support and advice to the referring bodies, the Steering Committee and the NGOs on the establishment and implementation of the Programme.

Coram International, as UNICEF consultants, will also provide coaching and training to NGO staff on implementing the Programme.

## 7.4. STEERING COMMITTEE

The implementation of the model protective services requires the buy-in and commitment of all stakeholders involved in working with CABM. Without the buy-in and commitment of these stakeholders, CABM will not be referred to the NGO or CAM/CSC in order to receive the necessary protective services. For this reason, it is recommended that in each of the three test locations, a multi-disciplinary Steering Committee is set up to oversee the implementation of the Programme and provide guidance to stakeholders to ensure its implementation.

The role of the Steering Committee is not to monitor individual cases. Rather, the Steering Committee is mandated to ensure the effective Intersectoral coordination of cases of CABM in line with the guiding principles (see Part 5) and to eliminate overlaps and gaps in the provision of child protection and social support services for these children during the implementation of the model protective services. The Steering Committee should therefore function as a forum for stakeholders to discuss and address any issues that have arisen with implementing the model protective services during the course of the test. Issues may include, for example, certain stakeholder bodies not making any referrals of CABM to the NGO for support services or referrals of CABM in need of care and protection to the CAM/CSC for child protection case management.

The Steering Committee for each location should consist of representatives of all City and Oblast-level stakeholders involved in working with CABM, including:

- NGO;
- CAM (in Almaty and Shymkent/Turkestan Oblast) or CSC (in Nur Sultan);
- UNICEF;
- Deputy Akim;
- Commission on Issues of Minors;
- Guardianship and Tutelage Authority;
- Department of Education;
- Department of Health;
- Department of Labour and Social Protection;
- Department of Internal Affairs (Division for Juvenile Inspection; Police Investigation; and Department of Migration Services);
- Border Guard Service;
- Judiciary;
- Prosecutor's Office.

Each representative shall be nominated by the body for which they work. The representative should have sufficient authority to make operational decisions in its respective institution. Procedural guidelines for the operations of the Steering Committee are enclosed in ANNEX B.

# 8.

## SOCIAL SUPPORT SERVICES

### 8.1. OVERVIEW

Under the Programme, the NGO shall provide social services to CABM and their families in order to help them to access social support to address their assessed needs, alleviate poverty, ensure

their healthy development, well-being and integration into the community, and prevent family separation.



**Social services** may be described as ‘services aimed at addressing the needs and problems of the most vulnerable populations, including those stemming from violence, family breakdown, homelessness, substance abuse, immigration, disability and old age.’<sup>47</sup> The provision of social services involves working with individuals, families, communities and organisations to: facilitate access to services which address assessed needs; alleviating poverty; challenging and reducing discrimination; promoting social justice and human rights; and preventing and responding to violence, abuse, exploitation, neglect and family separation.<sup>48</sup>

Case management is an essential part of providing social services to CABM and their families. Case management can be defined as ‘a process practiced by social service workers that supports or guides the delivery of social service support to vulnerable children and families and other populations in need.’<sup>49</sup> Case management includes:

- **Receiving referrals** the CABM and their families to the NGO;
- **Conducting a social assessment** of the needs and best interests of the CABM and family situation by a skilled social worker;
- **Making a decision** on whether the CABM and family is in fact in need of social services;
- **Developing individualised care plans** for the CABM and family by identifying and matching services to their assessed needs and defined goals;
- **Coordinating** the implementation of the care plan;

- **Providing** social work input to the child and family according to the plan;
- **Monitoring** the child and family’s progress, and making adjustments to the plan as needs change; and
- **Closing** the case when goals are met.

However, the NGO shall not provide child protection case management services because, under the UNICEF-supported model that is being tested in the City, this function is assigned to the CAM (in Almaty and Shymkent/Turkestan Oblast) or CSC (in Nur Sultan) for children from the age of 3. Child protection services for children under the age of 3 shall continue to be provided by the Guardianship and Tutelage Authority in collaboration with the Department of Health. Therefore, if an NGO staff member comes into contact with a CABM who it believes is in need of care and protection, the NGO staff member must follow the procedures for making a child protection referral in Part 13.

47 Global Social Service Workforce Alliance, Core Concepts and Principles of Effective Case Management: Approaches for the Social Service Workforce, January 2018, p 4, retrieved from <http://www.socialserviceworkforce.org/sites/default/files/uploads/Case-Management-Concepts-and-Principles.pdf> on 23 April 2020.

48 Adapted from the definition of ‘social service workforce’ adopted by the Global Social Service Workforce Alliance, retrieved from [www.socialserviceworkforce.org/social-service-workforce](http://www.socialserviceworkforce.org/social-service-workforce) on 23 April 2020.

49 Global Social Service Workforce Alliance, Core Concepts and Principles of Effective Case Management: Approaches for the Social Service Workforce, 2018, p 7



## 8.2. ADMISSION CRITERIA

In order for the NGO to provide social support services to a child, the following criteria must be met:

- (i) The child is a CABM;
- (ii) The child is located in the City/Oblast;
- (iii) A child protection referral does not need to be made in respect of the child (see Part 13);
- (iv) The child is not already the subject of child protection case management by the CAM (in Almaty or Shymkent/Turkestan Oblast) or CSC (in Nur Sultan), or social services case management by another body;
- (v) The child is in difficult circumstances; and
- (vi) The child (if the child has sufficient maturity and understanding) and if the child is under 16, the child's parent or legal representative, have given their prior informed consent to the service in writing.

The NGO has limited funds for providing donations to children and their families. Under this Programme, the NGO may provide donations solely in the following cases:

- The child is a beneficiary of the Programme;
- The NGO has funds available for providing the donation;
- The donation is necessary for addressing one or more assessed needs of the child, as determined by the Programme Social Worker pursuant to an initial assessment or full social assessment of the child;
- The NGO is unable to obtain services or support from a public authority or other service provider to meet the needs for which the donation is provided;
- The parent / legal representative and, if the child has sufficient maturity and understanding, agree that the donation shall be used solely for the purpose for which it was granted.

The NGO shall **not** provide any donations in order to pay off fines imposed on the child or parent/ legal representative for an administrative or criminal offence.



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## 8.3. PROCEDURAL PROTOCOLS FOR PROVIDING SOCIAL SERVICES

### Step 1A: Referrals - Identifying CABM and Families in Difficult Circumstances

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**8.3.1.** Anyone may identify a CABM in difficult circumstances and refer the child and family to the NGO. The person referring the child and family to the NGO is referred to as the 'referrer.' In practice, CABM and families will normally be identified and referred by an official, professional or practitioner which comes into contact with the child and family during the course of his/her day-to-day work. Alternatively, a member of the public who is aware of the NGO's programme may refer the child to the NGO, or an NGO staff member (e.g. the Programme Lawyer) may come into contact with the child and refer the child to this service. A child or parent or legal representative may also refer themselves to the NGO. Referrers therefore include, but are not limited to:

- a. The police, including juvenile inspectors and officers from the Department of Migration Services;
- b. Border guards;
- c. The Commission on Issues of Minors;
- d. The Guardianship and Tutelage Authority;
- e. Healthcare professionals;
- f. Education professionals, such as a school teacher or school pedagogue;
- g. The CAM (in Almaty and Shymkent/Turkestan Oblast) or CSC (in Nur Sultan);
- h. A civil servant within the Department of Education, Health, Labour and Social Protection, or other local Government department;

- i. The courts;
- j. The Office of the Public Prosecutor;
- k. Another NGO;
- l. Members of the public;
- m. Self-referral by the beneficiaries themselves.

**8.3.2.** It is not the role of the referrer to decide whether or not a CABM is in need of social services or what support they require; that is the role of the Programme Social Worker. However, whenever coming into contact with a CABM or family, the referrer should consider whether the child or family is in difficult circumstances and therefore might be in need of social support services. Under the model, a child is in difficult circumstances if any one or more of the situations in Table 1: Risk Factors apply. However, this list should be used only as a guide, and not as a rigid or exhaustive list of issues that a child or family must meet in order for a referral to be made. A child or family may have several, overlapping vulnerabilities that cannot be compartmentalised according to the categories in the list. The referrer should treat each case individually and pay attention to the particular circumstances of each child and family to determine whether the child or family is in difficult circumstances. If in doubt, the referrer should contact the Programme Coordinator for advice.

Remember, if it appears that a child may be in need of care and protection, a child protection referral (see Part 13) must be made instead of a referral to the NGO.

**Table 1: Risk Factors**<sup>50</sup>

Health	<ul style="list-style-type: none"> <li>• Child or parent has a physical or mental illness</li> <li>• Child or parent has a physical or mental disability</li> <li>• The parent is elderly</li> <li>• The child or parent has a substance addiction</li> <li>• The child is a young carer</li> <li>• The child is behind in or unlikely to reach a satisfactory level of health and development</li> <li>• The child is unable to access or is ineligible for healthcare services</li> </ul>
Protection needs	<ul style="list-style-type: none"> <li>• The child or parent is a survivor of trauma, gender-based violence or violent crime</li> <li>• The child or parent is a victim of trafficking</li> </ul>
Basic needs	<ul style="list-style-type: none"> <li>• Lack of food</li> <li>• Lack of access to clean water for drinking or bathing</li> <li>• No secure shelter</li> <li>• Poverty/ destitution</li> <li>• Lack of appropriate clothing</li> <li>• Child does not have birth registration</li> </ul>
Behaviour and relationship	<ul style="list-style-type: none"> <li>• Child or parent is involved in anti-social behaviour or crime</li> <li>• Breakdown in family relationship</li> </ul>
Education and employment	<ul style="list-style-type: none"> <li>• Child is not enrolled in school or attending school regularly</li> <li>• The child is ineligible to receive an official graduation certificate from school or other education programme on the same basis as a Kazakh national</li> <li>• Parent is unemployed</li> <li>• Child is at high risk of future unemployment</li> </ul>
Justice	<ul style="list-style-type: none"> <li>• Child or parent is charged with a criminal or administrative offence solely on the basis of his/her migration status</li> </ul>
Migration status	<ul style="list-style-type: none"> <li>• The child or parent is a refugee or asylum-seeker</li> <li>• The child or parent is a stateless person</li> <li>• The child or parent is undocumented</li> <li>• The child or parent is an irregular migrant (i.e. when a person enters or remains in Kazakhstan without the requisite authorisation, documentation or registration with the Department of Migration Services, or where the person works in Kazakhstan without a work permit or for an employer which is not authorised to hire foreign employees)</li> </ul>
Gender	<ul style="list-style-type: none"> <li>• Pregnant or nursing mother, or young mother</li> </ul>

<sup>50</sup> Adapted from the Vulnerability Screening Tool developed by the UNHCR and the International Detention Coalition, with the support of the Oak Foundation, p 3, retrieved from <https://www.unhcr.org/uk/protection/detention/57fe30b14/unhcr-ids-vulnerability-screening-tool-identifying-addressing-vulnerability.html> on 24 April 2020.

## Step 1B: Receiving Referrals



Remember: if any point during this process, it appears that the child is suffering or is at risk of suffering significant harm, which includes separated and unaccompanied CABM, the Programme Coordinator must refer the child to the CAM/CSC for child protection services if the child is from the age of 3, or to the Guardianship and Tutelage Authority if the child is under 3. If the child is at imminent risk of harm or requires immediate medical attention (i.e. an emergency), staff must report the matter to the police, as with any other emergency, before making the child protection referral. An example of an emergency would be where the child's carer has just beaten them and is trying to take him/her home.

- 8.3.3.** Pursuant to the Manual on Intersectoral Coordination, if a professional, practitioner or official comes into contact with a CABM or family whom he/she has reasonable cause to believe is in difficult circumstances, and a child protection referral to the CAM/CSC does not need to be made, the referrer is required to contact the Programme Coordinator **immediately and in any event within 1 working day** of identifying that the child may be in difficult circumstances.
- 8.3.4.** When receiving a referral, the Programme Coordinator should ask the referrer to provide the following information in order to complete the **REFERRAL REQUEST FORM** (ANNEX C):
- Name, address and, if relevant, the organisation or authority of the referrer;
  - Name and address of each member of the family and dates of birth of the children;
  - Details about the factual circumstances of the child and family, including how the referrer came into contact with them, and their migration situation, to the extent that this is known;
- An explanation why the referrer considers that the child or family are in difficult circumstances and may be in need of social support services;
  - Details of any other social service interventions by the State or other NGOs to the child or family, to the extent known; and
  - An indication of whether the referrer has informed the child and family about the referral and, if so, whether or not the child and family are willing to receive support services.
- 8.3.5.** Alternatively, staff at the NGO may come across a CABM and family during the course of its work. In such cases, if the staff member considers that the CABM or family are in difficult circumstances and may be eligible under the Programme, the staff member should contact the Programme Coordinator to provide the information under paragraph 8.3.4.

## Step 2: Eligibility Assessment

- 8.3.6.** Within **2 working days** of the referral request, the Programme Coordinator shall decide:
- Whether or not the case meets, or is likely to meet, the admission criteria (see Part 8.2); and
  - If so, whether or not the NGO has capacity to provide social support services to the CABM and family.
- 8.3.7.** The Programme Coordinator shall contact the referrer if it requires further information in order to make these decisions.
- 8.3.8.** If the NGO does not have capacity to provide the child with social support services, or if the case evidently does not meet the admission criteria, the Programme Coordinator shall notify the referrer of this decision in writing, together with the reasons

for the decision, within the 2 working day period mentioned in paragraph 8.3.6. In such cases, the Programme Coordinator should use reasonable efforts to help address the referrer's query, particularly if he/she is a child, and provide information on other relevant sources of information or contact details of other bodies, which may be able to assist the referrer with his/her queries. Unless the referrer is the child/family itself or the referrer has put the NGO in touch with the child/family, the referrer is responsible for notifying and explaining the decision to the child and family. The Programme Coordinator shall record the eligibility decision in the second part of the **REFERRAL REQUEST FORM**.

**8.3.9.** If the Programme Coordinator decides that the case meets or is likely to meet the admission criteria (subject to the needs assessment), and that the NGO has capacity to provide the child with social sup-

port services, the Programme Coordinator shall notify the referrer of its decision within the 2 working-day time period mentioned in paragraph 8.3.6. If the referrer is a public body or authority, the Programme Coordinator should agree with the referrer whether or not the NGO shall liaise with the family and child directly to inform them of next steps, or whether the referrer shall do this. The answer will depend on who the referrer is and how the child or family came into contact with the authorities. If, however, the referrer is a private citizen or NGO, the Programme Coordinator shall write to the referrer within the 2 working-day time limit in paragraph 8.3.6 to thank them for the referral and explain that the NGO is following up the matter with the family and child in question directly. The Programme Coordinator shall record the eligibility decision in the second part of the **REFERRAL REQUEST FORM**.

### Step 3: Case Allocation and Contact

**8.3.10.** If the Programme Coordinator decides that the case meets or is likely to meet the admission criteria (subject to the needs assessment), and that the NGO has capacity to provide the child with social services, after notifying the referrer pursuant to paragraph 8.3.9, the Programme Coordinator shall open a case file for the matter and pass the file, including the **REFERRAL REQUEST FORM**, to the Programme Social Worker within 2 working days of receiving the referral request.

**8.3.11.** Within **1 working day** of receiving the case file from the Programme Coordinator, the Programme Social Worker must contact the child and his/her parent/legal representative, if relevant, the referrer (see paragraph 8.3.9) to arrange a time and place for an initial meeting with the child and family. This meeting shall take place within **2 working days** of the case being allocated to the Programme Social Worker



**TIP:** Particular should be taken when contacting the family, as the family may not know that a referral was made to the NGO. This may arise, for example, when a concerned member of the public contacts the NGO to raise their concerns about a family. In any event, the family may be anxious or reluctant to speak to the NGO, due to fears of being reported to the police, a general lack of trust in "authorities," or for other reasons. Therefore, the Programme Social Worker should introduce him/herself and the NGO, explain the Programme and the nature of the services provided, the NGO's privacy policy (see Part 12) and the purpose and plan for the initial meeting.

**8.3.12.** The Programme Social Worker should invite the child, his/her parents/legal representatives and, if relevant, other relevant family members based on the information in the **REFERRAL REQUEST FORM**. If the child is under the age of 16, the participation of his/her parent or legal represent-

ative at the initial meeting is compulsory. If the child is over the age of 16, his/her parent or legal representative should ideally be present, though the child is permitted to attend this meeting without the consent or attendance of his/her parents/legal guardian.



Remember: unaccompanied and separated CABM are children in need of care and protection and therefore must be referred to the CAM (in Almaty or Shymkent)/Turk-  
estan Oblast or CSC for child protection services (see Part 13 on child protection  
referrals).

## Step 4: Initial Meeting

- 8.3.13.** The initial meeting should take place in a comfortable, child-friendly and confidential location, which puts the child and family at ease. Most often, the meeting will be held at the NGO's premises but it can take place at the family's home, at a school or other appropriate location suggested by the family.
- 8.3.14.** The purpose of this initial meeting is:
- For the Programme Social Worker to explain the purpose of the social support services Programme and the process involved;
  - For the Programme Social Worker to explain the NGO's policy and responsibilities with regard to confidentiality and child protection, and provide the child and parent/legal representative with the hand-out in ANNEX J (see also Parts 12 and 13);
  - For the Programme Social Worker to gather any missing information about the factual situation of the child and family, their needs and any other relevant issues, in order to determine whether the child and family meet the admission criteria;
  - If the child has sufficient maturity and understanding, for the Programme Social Worker to speak with the child separately to the family in order to understand his/her situation and views;<sup>51</sup>
  - For the child and family to ask the Programme Social Worker any questions about the Programme to help them to decide whether or not they would like to participate;
  - If the case meets the admission criteria (subject to the needs assessment), complete the **CASE FILE OPENING FORM** (ANNEX D) with the parent/legal representative and child (if the child has sufficient maturity and understanding), including the written consent the parent/legal representative and, if the child has sufficient maturity and understanding, the child, to receive the social support services; and
  - Identify and arrange for any urgent support needed by the child and family (for example, immediate medical attention).



Note: During the Programme, there will be occasions where NGO staff will need to see and speak to the child on their own. For example, it will be necessary for the Programme Social Worker to speak to the child on his/her own during the social assessment, and during the delivery of certain programme activities such as one-on-one counselling sessions. This is an important part of the process, as the child may not feel that he/she is able to speak freely and frankly in the presence of his/her parents or legal representatives. The need for one-on-one time with the child should be explained to the child and his/her parents or legal representatives at the initial meeting when the Programme Social Worker explains the Programme, so that the child and parents/legal representatives can provide their informed consent to this modality of working.

- 8.3.15.** If either the child (where the child has sufficient maturity and understanding) or the parent/legal representative (where the child is under 16) do not consent to

<sup>51</sup> This may be the case, for example, if the parent/legal guardian is being obstructive to the process or if the child requests a separate discussion or, more practically, the NGO social worker needs to assess the child's level of maturity and understanding to engage in the process.

participate in the social support services Programme, the Programme Social Worker shall make a note of this in the case file and pass the matter onto the Programme Coordinator immediately. If the referrer

was an official, professional or practitioner, the Programme Coordinator shall notify the referrer that the child or parent/legal representative did not consent to the Programme.

## Step 5: Needs Assessment and Development of Service Plan

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**8.3.17.** Following the initial meeting, the Programme Social Worker shall conduct a needs assessment into the child's educational, medical, legal, family and social needs using the **ASSESSMENT FORM** (ANNEX E).

**8.3.17.** During the assessment, the Programme Social Worker shall:

- a. See and speak to the child on his/her own, according to the child's age and maturity;
- b. See and speak to the child's parents and legal representatives;
- c. Visit the child's home or place of shelter (unless the child is homeless and sleeping on the streets); and
- d. Consult with other NGO staff and other professionals and individuals involved in the child's matter (e.g. the Programme Lawyer or Psychologist or an external healthcare worker) in order to conduct a holistic assessment of the child's needs.

**8.3.19.** To complete the assessment and draw conclusions on the child's needs, the Programme Social Worker shall take into account all relevant information from all sources, including:

- a. Information provided directly by the child and family;
- b. Information provided at the time of the referral by the referrer;
- c. Written statements or written records of oral discussions from consultations with other NGO staff, professionals and other individuals;
- d. The Programme Social Worker's own observations from meetings with the child and family;
- e. The Programme Social Workers notes from the visit to the child's home/ place of shelter; and
- f. Documentation relating to the child

and relevant family members, including identification papers, court decisions, medical records etc.; and

- g. Draw together and analyse information obtained from all sources.

**8.3.19.** The Programme Social Worker shall work with the child and family to develop a monthly and weekly service plan for the child, parent/legal representative and, if relevant, other family members, using the template **SERVICE PLAN** appended in ANNEX F. To develop the service plan, the Programme Social Worker shall work with the child (if the child has sufficient maturity and understanding) and family to identify their goals (i.e. describe the change that is intended to take place during the course of the Service Plan). The service plan should include the immediate, medium term and long term goals of the child and each family member. The Programme Social Worker shall work with the child (if the child has sufficient maturity and understanding) and family to identify and match services to their assessed needs, in order to achieve their goals. The services required by the child and family will therefore vary from case to case, and may include:

- a. The provision of safe housing and social welfare benefits;
- b. Medical services;
- c. Assistance with social care in the community;
- d. Individual, group or family counselling;
- e. Parenting advice;
- f. Legal services (see Part 9);
- g. Assistance with obtaining migration documentation;
- h. Psychological counselling services (see Part 10);
- i. Assistance with birth registration;
- j. Enrolling the child in school or other relevant educational or training programme;

- k. Remedial education to help the child catch up at school;
- l. Supporting the parent to find a sustainable job;
- m. Liaising with embassies and other authorities in other countries to support the safe passage and settlement of the family to that country.

**8.3.20.** The Programme Social Worker may provide a donation from the NGO to the child and family if all of the following conditions are met:

- a. The child is a beneficiary of the Programme;
- b. The NGO has funds available for providing the donation;
- c. The donation is necessary for addressing one or more assessed needs of the child, as determined by the Programme Social Worker pursuant to an initial assessment or full social assessment of the child;
- d. The NGO is unable to obtain services or support from a public authority or other service provider to meet the needs for which the donation is provided;
- e. The parent / legal representative and, if the child has sufficient maturity and understanding, agree that the donation shall be used solely for the purpose for which it was granted, by completing the **DONATION RECEIPT FORM** in ANNEX G.

**8.3.21.** Wherever possible, the donation shall be given in kind. Donations in kind may include, for example, food, clothing, shoes, school equipment, books, or basic furniture for the child such as a bed and linen. Cash donations may be provided only in exceptional cases where the NGO cannot provide the donation in kind. Where a donation is provided in cash, the Programme Social Worker shall require the child (where the child has sufficient maturity and understanding) and the parent / legal representative to provide a receipt to evidence how the donation was spent.

**8.3.22.** For each donation, the Programme Social Worker shall:

- a. Complete the **DONATION RECEIPT FORM** in ANNEX G;
- b. Give the Donation Receipt Form to the Programme Coordinator for approval and countersignature;
- c. Request the child (if the child has sufficient maturity and understanding) and parent/ legal representative to countersign the Donation Receipt Form to indicate their consent to use the donation solely for the purposes for which it was granted and, for cash donations, to provide receipts to evidence the expenditure;
- d. Provide a copy of the completed Donation Receipt Form to the child and social worker; and
- e. Keep the original of the Donation Receipt Form in the child's case file.



Remember: the NGO may not provide any donations in order to pay off fines imposed on the child or parent/ legal representative for an administrative or criminal offence. Instead, the Programme Social Worker should consider whether the child and family are eligible for free legal services under the Programme so that the Programme Lawyer can assist the child with his/her legal case.

**8.3.24.** The NGO shall reimburse the child and relevant family members for all reasonable costs of travelling to and from the NGO and any other premises for the purposes of implementing the child's service plan. Such reimbursements shall not be treated as a donation.

**8.3.24.** The Programme Social Worker shall complete the needs assessment and develop the service plan within 5 working days of

the initial meeting with the child and family. After discussing and agreeing the service plan with the child (if the child has sufficient maturity and understanding) and family, the Programme Social Worker shall ask the child (if the child has sufficient maturity and understanding), family members, and relevant service providers to sign the service plan to provide their consent to the activities contained therein.



## Step 6: Implementation and Monitoring Progress

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- 8.3.26.** The NGO will not necessarily be the provider of all the services that the child and family needs. Rather, the role of the Programme Social Worker during the implementation of the Service Plan is to:
- a. Coordinate service providers in delivering the services to the child and family according to the service plan;
  - b. Advocate for the needs of the child and individual family members to be met, particularly by local Government bodies. This may involve advocating with the local school to enrol the child and provide the child with a valid certificate of completion upon graduation;
  - c. Provide social work counselling to the child and family according to their service plan;
  - d. Monitor the implementation of the service plan with the child and relevant family members at least once a month using the **PROGRESS REPORT** (ANNEX H). The Programme Social Worker should assess the progress of the child and family in meeting their goals, and adjusting the service plan with the agreement of the child (if the child has sufficient maturity and understanding) and family members as relevant

## Step 7: Case Closure and Follow-Up

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- 8.3.27.** With the approval of the Programme Coordinator, the Programme Social Worker shall close the case using the **CASE CLOSURE FORM** (ANNEX I) when the goals of the service plan have been met, and no new goals are required. In some cases, the child and family may withdraw their consent to the service plan prior to the goals being reached, in which case the Programme Social Worker should work with the family to understand why and whether any adjustments can be made to address the issues prompting the withdrawal of their consent. If the child (where he/she has sufficient maturity and understanding) and parent/legal representative maintain that they do not wish to continue with the service plan, the Programme Social Worker shall close the case, with the approval of the Programme Coordinator.
- 8.3.27.** When closing the case, the Programme Social Worker shall ensure that any necessary follow-up services or on-going support arrangements are in place, and that the case is transferred to the relevant case management body for the follow-up or on-going services.
- 8.3.28.** The Programme Social Worker shall place the completed **CASE CLOSURE FORM** in the case file and submit the case file to the Programme Coordinator for archiving and to record anonymised data on the case for monitoring purposes (see Part 14).

# 9.

## LEGAL SERVICES

### 9.1. OVERVIEW

'Legal services' refers to the provision of legal advice or legal advocacy, depending on the needs of the client. Legal advice involves providing advice on how the law applies to a particular factual situation. Legal advocacy, on the other hand, involves advocating for a client's legal interests during legal proceedings, or representing the client's legal interests both in and out of the courtroom.

Under the programme, the NGO may provide legal services to an individual on the following issues:

- a. The regularisation of a child's migration status or documentation of a CABM;
- b. A CABM's inability to access government education, health, birth registration or social welfare services on an equal footing to a Kazakh national;

- c. Any administrative or criminal charge against a child based solely on his/her migration status; or
- d. Supporting the safe return of a child and his/her family to their country of origin or third country, provided that such services shall only be provided to separated or unaccompanied children where requested by the CAM/CSC following a best interests assessment and determination.

The NGO cannot provide the following:

- Legal advice on a matter that a lawyer or legal advocate is already dealing with on behalf of the applicant;
- Legal advice to professionals and practitioners on their work in a professional capacity.



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## 9.2. ADMISSION CRITERIA



In order to provide legal services to a member of the public under the programme, the following criteria must be met:

1. The legal matter relates to one or more of the following issues:
  - i. The regularisation of a child's migration status or documentation of a CABM;
  - ii. A CABM's inability to access government education, health, birth registration or social welfare services on an equal footing to a Kazakh national;
  - iii. An administrative or criminal charge against a child based solely on his/her migration status;
  - iv. Supporting the safe return of a child and his/her family to their country of origin or third country, provided that such services shall only be provided to separated or unaccompanied children where requested by the CAM/CSC following a best interests assessment and determination.
2. The child who is the subject of the legal matter is located in the City, except in exceptional cases, upon the approval of the Programme Coordinator;
3. Where the child is aged 16 years and above, the child has provided his/her prior informed consent to the service in writing;
4. If the child is under 16 years of age, the child (if the child has sufficient age and maturity) and the child's parent/ legal representative have provided their prior informed consent to the service in writing.

In order to provide legal services under the Programme, the Programme Lawyer will need to speak with and meet the child or, if the child does not have sufficient maturity and understanding, the child's parent or legal representative. Also, where the NGO is providing legal representation, the Programme Lawyer will need to attend meetings and court hearings, and engage with local authorities, as necessary. In order to reach the maximum number of children with the resources available for the Programme, it is therefore neces-

sary to prioritise cases in the territorial boundaries of the City/Oblast.

However, exceptional cases may arise where the child who is the subject of the matter is not located in the City but, in light of the facts of the case, the legal services would be provided to an individual, such as the parent or legal representative, in the City. In such cases, the Programme Coordinator may give his/her approval to take on the case



**Example:** An example of an 'exceptional circumstance' is where, for example, a child migrates to another country but finds him/herself in a situation where he/she is being exploited or trafficked. In such cases, the NGO may be engaged to provide legal services by the child's parents in order to help secure the child's safe return to Kazakhstan.



Remember: Under the model, family tracing and decisions to return children to their country of origin or third country for the purposes of family reunification or alternative care may only be made by the CAM/CSC pursuant to a best interests assessment and determination and full social assessment. This is because unaccompanied and separated CABM are regarded as children in need of care and protection under the model. Therefore, in practice, the Programme Lawyer should only provide legal assistance to support a child's return when specifically requested by the CAM/CSC following a best interests assessment and determination and full social assessment.

## 9.3. PROCEDURAL PROTOCOLS FOR PROVIDING LEGAL SERVICES

The procedural protocols in this Part 9.3 relate to the provision of legal services to a CABM who are not receiving other services under the Programme.

If the child is receiving multiple services under the Programme (e.g. social support services or psychological counselling services under the Programme), the child's case manager (i.e. the Programme Social Worker) shall request the Programme Lawyer to provide legal services according to the child's plan. In such cases, when the child's case plan is developed, the Programme Lawyer shall agree the nature and scope of the legal services that shall be

provided to the child in collaboration with the case manager, child (where the child has sufficient maturity and understanding) and parent/legal representative. In such cases, the Programme Coordinator has overall responsibility for ensuring that the matter meets the admission criteria for legal services in paragraph 9.2 when signing off the child's plan. During the implementation of the plan, the Programme Lawyer shall provide periodic progress updates to the case manager (i.e. the Programme Social Worker) as would any other service provider under the child's plan. See Part 8.3 for details on case management by the Programme Social Worker.

### Step 1: Receipt of the Request



Remember: if any point during this process, it appears that the child is suffering or is at risk of suffering significant harm, the Programme Coordinator must refer the child to the CAM/CSC for child protection services. If the child is at imminent risk of harm or requires immediate medical attention (i.e. an emergency), staff must report the matter to the police, as with any other emergency, before making the child protection referral. An example of an emergency would be where the child's carer has just beaten them and is trying to take him/her home.

**9.3.1.** Requests for legal services will be made either: (i) over the telephone; (ii) in person; or (iii) in writing via email or by post. Protocols for these modes of referral are described below.

#### Requests received over the telephone:

**9.3.2.** If the caller is a child, the child may not know what services he/she needs, and may be calling the NGO for general help. The staff member taking the call must take particular care to understand the child's

concerns and situation to determine what help the NGO can provide.

**9.3.3.** If the call relates to a request for legal services, or if the matter appears to relate to a legal issue, the call should be referred to the Programme Coordinator. The Programme Coordinator shall ask the caller to provide information about the nature of the legal issue and the nature of the help sought (i.e. legal advice or representation). The Programme Coordinator should complete a **REFERRAL REQUEST FORM** for all referral requests.

**9.3.4.** If it is evident to the Programme Coordinator that the matter does not meet the eligibility criteria under the Programme, the Programme Coordinator still has a duty to address the person's query. This

may involve referring the caller to sources of legal information, or providing the person with contact details of another organisation, which may be able to address the caller's query.



Remember: children must be treated with respect. This means that the person taking the child's call should treat what the child says seriously, even if it appears trivial, and to use reasonable efforts to address the child's query.

**9.3.5.** If it appears that the matter meets the eligibility criteria, the Programme Coordinator shall ask the caller to provide as much information as possible about the matter, in order to make a written record of the request on the **REFERRAL REQUEST FORM** and help the NGO decide how it can be of assistance. The Programme Coordinator should also explain to the caller, in simple and age-appropriate language, that the information provided in relation to the legal matter and child is confidential within the limits of the privacy policy set out in Part 13 of this Manual. Information, which the Programme Coordinator should ask the caller to provide includes:

- a. The name and contact details of the caller and his/her relationship with the child;
- b. The child's name, address and date of birth;
- c. If different, the names and addresses of the child's parents or legal representatives;
- d. Details of the legal issue and background to the matter;
- e. A description of any evidence or documentation relevant to the legal matter;
- f. Information about any steps taken to address the issue to date.

**9.3.6.** The Programme Coordinator should ask the caller how they would prefer to be contacted in future, and make a note of this and any other communication needs (e.g. an interpreter) on the written record to ensure that future communications with the complainant run smoothly.

#### Requests Received in Person:

**9.3.7.** If a person visits the offices of the NGO, the Programme Coordinator should invite

him/her to be seated in a comfortable, confidential setting to find out why the person is there. If the visitor is a child, the child should be seated in a child-friendly location. If the child is accompanied by another person, and would like the accompanying person to be present in the conversation, the staff member should invite the accompanying person to join the child.

**9.3.8.** During the discussion with the visitor(s), particularly with a child, the Programme Coordinator may need to use communication aids (such as paper, pens and pencils for drawing, pictures and other similar tools) or intermediaries (e.g. an interpreter or signer). The staff member may even ask the visitor if they require any such assistance. Where such assistance is necessary, the staff member should ask the visitor to wait in a comfortable location on its premises until such assistance has arrived.

**9.3.9.** If the matter relates to a request for legal services, or if the matter appears to relate to a legal issue, the Programme Coordinator shall ask the visitor to provide information about the nature of legal issue and the nature of the help sought (i.e. legal advice or representation), and make a note of the issue using the **REFERRAL REQUEST FORM**.

**9.3.10.** If it is evident to the Programme Coordinator that the matter does not meet the eligibility criteria under the programme, he/she shall follow the steps in paragraph 9.3.4 in order to address the visitor's query. If, however, the matter appears to meet the eligibility criteria, the Programme Coordinator shall follow the steps in paragraphs 9.3.5 and 9.3.6 in order to make a written record of the request.

### Requests Received in Writing:

**9.3.11.** When the NGO receives a request for legal services in writing, the request must be referred to the Programme Coordinator for

consideration immediately. A REFERRAL REQUEST FORM should be completed for all referral requests for monitoring purposes (see Part 14).

## Step 2: Eligibility Assessment

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**9.3.12.** The Programme Coordinator shall review all requests for legal services to consider whether or not the matter meets the admission criteria in Part 9.2. If more information is needed for the Programme Coordinator to make this decision, the Programme Coordinator shall contact the applicant to request the missing information.

**9.3.14.** If the matter does not meet the admission criteria, the Programme Coordinator shall notify the applicant in writing that the matter does not meet the admission criteria, and why. The Programme Coordinator should also use reasonable efforts to assist the applicant with his/her query, and follow the guidance in paragraph 9.3.4.

**9.3.13.** If the matter meets the admission criteria for the provision of legal services, the Programme Coordinator shall give the matter a unique case number for the NGO's internal records and assign the case to the Programme Lawyer within 1 business day, who shall proceed with service provision (see Step 3: Service Provision).

**9.3.15.** The Programme Coordinator must complete the second part of the **REFERRAL REQUEST FORM** to record the eligibility decision.

## Step 3: Service Provision

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### Requests for Legal Advice:

**9.3.16.** If the Programme Lawyer has enough information to respond to the applicant's query, the Lawyer shall inform the applicant within 1 business day of receiving the case file from the Coordinator that he/she is looking into the query, and when he/she will provide a more detailed response. If the Lawyer requires further information from the applicant in order to provide the legal advice, the Lawyer shall request the missing information from the applicant in the same communication.

a time to meet. The purpose of this meeting shall be to:

**9.3.17.** The Lawyer shall draft a written response to the applicant containing the legal advice and submit the legal advice to the applicant no later than 10 business days of receiving the case file from the Coordinator. See Part 15 for further details on maintaining case files.

- a. Clarify the facts of the case and identify the relevant legal issues;
- b. Collect any relevant documentation from the client in relation to the legal matter;
- c. Clarify the scope of the legal assistance to be provided by the Lawyer and the likely duration of the case;
- d. To explain the NGO's privacy policy in Part 12 and child protection policy in Part 13 and provide the child and parent/legal representative with the hand-out in ANNEX J;
- e. If the client wishes to proceed with the legal advocacy, to obtain the client's signature to the power of attorney authorising the Lawyer to provide legal advocacy; and
- f. The next steps for the client and Lawyer in proceeding with the matter.

### Requests for Legal Advocacy:

**9.3.18.** If the request is for legal advocacy services, the Programme Lawyer shall contact the applicant to inform him/her that the NGO can accept the request, and arrange

**9.3.19.** The Programme Lawyer shall complete the **CASE FILE OPENING FORM** (Annex D) with the client at the initial meeting, which includes the client's consent to the

use of his/her personal details according to the privacy policy.

**9.3.20.** The nature of the legal representation will depend on the facts of each individual case. Throughout the case, the Lawyer must keep the client and, if separate, the child (if the child has sufficient maturity

and understanding) informed of the progress of the matter.

**9.3.21.** The Programme Lawyer must provide the Programme Coordinator with progress updates on the matter, at least on a monthly basis or more frequently if needed, using the PROGRESS REPORT (ANNEX H).

#### Step 4: Case Closure

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**9.3.22.** Following the conclusion of the legal matter, and with the approval of the Programme Coordinator that the matter has reached its conclusion, the Lawyer shall arrange a meeting with the client and, if separate, the child, to complete the **CASE CLOSURE FORM**. The Programme Law-

yer shall place the completed Case Closure Form in the case file, and submit the case file to the Programme Coordinator for archiving and to collect anonymised data on the case for monitoring purposes (see Part 14).

# 10.

## PSYCHOLOGICAL COUNSELLING SERVICES

### 10.1. OVERVIEW

CABM may have experienced trauma or other psychological harm as a result of their migration experiences. This may be the case, for example, if the child is a victim of trafficking or is a returning migrant and has experienced violence in another country. In such cases, the child may be in need of psychological counselling services in order to sup-

port his/her rehabilitation and integration into the community. In such cases, the Programme Psychologist may provide psychological counselling services to the child if the child meets the admission criteria and the Programme Psychologist has space on its programme to provide these services.

### 10.2. ADMISSION CRITERIA



Under the programme, the NGO may provide psychological counselling services to a child where:

- (i) The child is a CABM;
- (ii) The child is located in the City/Oblast;
- (iii) If the child is the subject of a child protection matter managed by the CAM (in Almaty or Shymkent/Turkestan Oblast) or the CSC (in Nur Sultan), the case manager in the CAM/CSC has requested the NGO to provide this service;
- (iv) The child is in need of psychological counselling services and the provision of these services to the child is in the child's best interests; and
- (v) The child and, if the child is under 16, the child's parent or legal representative, has give his/her prior informed consent to receiving the psychological counselling services.

However, the NGO does not provide medical health services and does not have the expertise or capacity to work with children with complex or serious mental health issues. Children with complex or serious mental health issues, for example, children

who have attempted suicide or who are suffering from clinical depression, are not eligible for referral to the programme and should be referred to the local health authorities for professional medical attention instead.

### 10.3. PROCEDURAL PROTOCOLS FOR PROVIDING PSYCHOLOGICAL SUPPORT SERVICES



**NOTE:** If the child is receiving multiple services under the Programme, the Programme Social Worker shall manage the child's case, whilst the Programme Psychologist shall provide inputs into the development, implementation and monitoring of the service/care plan as a service provider. See Part 8.3 for details.



## Step 1: Receipt of Referrals

**10.3.1.** Anyone may refer a CABM in need of psychological support services to the NGO. Normally, the child will be identified and referred by a public body, which comes into contact with the child during the course of its day-to-day work. For example, a police officer, who is working on a criminal case involving a child victim of trafficking, may refer the child to NGO for psychological counselling. Referrers include, but are not limited to:

- a. The police, including juvenile inspectors;
- b. Border guards;
- c. The Commission on Issues of Minors;
- d. The Guardianship and Tutelage Authority;
- e. Healthcare professionals;

- f. Education professionals, such as a school teacher or school pedagogue;
- g. The CAM (in Almaty and Shymkent/Turkestan Oblast) or CSC (in Nur Sultan);
- h. A civil servant within the Departments of Education, Health, Labour and Social Protection, or other local Government department;
- i. The courts;
- j. The Office of the Public Prosecutor;
- k. Another NGO;
- l. Self-referral by the child or the child's parent/ legal representative.

**10.3.2.** If the referrer is unsure whether a child is in need of psychological support services, the referrer should contact the Programme Coordinator for advice.



Remember: If it appears that a child may be in need of care and protection, a child protection referral must be made to the CAM (in Almaty or Shymkent/Turkestan Oblast) or CSC (in Nur Sultan) for children from the age of 3, or to the Guardianship and Tutelage Authority for children under 3, instead of a referral to the NGO (see Part 13).

**10.3.3.** Under the Manual on Intersectoral Coordination, if the referrer is a professional, practitioner or official and comes into contact with a CABM who it considers may be in need of psychological support services and a child protection referral does not need to be made, the referrer is required to contact the Programme Coordinator immediately and, in any event, within 1 working day of making this determination.

**10.3.4.** When receiving a referral, the Programme Coordinator should ask the referrer to provide as much of the following information as possible in order to complete the **REFERRAL REQUEST FORM** (Annex C):

- a. Name, address and, if relevant, the organisation or authority for which the referrer works;
- b. Name, address and date of birth of the child;
- c. Name and address of the child's parent or legal representative;

- d. Details about the factual circumstances of the child, including how the referrer came into contact with the child, and the child's migration situation;
- e. An explanation why the referrer considers that the child may be in need of psychological support services;
- f. Confirmation of whether or not the child is the subject of a child protection case managed by the CAM (in Almaty or Shymkent/Turkestan Oblast) or CSC (in Nur Sultan), or case management by any other social services authority;
- g. If the child is the subject of a child protection case or case management by another social services authority, the name and contact details of the case manager, and how the psychological support services fit into the child's care plan, including the intended goals of the psychological counselling sessions.

**10.3.5.** Staff at the NGO may come across a CABM during the course of its work. For example, the NGO Lawyer may be providing legal services for a CABM, who it considers may be in need of psychological counselling services. In such cases,

if the NGO staff member considers that the CABM may be eligible under the Programme, the staff member should contact the Programme Coordinator to provide the information under paragraph 10.3.4.

## Step 2: Eligibility Assessment



Remember: if the child is in need of care and protection, a child protection referral must be made pursuant to Part 13. If the child is at imminent risk of harm or requires immediate medical attention (i.e. an emergency), staff must report the matter to the police, as with any other emergency, before making the child protection referral. An example of an emergency would be where the child's carer has just beaten them and is trying to take him/her home.

**10.3.6.** Within **2 working days** of the referral request, the Programme Coordinator shall decide:

- a. Whether or not the case meets or is likely to meet (subject to the needs assessment) the admission criteria in Part 10.2; and
- b. If so, whether or not the NGO has capacity to provide psychological support services to the child under the Programme.

**10.3.7.** The Programme Coordinator shall contact the referrer if it requires more information in order to make these decisions.

**10.3.8.** If the NGO does not have capacity to provide the child with psychological support services, or if the case evidently does not meet the admission criteria, the Programme Coordinator shall notify the referrer of this decision in writing, together with the reasons for the decision, **within the 2 working day** period mentioned in paragraph 10.3.6. In such cases, the Programme Coordinator should use reasonable efforts to help address the referrer's query, particularly if he/she is a child, and provide information on other relevant sources of information or contact details of other bodies, which may be able to assist the referrer with his/her queries. Unless the referrer is the child or the child's parent/legal representative or the referrer has put the NGO in touch with the child or parent/legal representative, the referrer is responsible for notifying and explaining

the NGO's decision to the child and parent/legal representative.

**10.3.9.** If the Programme Coordinator decides that the case meets or is likely to meet the admission criteria (subject to a needs assessment), and that the NGO has capacity to provide the child with the psychological support services, the Programme Coordinator shall notify the referrer of its decision within the **2 working-day time period** mentioned in paragraph 10.3.6. In addition:

- a. If the referrer is a professional, practitioner or official, the Programme Coordinator shall agree with the referrer whether or not the NGO shall liaise with the child and parent/legal representative directly to inform them of next steps, or whether the referrer shall do this. The answer will depend on who the referrer is and how the child or legal representative came into contact with the authorities;
- b. If the referrer is another NGO, the Programme Coordinator shall write to the NGO within the **2 working-day time period** in paragraph 10.3.6 to thank them for the referral and explain that the NGO is following up the matter with the child and parent/legal representative in question directly;
- c. If the child and his/her parent/legal representative self-referred, the Programme Coordinator shall liaise with the child and parent/legal representative directly.



Caution: If the child has complex or serious mental health issues, he/she must not be admitted to the psychological support services programme, as the child should be referred to the appropriate public authority for professional medical help. In such cases, the Programme Coordinator should inform the referrer that a referral to the appropriate local health authority should be made instead. If the referrer is not a public authority, they Programme Coordinator may help the referrer to make this referral. If the child is not able to access public medical services because of his/her migration situation, the Programme Coordinator should consider whether the child is eligible for social services support under the Programme (see Part 8).



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### Step 3: Case Allocation and Contact

**10.3.10.** If the Programme Coordinator decides that the case meets or is likely to meet the admission criteria (subject to the needs assessment), and that the NGO has space to provide these services to the child under the Programme, after notifying the referrer pursuant to paragraph 10.3.9, the Programme Coordinator shall open a case file for the matter.

**10.3.11.** If the child is not receiving other services under the Programme, the Programme Coordinator shall pass the file, including the **REFERRAL REQUEST FORM**, to the Programme Psychologist within **2 working days** of receiving the referral request. In such cases, the Programme Psychologist is the case manager for the matter.



Remember: If the child is receiving multiple services under the Programme or if the Programme Coordinator considers that the child is in difficult circumstances and may need social services support, the Programme Coordinator shall refer the case to the Programme Social Worker, who shall manage the child's case. In such cases, the Programme Psychologist shall provide inputs into the development of the child's service plan, deliver psychological counselling services and report on the child's progress to the Programme Social Worker as would any other service provider. See Part 8.3 for details.

**10.3.12.** Within **1 working day** of receiving the case file from the Programme Coordinator, the Programme Psychologist must contact the referrer, or the child and parent/legal representative, as relevant (see

paragraph 10.3.9), to arrange a time and place for an initial meeting. This meeting shall take place within **2 working days** of the case being allocated to the Programme Psychologist.



TIP: Particular should be taken when contacting the child and his/her parents/ legal representatives. They may be anxious or reluctant to speak to the NGO, due to fears of being reported to the police, a general lack of trust in "authorities," or for other reasons. Therefore, the Programme Psychologist should introduce him/herself and the NGO, explain the programme and the nature of the services provided, the NGO's privacy policy (see Part 12) and the purpose and plan for the initial meeting.

### Step 4: Initial Meeting

**10.3.13.** The child and his/her parents/legal representatives should attend the initial meeting with the Programme Psychologist. If the child is under the age of 16, the participation of his/her parent or legal representative at the initial meeting is compulsory. If the child is over the age of 16, his/her parent or legal representative should ideally be present, though the child is permitted to attend this meeting without the consent or attendance of his/her parents/legal guardian.

**10.3.14.** It is essential that the Programme Psychologist is prepared for this initial meeting. The Programme Psychologist should bear in mind that migration experiences

and their effect on the child will differ per case. Effects may include physical injuries, psychological issues and/or behavioural problems, including:

- a. Health problems such as asthma, eczema, eating disorders or developmental delays;
- b. Cognitive impairment (including impaired school and work performance);
- c. Feelings of rejection and abandonment;
- d. Impaired attachment;
- e. Trauma, fear, anxiety, insecurity and shattered self-esteem;

- f. Depressive disorders, hallucinations, memory disturbances and suicide attempts;
- g. Substance abuse;
- h. Early initiation of sexual behaviour;
- i. Aggressive, antisocial, self-destructive and interpersonal destructive behaviours, leading to the deterioration of relationships, exclusion or truanting from school and/or coming into conflict with the law; and
- j. Increased risk of victimization and an accumulation of violent experiences.<sup>52</sup>

In addition, discriminatory attitudes and stigmas in the community may also be contributing to the child's psychological issues.

**10.3.15.** Therefore, before the initial meeting, the Programme Psychologist should:

- a. Seek any available information from the referrer and other authorities working with the child in order to better inform him/herself of the child's circumstances;
- b. Check whether the child or parent/legal representative have any sensory impairments or communication needs, and to arrange for the relevant assistance (e.g. a signer or interpreter) to be provided at the initial meeting;
- c. Arrange for the first meeting to be held in a place and environment which is child-sensitive, meets the child's individual needs, and enables the child to speak privately whilst also making them feel comfortable. For example, this might be at the NGO, their home or school.

**10.3.16.** At the initial meeting, the Programme Psychologist shall:

- a. Explain the purpose of the services and the process involved to the child and parent/legal representative (where present);
- b. Explain the NGO's privacy policy and child protection policy (see Parts 12

and 13) and provide the child and parent/ legal representative with the hand-out in ANNEX J;

- c. If necessary, gather any missing information about the factual situation of the child, their needs and any other relevant issues, in order to determine whether the child meets the admission criteria;
- d. Conduct preliminary inquiries with the child and his/her parents/legal representatives (where present) for the purposes of developing the child's therapy plan;
- e. Speak with the child to assess the child's level of maturity and understanding to participate in the psychological counselling sessions;
- f. If a parent/legal representative is present, speak with the child separately in order to understand his/her situation and issues;
- g. Answer any questions from the child or parent/legal representative about the Programme to help them to decide whether or not they would like to participate;
- h. If the case meets the admission criteria (subject to the needs assessment), complete the CASE FILE OPENING FORM (Annex D) with the child and parent/legal representative, which includes a space for them to provide their written informed consent to the programme.

**10.3.17.** If the child or, if the child is under the age of 16, the parent/legal representative, do not consent to the child receiving the psychological support services, the Programme Psychologist shall make a note of this in the case file and pass the matter onto the Programme Coordinator immediately. If the referrer was a public authority, the Programme Coordinator shall notify the referrer that the child or parent/legal representative did not consent to receiving the psychological support services.

<sup>52</sup> CRC Committee, General comment No. 13 (2011), 'The right of the child to freedom from all forms of violence,' CRC/C/GC/13, 18 April 2011, para 15



Remember: The all NGO staff must treat the child's experiences with compassion and sensitivity, even if they consider that the child placed him/herself in a vulnerable position.

## Step 5: Needs Assessment and Development of Therapy Plan

**10.3.18.** Following the initial meeting, the Programme Psychologist shall, within 5 working days of the initial meeting:

- a. If not already completed, finalise its assessment of whether the child needs psychological counselling services and whether the provision of the

services would be in the child's best interests; and

- b. If so, complete the child's therapy plan, based on the information obtained from the initial meeting and other inquiries carried out with the relevant authorities.



Caution: if the child is involved in criminal proceedings as a victim or witness, as a general rule, the child should not commence psychological counselling sessions until he/she has provided his/her statement to the police. This is important because there is a risk that the therapy will impact upon the quality or nature of their evidence. However, if there are undue delays by the police in taking the child's statement, the Programme Psychologist may agree with the Prosecutor handling the case to commence the therapy sessions, provided that this is in the best interests of the child.

**10.3.19.** After discussing and agreeing the therapy plan with the child and, where relevant, the parent/legal representative, the Programme Psychologist shall ask the child

and, if the child is under the age of 16, the parent/ legal representative, to sign the therapy plan to provide their written consent to the programme.

## Step 6: Implementation and Monitoring Progress

**10.3.20.** During the implementation of the therapy plan, the Programme Psychologist should monitor and assess the child's progress and submit this to the Programme Coordinator at least once every month, or more frequently if needed, against the goals set out in the therapy plan using the **PROGRESS REPORT** (ANNEX H).

**10.3.21.** The Programme Psychologist should adjust the therapy plan in consultation with and with the written agreement of the child, based on the outcomes of the periodic progress assessments.

## Step 7: Case Closure and Follow-Up

**10.3.22.** With the approval of the Programme Coordinator, the Programme Psychologist shall close the case using the **CASE CLOSURE FORM** (ANNEX I) when the goals of the therapy plan have been met, and no new goals are required. In some cases, the child or parent/legal representative

may withdraw their consent to the therapy plan prior to the goals being reached, in which case the Programme Psychologist should work with the family to understand why, and whether any adjustments can be made to address the issues prompting the withdrawal of their consent. If the child

and, if the child is under the age of 16, the child's parent/legal representative, maintain that they do not wish to continue with the therapy plan, the Programme Psychologist shall proceed to close the case using the **CASE CLOSURE FORM**, with the approval of the Programme Coordinator.

**10.3.23.** When closing the case, the Programme Psychologist shall ensure that any neces-

sary follow-up services or on-going support arrangements are in place.

**10.3.24.** The Programme Psychologist shall place the completed **CASE CLOSURE FORM** in the child's case file and submit the case file to the Programme Coordinator for archiving and the collection of anonymised data for monitoring purposes (see Part 14).



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# 11.

## INDEPENDENT SUPPORTER SERVICES

### 11.1. OVERVIEW

The NGO shall provide 'independent supporter' services to all CABM who are subject to child protection case management by the CAM/CSC and who meet the admission criteria. The role of the independent supporter is:



- To mentor and provide emotional support to the child, while helping them to navigate the child protection, migration and other systems and processes in which the child is involved;
- To ascertain the child's views, wishes and feelings (to the extent that the child is capable of forming his/her own views) about his/her current and future situation, and help the child to express these to the decision-making authorities;
- To keeping the child informed about and to explain decisions made by the authorities and the progress of his/her case; and
- Issuing recommendations to the CAM/CSC case manager to involve other relevant public bodies or actors, where relevant, in order to meet the child's needs.

If the child's views, wishes and feelings on a course of action differs to the independent supporter's views on what is in the child's best interests, the independent supporter should consider the child's level of maturity and understanding, in light of the seriousness of the issue at stake and potential consequences for the child. If the independent supporter considers that the child does not have sufficient maturity and understanding, the independent supporter shall explain this difference of views to the child. In such cases, the independent supporter should still help the child to convey his/her views, wishes and feelings to the relevant authority,

but indicate to the authority that this differs to his/her personal view on what is in the child's



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best interests. If the child has sufficient maturity and understanding, the independent supporter should

advocate for the child's views, and indicate to the relevant authority that it is acting in this capacity.

## 11.2. ADMISSION CRITERIA



In order for the NGO to provide independent supporter services to a child, the following criteria must be met:

- (i) The child is the subject of child protection case management by the CAM/CSC;
- (ii) There is no conflict or potential conflict of interest between the NGO or any NGO staff member and the child;
- (iii) If the child is capable of forming his/her own views, the child provides his/her informed consent to the NGO to provide this service.

## 11.3. PROCEDURAL PROTOCOLS FOR PROVIDING INDEPENDENT SUPPORTER SERVICES

### Step 1: Referral

**11.3.1** The following bodies are referrers and may request the NGO to provide independent supporter services:

- a. The case manager within the CAM/CSC who is responsible for the child's case;
- b. The Guardianship or Tutelage Authority or Department of Education; or
- c. The Commission on Issues of Minors.

**11.4.2** When receiving a referral, the Programme Coordinator should ask the referrer to provide as much of the following information as possible in order to complete the **REFERRAL REQUEST FORM** (Annex C):

- a. Name and contact details of the case manager within the CAM/CSC;
- b. Name, address and date of birth of the child;

- c. Name and address of any persons who were accompanying the child when the child was identified (e.g. an adult sibling; an adult family friend etc.);
- d. Details about the factual circumstances of the child, including how the referrer came into contact with the child, the whereabouts of the child's parent/legal representative (if known) and the child's migration situation;
- e. An indication of the child's level of maturity and understanding; and
- f. Whether the child requires any additional needs that need to be accommodated, such as an interpreter, signer, or disabled access.

### Step 2: Eligibility Assessment

**11.3.3** Within **1 working day** of the referral request, the Programme Coordinator shall decide whether or not the child meets the admission criteria in paragraph 11.2 (or is likely to meet the criteria, subject to the child providing his/her consent) and whether or not the NGO has the capaci-

ty to provide this service. The Programme Coordinator may need to consult its case files or conduct inquiries with NGO staff members to ensure that there is no conflict of interest or potential conflict of interest between the NGO or NGO staff member and the child.



Remember: A conflict or potential conflict of interest includes, but is not limited to, situations where the NGO has provided, is providing or will provide other services to the child or a member of the child's family (including the legal, social support or psychological counselling services outlined in this Manual).

**11.3.4** If the NGO does not have capacity to provide the child with independent supporter services, or if the case does not meet the admission criteria, the Programme Coordinator shall notify the referrer in writing of this decision, together with the reasons for the decision, **within the 1 working day period** mentioned in paragraph 11.4.3. The Programme Coordinator shall record the decision in the second part of the **REFERRAL REQUEST FORM** and close the matter.

**11.4.5** If the Programme Coordinator decides that the case meets (subject to the child providing his/her consent), and that the NGO has capacity to provide the child with independent supporter services, the Programme Coordinator shall notify the referrer of its decision within the **1 working-day time period** mentioned in paragraph 11.4.3, and proceed to Step 3. The Programme Coordinator shall record the decision in the second part of the **REFERRAL REQUEST FORM**.

### Step 3: Case Allocation and Contact

**11.3.6** After notifying the referrer pursuant to paragraph 11.4.5, within **1 working day** of receiving the referral request, the Programme Coordinator shall:

- a. Open a case file for the matter; and
- b. Pass the file, including the **REFERRAL REQUEST FORM** to the Programme Psychologist or Programme Social Worker to act as the child's independent supporter.

**11.4.7** Within **1 working day** of receiving the case file from the Programme Coordinator, the Programme Social Worker/ Psychologist (as relevant) must contact the referrer to arrange a time and place for an initial meeting with the child. This meeting shall take place within **2 working days** of the case being allocated to the Programme Social Worker/Psychologist.

### Step 4: Initial Meeting

**11.3.8** It is essential that the Programme Social Worker/ Psychologist is prepared for this initial meeting with the child. Therefore, before the initial meeting, the Programme Social Worker/ Psychologist should:

- a. Seek any available information from the referrer and other authorities working with the child in order to better inform him/herself of the child's circumstances, the processes in which he/she is involved, and the decisions made or which need to be made regarding the child;
- b. Check whether the child has any sensory impairments or communication needs, and to arrange for the relevant assistance (e.g. a signer or interpreter) to be provided at the initial meeting;

c. Arrange for the first meeting to be held in a place and environment which is child-sensitive, meets the child's individual needs, and enables the child to speak privately whilst also making them feel comfortable. For example, this might be at the NGO, school or a confidential and child-friendly room in the CAM/CSC if the child is residing there.

**11.4.9** At the initial meeting, the Programme Social Worker/ Psychologist shall:

- a. Explain to the child the nature of the role of the Programme Social Worker/ Psychologist and the limits of his/her authority;

- b. Explain that the independent supporter will keep what the child tells him/her private except in the exceptional circumstances outlined in Part 12, and the process involved if any personal details need to be passed on to an external body;
  - c. Provide the child with the child-friendly handout summarising the privacy and child protection policy in ANNEX J;
  - d. Speak with the child to assess the child's level of maturity and understanding of his/her situation and the decisions that need to be made;
  - e. To answer any questions from the child about the nature of the services;
  - f. Talk to the child about his/her needs, and whether the child feels that these are being met;
  - g. Where the child is of sufficient maturity and understanding, and consents to the service, complete the relevant sections of the **CASE FILE OPENING FORM** (Annex D) with the child, which includes a space for the child to sign and provide his/her written informed consent to the service;
  - h. If the child does not have sufficient maturity and understanding, the independent supporter may still provide independent supporter services to the child by completing the **CASE FILE OPENING FORM** and obtain the child's legal representative's written consent to providing these services.
- 11.4.10** If the child has sufficient maturity and understanding, and does not consent to receiving the independent supporter services, the independent supporter shall make a note of this in the case file and pass the matter onto the Programme Coordinator immediately. The Programme Coordinator shall then notify the referrer that the child or parent/legal representative did not consent to receiving the services.

## Step 5: Service Delivery

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**11.3.11** Following the initial meeting, the Programme Social Worker/ Psychologist shall keep in regular contact with the child and keep up to date with the child's case in order to provide the independent supporter services. To do this, the Programme Social Worker/ Psychologist shall:

- a. Meet with the child at least twice a week in order to discuss and explain the progress of his/her matter, and explore the child's views, wishes and feelings on his/her current and future situation, in collaboration with any intermediaries such as the child's interpreter or signer;
- b. Maintain close and regular contact with the CAM/CSC case manager and

other authorities involved in the child's case in order to keep up to date with the progress of the child's matter;

- c. During hearings and meetings with decision-making authorities (e.g. with the CAM/CSC, Commission on Issues of Minors, the courts, Department of Migration Services), assist the child to express his/her views, wishes and feelings on the matter, whether in written or oral form and with any relevant intermediaries (e.g. interpreter); and
- d. Issuing recommendations to the CAM/CSC case manager to involve other relevant public bodies or actors, where relevant, in order to meet the child's needs.



Remember: If the child's views, wishes and feelings on a course of action differs to the independent supporter's (i.e. the Programme Social Worker or Psychologist's) views on what is in the child's best interests, the Programme Social Worker or Psychologist should consider the child's level of maturity and understanding, in light of the seriousness of the issue at stake and potential consequences for the child. If the independent supporter considers that the child does not have sufficient maturity and understanding, the Programme Social Worker or Psychologist shall explain this difference of views to the child. In such cases, the Programme Social Worker or Psychologist should still help the child to convey his/her views, wishes and feelings to the relevant decision-making authorities, but indicate to the authority that this differs to his/her personal view on what is in the child's best interests and why. If the child has sufficient maturity and understanding, the independent supporter should advocate for the child's views, and indicate to the relevant authorities that it is acting in this capacity.

**11.3.12** The Programme Social Worker or Psychologist shall provide updates on the progress of the child's case to the Programme Coordinator for supervisions and

monitoring purposes at least once every month, or more frequently if needed, using the **PROGRESS REPORT** (ANNEX H).

## Step 6: Case Closure and Follow-Up

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**11.3.13** With the approval of the Programme Coordinator, the Programme Social Worker or Psychologist shall close the case using the CASE CLOSURE FORM (ANNEX I) when the child's case with the CAM/CSC has been closed.

**11.4.14** The Programme Social Worker or Psychologist shall place the completed CASE CLOSURE FORM in the child's case file and submit the case file to the Programme Coordinator for archiving and the collection of anonymised data for monitoring purposes (see Part 14).



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# 12. PRIVACY POLICY

## 12.1. OVERVIEW

Confidentiality is important for building a relationship of trust with the child and parents during the Programme. Without giving assurances about confidentiality, the child or parents/legal representatives may not be willing to participate in the Programme. In particular, children or their parents/legal representatives may be particularly anxious about information relating to their migration status being reported to the police. This often discourages vulnerable migrant children and families from seeking help in the first place.

Personal details about individuals participating in the Programme are therefore confidential and cannot be disclosed to anyone outside of the NGO except to the following persons in the following circumstances:



The CAM/CSC and Guardianship and Tutelage Authority if a CABM is in need of care and protection and, in the case of an emergency, the police or emergency medical services (see Part 13);



The Guardianship and Tutelage Authority and UNICEF if there is a suspicion that a staff member has harmed, or is a risk of harm to, a child (see Part 13.4);



A public authority where the disclosure is required by law (see Part 12.2);



To UNICEF and their consultants for the purposes of providing coaching to staff on the implementation of the Programme or for monitoring and evaluating the implementation of the Programme (see Part 12.3);



To a specified person or authority with the prior written consent of the individual (see Part 12.4).



Remember: **'personal details'** refer to any information, or combination of information, which may reveal the identity of an individual. This includes images, photographs and videos of the child or members of his/her family.

Where a disclosure is permitted, only the information necessary for the purposes of the disclosure shall be disclosed.

## 12.2. DISCLOSURE REQUIRED BY LAW

The NGO may disclose personal information about a child or adult involved in the Programme to a public authority where the disclosure is required by law. However, the child's case manager should explain to the individual the following before making the disclosure:

- What personal information will be shared;
- The reasons for the disclosure and the legal provision(s) that require the disclosure;

- To whom the information will be disclosed; and
- How the disclosure will be made.

If the disclosure relates to the child, the case manager should explain the above to the child (where the child has sufficient maturity and understanding) and the child's parent/ legal representative.

## 12.3. DISCLOSURE TO UNICEF AND THEIR CONSULTANTS

During the testing of the support services, UNICEF and its consultants shall provide virtual and, where possible, in-country coaching to staff on the implementation of the Programme. Coaching is a highly interactive method of capacity-building, whereby the consultant provides 'on-the-job' guidance and mentoring to staff members on delivering services to children, using real cases as examples. Coaching therefore may require the consultant to refer to individual case files in order to understand how cases are being handled in practice, how case files are maintained, and to discuss challenges encountered by staff in practice. Using real life cases as examples, staff members are therefore able to work through any challenges with the consultant.

Further, UNICEF, as the commissioning body, shall monitor and evaluate the Programme. To do this, UNICEF and its consultants may require access to case files in order to assess whether case files are being maintained in line with the guidance in this Manual and international good practice.

Where it is necessary for UNICEF and its consultants to access case files or case file documents for the purposes of coaching or monitoring and evaluating the Programme, UNICEF and the consultants shall comply with the privacy policy set out in this Part 12.

## 12.4. DISCLOSURE WITH PRIOR WRITTEN INFORMED CONSENT

Personal details concerning an individual involved in the Programme may be disclosed with the individual's prior written consent. In order for the individual's consent to be meaningful, staff should inform the individual in clear, age-appropriate language of the following, before making the disclosure:

- To whom the information will be disclosed;
- What personal details will be disclosed;
- The reasons for the disclosure; and
- How the disclosure will be made.

Where the personal details relate to a child, staff must have obtained the written consent of the child (where the child has sufficient maturity and understanding) and, where the child is under 16, the parent or legal representative, before making the disclosure. Written marks, thumbprints or oral recordings are permissible if the individual has a sensory impairments or physical disability and is unable to provide consent in writing. The record of the consent must be kept in the child's case file.

## 12.5. ACCESS TO CASE FILES

Individual case files are confidential and must be stored securely by staff. Case files may only be made available on a need to know basis to:

- Staff members of the NGO; and
- UNICEF or their consultants for the purposes of monitoring or evaluating the implementation of the model protective services or for the purposes of delivering coaching and training to staff on the Programme.

As a general rule, children have the right to access their case file. However, staff should not disclose any documentation or information to the child if the disclosure:

- Is prohibited by law; or
- Would not be in the child's best interests.

In such cases, staff may remove or redact the protected or potentially damaging information from the case file before giving the child access, if this would ensure compliance with the law or remove the risk to the child (as relevant).

Staff may grant the parents or legal representatives access to their child's case file if this is in the child's best interests. It is possible that, during the course of the Programme, the child has divulged personal information about his or her parents or other

relatives, which would place the child in a difficult situation, or place the child at risk of harm, if the information was disclosed. Therefore, staff should exercise particular care when deciding whether or not the disclosure is in the best interests of the

child. The staff member may redact the potentially damaging information from the case file before granting access, if this would remove the risk to the child.

## 12.6. INFORMING BENEFICIARIES ABOUT THE PRIVACY POLICY

The NGO must inform all beneficiaries of the Programme, including children who are of sufficient maturity and understanding, and parents and legal representatives, about the privacy policy outlined in this Part 12. The explanation should be provided to the beneficiaries at the NGO's initial meeting with the child and parent/legal representative. Where a child has sufficient maturity and understanding, an explanation to the parent/legal representative is not sufficient; the staff member must explain the privacy policy

to the child in clear, age-appropriate language and check that the child understands it. There is a space in the **CASE FILE OPENING FORM** for the child (where the child is of sufficient maturity and understanding) and the parent/legal representative to indicate that they understand and consent to the privacy policy. The staff member who conducts the initial meeting with the child and parent/legal representative shall also provide them with the child-friendly version of the policy enclosed in ANNEX J at the first meeting.





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# 13.

## CHILD PROTECTION POLICY

### 13.1. OVERVIEW

This Part 13 sets out the procedures, which all staff must follow to prevent and protect children from harm. This includes procedures for referring cases of suspected or actual violence, abuse or

neglect of a child to the CAM/CSC (i.e. a child protection referral) and handling allegations of abuse against Programme staff.

### 13.2. SAFEGUARDING LEAD AND DEPUTY SAFEGUARDING LEAD

The Programme Coordinator shall be the 'Safeguarding Lead' with overall responsibility for safeguarding children coming into contact with the NGO. The Director shall also appoint a Deputy Safeguarding Lead to undertake the role of the Safeguarding Lead whenever the Programme Coordinator is on leave or if an allegation of abuse is made against the Programme Coordinator. The Deputy Safeguarding Lead must have strong knowledge of this Child Protection Policy and robust experience of working with children in need of care and protection.

The Director is responsible for ensure that all staff members and children and parents/ legal representatives who are participating in the Programme are aware of the identities of the Safeguarding Lead and the Deputy Safeguarding Lead. The names and photos of the Safeguarding Lead and Deputy Safeguarding Lead shall be shown on the walls of the NGO's premises. Children and their parents/ legal representatives shall be kept informed of who the Safeguarding Lead and Deputy Safeguarding Lead are and how they can contact them.

### 13.3. CHILD PROTECTION REFERRALS

#### Emergency Situations

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**13.3.1.** An emergency situation is one where the risk of harm to the child is imminent or where the child requires urgent medical attention. A staff member who identifies an emergency situation must contact the

relevant emergency services (police and/ or emergency medical services) **immediately**, before following the child protection protocol below.

#### General

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**13.3.2.** All staff should remain open and vigilant to the possibility that violence, abuse, neglect and exploitation of children may take place in any setting, home, community or institution, anywhere in Kazakhstan. Staff members should also be aware that child protection concerns might come to their attention in many ways, including direct disclosures from the child, reports from another member of staff, parent or commu-

nity member, or from the staff member's own observations. The concern may not even be presented as a 'child protection concern' but there might be some words, actions or observations that cause the staff member to suspect that the child is suffering or at risk of suffering harm. Staff members should err on the side of caution and raise any concerns in accordance with this policy.

**13.3.3.** If a staff member suspects that a child is suffering or is at risk of suffering significant harm (i.e. is in need of care and protection) in the family or community, the staff member shall report the details of the child and these concerns immediately to:

- a. The Safeguarding Lead; or
- b. If the Safeguarding Lead is on leave or unavailable, to the Deputy Safeguarding Lead.

**13.3.4.** If the staff member receives the information about the child protection concern from the child himself/herself, the staff member should make a note of the disclosure in the child's own words and share this with the Safeguarding Lead or Deputy Safeguarding Lead (as relevant). Although the staff member does not need the consent of the child to pass the information onto the Safeguarding Lead or Deputy



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Safeguarding Lead, as a matter of good practice, the staff member should explain to the child that he/she will pass the information onto the Safeguarding Lead or

Deputy Safeguarding Lead (as relevant) so that they can decide how best to help the child.



Remember: staff members must not ever be worried about raising a concern that turns out to be nothing. It is the responsibility of the Safeguarding Lead and Deputy Safeguarding Lead to decide whether or not to take next steps. However, it is the responsibility of the staff member to provide the information to the Safeguarding Lead or Deputy Safeguarding Lead in the first instance. If the staff member says or does nothing, a child could continue to be at risk or suffer harm.

**13.3.5.** If the Safeguarding Lead or Deputy Safeguarding Lead, as relevant, considers that there is evidence or a concern that the child is suffering or at risk of suffering significant harm, and the matter has not already been disclosed to child protection authorities, the Safeguarding Lead or Deputy Safeguarding Lead, as relevant, shall immediately, and in any event within 24 hours of receiving the report:

- a. If the child is aged 3 years or above:
  - i. Report the matter to the CAM (in Almaty or Shymkent/Turkestan Oblast) or CSC (in Nur Sultan); and
  - ii. Notify the Guardianship and Tutelage Authority at the City/Oblast level that a referral of the child to the CAM/CSC has been made; or
- b. If the child is under the age of 3:
  - i. Refer the child to the Guardianship and Tutelage Authority at the City/Oblast level.

In doing so, the role of the Safeguarding Lead or Designated Safeguarding Lead is not to investigate the concern, but to decide whether or not the concern is reportable (i.e. whether or not the concern relates to the child suffering or being at risk of suffering significant harm). If the Safeguarding Lead or Deputy Safeguarding Lead is not sure whether or not to report the concern, he/she should err on the side of caution and report the concern.

**13.3.6.** If the Safeguarding Lead or Deputy Safeguarding Lead (as relevant) is not sure whether the matter has already been reported to the CAM/CSC or Guardianship and Tutelage Authority, the Safeguarding Lead or Deputy Safeguarding Lead shall assume that the matter has not been referred and shall report the matter in line with paragraph 13.3.5.

**13.3.7.** The Safeguarding Lead or Deputy Safeguarding Lead does not need the consent of the child or of the child's parent or legal representative to report the matter to the CAM/CSC or Guardianship and Tutelage Authority. However, if the child is of sufficient maturity and understanding, the Safeguarding Lead or Deputy Safeguarding Lead should, if possible, speak to the child in clear, age-appropriate language to explain that the matter needs to be referred to the child protection authorities in order to protect the child. The only reason for not informing the child before the referral is if a delay in reporting the matter to the CAM/CSC or Guardianship and Tutelage Authority would increase the risk of harm to the child. The Safeguarding Lead or Deputy Safeguarding Lead (as relevant) should also explain to the child's parent or legal representative that it will report the child protection concern to the CAM/CSC and Guardianship and Tutelage Authority, unless this would place the child at risk of harm. This may arise in situations where the child's parent or legal representative are suspected of abusing the child.



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## 13.4. ALLEGATIONS AGAINST PROGRAMME STAFF

- 13.4.1.** If a staff member suspects that another staff member has harmed, or is a risk of harm to, a child, and the harm is not imminent and the child does not require emergency medical attention, the staff member shall immediately:
- Report the matter to the Safeguarding Lead; or
  - If the concern relates to the Safeguarding Lead, report the matter to the Deputy Safeguarding Lead; or
  - If the matter relates to the Safeguarding Lead and Deputy Safeguarding Lead:
    - Report the matter to the Guardianship and Tutelage Authority of the City/Oblast; and
    - Notify the Programme focal point within UNICEF.
- 13.4.2.** If a staff member suspects that another staff member has harmed, or is a risk of harm to, a child, and the harm is imminent or the child requires emergency medical attention, the staff member shall immediately report the matter to the relevant emergency services (police and/or emergency medical services), before following the protocol in paragraph 13.4.1.
- 13.4.3.** Allegations against Programme staff shall be investigated by the Guardianship and Tutelage Authority, and not by the NGO. Therefore, when a report is made to the Safeguarding Lead or Deputy Safeguarding Lead under paragraph 13.4.1.a or 13.4.1.b, the Safeguarding Lead or Deputy Safeguarding Lead shall:
- Report the matter to the Guardianship and Tutelage Authority of the City/Oblast for investigation; and
  - Notify the Programme focal point within UNICEF.
- 13.4.4.** The Guardianship and Tutelage Authority shall be responsible for involving the police if the allegation concerns a crime and the courts if the matter requires judicial proceedings.
- 13.4.5.** The referrals and notifications in paragraphs 13.4.1 and 13.4.3 shall include:
- Information about the nature of the concern and harm to the child;
  - The name, date of birth, address and telephone number of the child;
  - The names, addresses and telephone numbers of the child's parents or legal representatives;
  - The name and role of the staff member or members to whom the concerns relate;
  - Information about how the matter came to the attention of the staff member who initially became aware of the concerns;
  - The date and time at which the staff member initially became aware of the concerns;
  - Details of any notifications, reports or referrals made by staff members to handle the matter, including the dates and times these communications were made;
  - Any evidence on which the concerns are based;
    - Details of the steps taken to protect the child and suspend the staff member according to this policy.
- 13.4.6.** The staff member or members to whom the child protection concerns relate shall be suspended from work on full pay while the allegation is referred to the Guardianship and Tutelage Authority for investigation and must be removed immediately from contact with children. The staff member shall not be allowed to enter the NGO's premises pending the investigation of the matter. The fact that a member of staff resigns or leaves the NGO does not prevent a case being followed through. 'Compromise agreements' in which the member of staff agrees to resign if the NGO or Guardianship and Tutelage Authority agrees not to pursue the allegation shall never be made.

**13.4.7.** Following the investigation by the Guardianship and Tutelage Authority, if the allegation is unsubstantiated:

- a. The child must never be punished;
- b. If appropriate, the NGO shall provide the child with psychological counselling, for example, if the investigation concludes that the allegation was false or made maliciously;
- c. The staff member against whom the allegation shall be permitted to return to work; and
- d. The NGO shall ensure that support is provided to the staff member against whom the allegation was made to facilitate their return to work.

**13.4.8.** Following the investigation by the Guardianship Authority, if the allegation is substantiated, the NGO shall follow the directions of the Guardianship and Tutelage Authority and any other relevant authorities involved in the investigation (for example, the police or Commission on Issues of Minors) in taking disciplinary action against the staff member, including terminating the staff members employment contract or volunteer agreement with the NGO.

**13.4.9.** The Safeguarding Lead, Deputy Safeguarding Lead, or other appropriate staff member shall keep the parents/ legal representatives and UNICEF informed about the progress and outcomes of the investigation. The staff member shall also keep the child updated about the progress and outcome of the matter where the child has sufficient maturity and understanding, except where informing the child would not be in the child's best interests.

**13.4.10.** All staff members shall keep detailed written records of the steps taken to handle the matter, including:

- a. The dates and times when the staff member became aware of the child protection concern and made any reports, referrals or notifications to other members of staff or external bodies;
- b. The evidence relating to the allegations, including any reports made by the child in his/her own words; and

c. Reasons for any decisions made.

**13.4.11.** All documentation relating to the allegation and handling of the matter are confidential. The Director (or person covering for him/her) shall maintain the documentation securely on the premises of the NGO. The Director (or person covering for him/her) shall only make the documentation available to the following persons in the following circumstances:

- a. To the Guardianship and Tutelage Authority and, where involved, the police, for the purposes of conducting the investigation into the matter;
- b. To a Government authority where the disclosure is required by law; and
- c. To UNICEF for the purposes of monitoring the Programme and keeping informed of the progress of the matter.

Where a disclosure is permitted, the NGO shall only disclose the information necessary for the purposes of the disclosure.

**13.4.12.** The staff member who conducts the first meeting with the child and parent/ legal representative shall:

- a. Explain this child protection policy to the child (where the child has sufficient maturity and understanding) and parent/legal representative in clear, age-appropriate language; and
- b. Provide the child and parent/ legal representative with the child-friendly hand-out of the privacy policy and child protection disclosure in ANNEX J.

# 14.

## MONITORING

### 14.1. OVERVIEW

It is important to monitor the Programme to ensure that it is achieving its objectives and contributing to the intended impact of the Programme, which is

for CABM to be protected effectively and for their rights to be progressively realised (see Part 6.1).



Monitoring refers to the collection, verification, analysis and use of data relating to the Programme with a view to protecting and improving the realisation of the rights of CABM.



Monitoring of the Programme shall take place at three levels: (i) by the NGO; (ii) by the Steering Committee established at the City/Oblast level; and (iii) at the national level by the project

advisory committee which was established by the Commissioner for Human Rights, UNICEF and EU to monitor the overall Joint Project. This Part 14 focuses on monitoring by the NGO and the reporting of its results to the Steering Committee.

### 14.2. INDICATORS

Indicators are realistic and measurable signs for assessing the progress of a programme. To monitor the implementation of this Programme, the NGO shall collect data to measure the indicators listed in Table 2: Monitoring Indicators.

It is important that the data collected is 'disaggregated' – i.e. that the data for different sub-groups of children are shown, for example, according to children's gender, age, nationality, disability status etc. Disaggregated data is important because it can show if there are inequalities between dif-

ferent groups of children. Adjustments to the Programme or the model protective services can then be made to address these inequalities and protect the rights of all CABM. For this reason, in addition to collecting data to measure the overall indicator (e.g. the total number of children admitted to the Programme), the NGO shall also collect data on the characteristics of the children admitted to the Programme, in order to be able to provide disaggregated figures for that indicator (e.g. the total number of girls and total number of boys admitted to the Programme).



Note: the data collected against these indicators will not give a complete picture of how the Programme is functioning. When evaluating the Programme, it will be necessary to analyse these statistics in light of data collected from other sources (e.g. reviews of individual case files; interviews with children; interviews with parents; interviews with NGO staff; interviews with referrers etc.). However, the statistics will give some indication of how the Programme is functioning and the areas that may require further exploration during the research interviews.



**Table 2: Monitoring Indicators**

Indicator	Disaggregated Data Required	Notes
Objective: to provide support services to CABM in the test location (i.e. Nur Sultan City, Almaty City, or Shymkent City/Turkestan Oblast).		
Indicator 1: Number of referrals to the Programme	<ul style="list-style-type: none"> <li>Type of referring body</li> </ul>	<p>This indicator measures the number of referrals to the Programme. If a child is referred to the Programme more than once, count each referral separately. For example, if a child is referred to the Programme twice, count that as two separate referrals. This will give an indication of the demand for the Programme.</p> <p>In cases where there are two or more children in a single family referred to the Programme, count the referrals for each child separately. For example, if a family with two children is referred to the Programme on the basis that both children are in need of the NGO's support services, count that as two separate referrals.</p>
Indicator 2: Number of admissions to the Programme	<ul style="list-style-type: none"> <li>Type of service to which the child is admitted</li> <li>Whether the admission is a readmission</li> <li>Type of referring body</li> <li>Child's gender</li> <li>Child's age</li> <li>Child's disability status</li> <li>Child's nationality</li> <li>Child's ethnicity</li> <li>Child's primary language</li> <li>Child's care arrangement</li> </ul>	<p>This indicator measures the number of admissions to the Programme. (A child may be referred to, but not admitted to Programme, for example, because the child is not eligible for the services or because the Programme is already at full capacity.) This will give an indication of the workload (total number of cases) handled by the NGO.</p> <p>If a child is admitted to the Programme more than once, count each admission separately. For example, if a child is admitted to the Programme and completes it, but is then readmitted a few months later, count that as two separate admissions.</p> <p>This figure can be compared to the number of referrals (Indicator 1). If the number of admissions is far lower than the number of referrals, further research will need to be carried out to understand why the admission rate is so low.</p> <p>As is the case for indicator 1, count the admissions of children from the same family separately.</p> <p>If possible, provide disaggregated data on the number of readmissions: "e.g. there were 20 admissions in January 2021, 3 of which were readmissions of children who had previously been through the Programme."</p>

Indicator	Disaggregated Data Required	Notes
Indicator 3: Total number of children admitted to the Programme	<ul style="list-style-type: none"> <li>• Types of services to which the child is admitted</li> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> <li>• Child's care arrangement</li> </ul>	Unlike indicators 1 and 2, this indicator measures the total number of children admitted to the Programme. If a child is readmitted to the Programme, count that as one child. If the number of individual children admitted is far lower than the number of admissions (Indicator 2), this will suggest a large number of readmissions, which will require further research to understand why.
Outcome: CABM who are admitted to the Programme receive legal, social support and psychological counselling services to meet their needs		
Indicator 4: Percentage of admissions to the legal services Programme involving the documentation of an undocumented child	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	In theory, it is possible that a child is admitted to the legal services Programme to obtain certain documentation, such as a birth registration certificate, but is readmitted several months later for legal services to obtain another form of documentation. In this scenario, though the cases relate to the same child, they should be treated as two separate admissions/ cases.
Indicator 5: Percentage of admissions to the social support services Programme resulting in the completion of the service plan.	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> <li>• Whether the admission is a first time admission or re-admission</li> </ul>	A child who is admitted to the social support services Programme and completes their service plan, may subsequently be readmitted to the social support services Programme months later. This should be treated as two separate admissions for the purposes of this indicator, even though it relates to the same child.
Indicator 6: Percentage of admissions to the psychological counselling services Programme resulting in the completion of the therapy plan	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	As above, if a child is readmitted to this service, count that as two separate admissions for the purposes of this indicator.
Impact: CABM are protected effectively and their rights are progressively realized		

Indicator	Disaggregated Data Required	Notes
Indicator 7: Percentage of out-of-school children admitted to the Programme who are enrolled in education under the Programme and will receive an official certificate upon graduation	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	This indicator measures the numbers of children, rather than the number of admissions, as the event is more likely to be a one-off event.
Indicator 8: Percentage of children admitted to the Programme and not registered with a polyclinic, who are registered with a polyclinic under the Programme	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	This indicator measures the numbers of children, rather than the number of admissions, as the event is more likely to be a one-off event.
Indicator 9: Percentage of children admitted to the Programme without birth registration whose births are registered under the Programme	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	This indicator measures the numbers of children, rather than the number of admissions, as the event is a 'one-off event' (i.e. a child's birth is registered once).
Indicator 10: Percentage of admissions to the 'independent supporter' services who report that their views, wishes and feelings were heard during their case	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	For this indicator, count each admission separately, even if it relates to the same child, as the child may consider that their views were heard when their case was admitted for the first time, but not when they were readmitted, in which case it is important to capture all this feedback.
Indicator 11: Percentage of admissions in which the Programme is rated as (i) excellent; (ii) very good; (iii) fair; (iv) bad (v) very bad	<ul style="list-style-type: none"> <li>• Child's gender</li> <li>• Child's age</li> <li>• Child's disability status</li> <li>• Child's nationality</li> <li>• Child's ethnicity</li> <li>• Child's primary language</li> </ul>	Calculate this per admission/case, rather than per child, as it is important to obtain feedback on the handling of each case, regardless of whether it is a first time admission or readmission.

## 14.3. REPORTING

Within the NGO, the Programme Coordinator shall be responsible for collecting the data and sharing the data with the Programme Director for analysis. The Programme Director shall report the key findings of the data to the Steering Committee

at its monthly meetings (see Annex B), in order to discuss and address any issues regarding the implementation of the Programme and the outcomes for its beneficiaries.



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The Programme Director shall also participate in the Mid-Term and Annual Review of the model protective services by the Steering Committee. For the review, the Programme Director shall present a written report on the progress of the Programme, including statistics and anonymised information

on cases that have been referred, problems encountered, recommendations for improvements and its general evaluation of the Programme up to that date. See Annex B for more details on the procedures of the Steering Committee.



# 15. MAINTAINING CASE FILES

All cases admitted to the Programme should have a case file and be assigned with a unique ID number to help NGO staff identify, manage and organise its case files, and refer to cases anonymously. Other institutions may have their own coding system for the cases. The NGO may wish to note the other institutions' ID numbers elsewhere on the case file, if that is helpful, but is not obliged to do so and should ensure that the NGO's ID number for the case is clearly distinguished.

If two or more children from the same family are admitted to the Programme, the children should have separate case files, as they may require different services and have their own individualized plans, though they may overlap.

If a child is readmitted to the Programme, the NGO should treat this as a new referral and admission, though the NGO should be able to identify from a case file whether and how many times an individual child has been readmitted. This may be done, for example, by assigning a unique ID number to the child (e.g. 'Case 1'), but creating 'subfolders' in the case file for each readmission

(e.g. for the first admission: 'Case 1'; for the first readmission: 'Case 1.1'; for the second readmission: 'Case 1.2' etc.).

The case manager (either the Programme Social Worker, Psychologist or Lawyer) is responsible for keeping individual case files up-to-date for all their cases. This includes keeping a written record of all communications relating to the matter in the case file. The written records should be sufficiently detailed, and include the date, time, duration, attendance, content and means of each communication.

The case manager is responsible for documenting the process and the reasons for all decisions made in relation to their individual cases during the Programme.

The Programme Coordinator, who is responsible for the day-to-day supervision of individual cases, shall review case files during the progress updates from staff on their individual cases which must take place at least on a monthly basis, to ensure that the case files are maintained properly and are up-to-date.



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## ANNEX A. SAFE RECRUITMENT POLICY

The NGO is committed to the safety and wellbeing of all children participating in the Programme. All staff members (i.e. employees, consultants, interns and volunteers of the NGO) must share, and act according to, this commitment. This Safe Recruitment Policy sets out the standards and checks that the NGO must apply to the recruitment of all staff to ensure that they are appropriately skilled and qualified to work with children and uphold this commitment.

1. Any advertisement for a paid or unpaid role on the Programme must include a statement that, the '[NGO] is committed to the safety and wellbeing of all children in the Programme. All staff (i.e. employees, consultants, interns and volunteers of the NGO) are subject to appropriate checks and references.'
2. All interested candidates must be provided with an information package containing: this Safe Recruitment Policy; the Guiding Principles (Part 5); the objectives of the Programme Part (6.1); the job description and person specification (Part 7); the privacy policy (Part 12); the child protection policy (Part 13); an application form; and instructions on how to apply. All application forms must be signed. Where a candidate has applied online, he/she must sign a hard copy at the interview.
3. To shortlist a candidate, the candidate must demonstrate a good understanding of the job description and meet the person specification, particularly a commitment to the Guiding Principles (see Part 5), objectives of the Programme (see Part 6.1) and the safety and wellbeing of all children participating in the Programme;
4. Shortlisted candidate must provide details for two references, one of which should be from the candidate's most recent employer (where possible). Employment references must come from the Head/Director rather than a former colleague. The NGO will contact these references directly to:
  - Confirm and cross-check details of the candidate's previous employment,
  - Ask about the candidate's suitability to work with children and vulnerable families,

- Ask about any substantiated allegations against the candidate,
- Ask about any disciplinary warnings or actions,
- Ask about the candidate's attendance record,
- Ask about the candidate's disciplinary record,
- Ask for any other relevant information regarding the candidate's suitability to the post,

Written records of all references must be kept and attached to the candidate's application details.

5. At the interview, candidates must provide a copy of official identification, which must include a photo of the candidate at the interview stage. At interview, candidates must explain any gaps in their employment and any anomalies or discrepancies in their record and must demonstrate their commitment to the Guiding Principles and objectives of the Programme, and their ability to protect the safety and wellbeing of children.
6. Any offer of appointment of a staff member is conditional upon the following:
  - Proof of identity,
  - Proof of professional status,
  - Proof of education/certificates,
  - A confidential health questionnaire,
  - Proof of eligibility to work in Kazakhstan,
  - Criminal background check,All checks will be recorded in writing and stored securely and confidentially.
7. All new staff must receive training on the implementation of this Manual, including the privacy policy and child protection policy.
8. Employment contracts and agreements between the NGO and its consultants, interns and volunteers shall include obligations on the staff member to comply with the Guiding Principles (Part 5); the privacy policy (Part 12); and child protection policy (Part 13).

## ANNEX B. PROCEDURAL GUIDELINES FOR THE STEERING COMMITTEE

The role of the Steering Committee is to ensure effective Intersectoral coordination of cases of CABM in line with the guiding principles (see Part 5) and to eliminate overlaps and gaps in the provision of child protection and social support services for these children during the implementation of the model protective services.

Members of the Steering Committee shall appoint a chairperson from their members. The selected NGO's Programme Director or Programme Coordinator shall act as the Secretary of the Steering Committee unless the chairperson designates another person to take on this roll.

The Secretary is responsible for:

- Convening and facilitating the monthly (and after the first year, bi-monthly) and ad hoc meetings of the Steering Committee;
- Taking and circulating minutes of the Steering Committee meetings to all its members;
- Circulating relevant reports and documents to Steering Committee members and other relevant stakeholders in a timely fashion.

The Steering Committee is responsible for:

- Overseeing the implementation of the model protective services in the City, including via a mid-term and annual review of the model;
- Acting as a forum for raising and discussing any issues that have arisen during the implementation of the model protective services, particularly with regard to referrals and Intersectoral coordination in the handling of cases involving CABM; and
- Agreeing on the steps that must be taken in order to address any barriers to the effective implementation of the model protective services.

Members of the Steering Committee have the following responsibilities:

- Take all reasonable steps to ensure the successful implementation of the model protective services;
- Attend the monthly/bi-monthly and ad hoc meetings of the Steering Committee and the

six month and annual review (discussed in more detail below);

- Liaise between the CAM/CSC or NGO and the body that the member represents, to ensure the successful implementation of the model protective services;
- Take all reasonable steps to address any problems that arise with the model protective services as they relate to the representative's body.

The Steering Committee may:

- Nominate any other relevant body or individual to become a member of the Steering Committee. Membership shall be approved by a simple majority vote of the Steering Committee at their monthly/bi-monthly meetings;
- Invite any other relevant person or body to attend and speak at a meeting of the Steering Committee; and
- Make recommendations to amend the functions of the model protective services in order to improve the implementation of its activities.

At the meetings of the Steering Committee, oral reports shall be given by:

- The NGO's Programme Director, who shall report on the progress of the Programme, the type and the number of cases that the NGO is working on, any difficulties that have arisen and on any other relevant issues relevant to the implementation of the model protective services. The NGO's Programme Director shall respond to any related questions of the Steering Committee;
- The Director of the CAM/CSC shall report on the progress of delivering child protection case management services under the model, the type and the number of cases that the CAM/CSC is working on, any difficulties that have arisen and on any other relevant issues relating to the implementation of the model protective services. The CAM/CSC's Director shall respond to any related questions of the Steering Committee;



- Other members of the Steering Committee shall report on the experiences of their body in working with the model protective services.

Ad hoc meetings of the Steering Committee may be convened by the Secretary at any other time if it is deemed necessary.

The Steering Committee shall conduct a mid-term and annual review of the model protective services. Each review shall consist of a formal meeting of the Steering Committee during which each member of the Steering Committee shall present

a written report on the progress of the model protective services with regard to the body that it represents. In these reports, the Steering Committee members shall include statistics and information on cases that have been referred, problems encountered, recommendations for improvements and their general evaluation of the model up to that date.

In addition to the annual reviews, the Steering Committee shall hold a six-month review of the model protective services in the first year. The format of the six-month review should be the same as the annual review.

## ANNEX C. REFERRAL REQUEST FORM

### REQUEST FOR NGO SUPPORT SERVICES FOR CHILDREN AFFECTED BY MIGRATION

Please complete this form and submit it to the Programme Coordinator of the NGO in order to make a request for support services. For requests

submitted orally, this form should be completed by the Programme Coordinator of the NGO in order to make a written record of the request.

SECTION A: DETAILS ABOUT THE PERSON REFERRING THE CHILD (IF RELEVANT)	
A1	Name:
A2	Referring body:
A3	Address:
A4	Telephone number:

SECTION B: DETAILS ABOUT THE CHILD	
B1	Name:
B2	Address:
B3	Date of birth:
B4	Description of the child's care arrangement:
B5	Does the child have a physical or mental disability? If so, please specify.
B6	Language(s) spoken by the child:
B7	Does the child need an interpreter or other communication aid? If so, please provide details.

SECTION C: DETAILS ABOUT THE CHILD'S PARENTS/ LEGAL REPRESENTATIVES	
C1	Name(s):
C2	Address(es):
C3	Marital status:
C4	Language(s) spoken:
C5	Do the parents/ legal representatives require an interpreter or any communication aids? If so, please provide details.

<b>SECTION D: CHILD'S MIGRATION STATUS</b>	
D1. Please describe the child's migration status or how the child is affected by migration.	

<b>SECTION E: SUPPORT SERVICES REQUESTED</b>		
E1	What support services are being requested for the child? (select all that apply)	Social support services <input type="checkbox"/> Legal services <input type="checkbox"/> Psychological counselling services <input type="checkbox"/> Independent supporter services <input type="checkbox"/>
E2	Why do you consider that the child needs these support services?	
E3	Is the child or family currently receiving any other support services? If so, specify the services and the service provider.	

Signed: ..... [Signature of the person completing the form]

Date: .....

**For the NGO to complete:**

<b>Eligibility decision and reasons:</b>	<b>Does the case meet or is it likely to meet the referral criteria? If the answer is 'no,' explain why?</b> <b>Does the NGO have space on the Programme to provide the services to the child?</b>
--	---

Date on which the referrer was notified of the eligibility decision and reasons: .....

Person responsible for notifying the beneficiaries: .....

If the NGO is responsible for notifying the beneficiaries, the date on which beneficiaries were informed of the decision: .....

Signed: ..... [Programme Coordinator ]

Date: .....

## ANNEX D. CASE FILE OPENING FORM

To be completed by the child's case manager (i.e. the Programme Social Worker, Psychologist or Lawyer) at the initial meeting with the child and, if relevant, the parent/ legal representative.

<b>Name of child:</b>	<b>Case ID Number:<sup>53</sup></b>
<b>Name of NGO case manager:</b>	<b>Date of initial meeting:</b>

<b>CHILD'S PERSONAL DETAILS:</b>	
<b>Gender:</b>	
<b>Date of birth:</b>	
<b>Address:</b>	
<b>Contact telephone number:</b>	
<b>Country and city of birth:</b>	
<b>Nationality (citizenship):</b>	
<b>Ethnicity:</b>	
<b>Language(s) spoken:</b>	
<b>School and grade: (indicate whether the child is still enrolled in school or whether he/she has graduated) :</b>	
<b>Disability:</b>	
<b>Care arrangement:</b>	

<sup>53</sup> All cases admitted to the Programme may be assigned with a unique ID number to help the NGO staff identify, manage and organise its case files and to refer to cases without the need to refer to personal names of the individuals involved. See Part 15 on Maintaining Case Files for more details.

<b>DETAILS OF THE PARENTS:</b>	
<b>Names:</b>	
<b>Dates of birth:</b>	
<b>Addresses:</b>	
<b>Contact telephone numbers:</b>	
<b>Countries and cities of birth:</b>	
<b>Nationalities (citizenship):</b>	
<b>Languages spoken:</b>	
<b>Disability:</b>	

<b>(IF DIFFERENT TO THE CHILD'S PARENTS) DETAILS OF THE CHILD'S LEGAL REPRESENTATIVE</b>	
<b>Name:</b>	
<b>Date of birth:</b>	
<b>Address:</b>	
<b>Contact telephone number:</b>	
<b>Nationality (citizenship):</b>	
<b>Languages spoken:</b>	
<b>Disability:</b>	
<b>Nature of the relationship with the child:</b>	

**CIRCUMSTANCES OF THE CASE**

**How is the child is affected by migration / what is the child’s migration situation?**

**Is the child facing any social, psychological, health, educational, legal or other challenges or difficulties?**

**If the child has sufficient maturity and understanding, ask the child the following questions to help you understand his/her situation. This section may not be relevant for clients solely seeking legal services**

- 1. What are your current interests? Do you have any issues or problems?**
- 2. Where do you live? Who do you live with? Do you like where you live? If not, why?**
- 3. Do you go to school? If not, why? What is the highest level of education that you have finished? How easy do you find your studies at school?**
- 4. How is your physical health? Is it easy for you to see a doctor if you need to? If it is not easy, why?**
- 5. How often in the last 30 days have you felt feelings of depression, sadness or hopelessness? How often in the last 30 days have you felt stress, anger or worry?**
- 6. How many meals do you eat in a day?**
- 7. What support do you want or think you need at the moment? Why?**
- 8. (FOR INDEPENDENT SUPPORTER SERVICES) Do you understand what is happening with your case/ why you are here [in the CAM/CSC]? Has anybody asked you where you want to live or what you want to happen to you? What do you want to happen to you? Where do you want to live?**

Signed by: ..... [Case manager]

Date: .....

Consent by the child (if the child has sufficient maturity and understanding):

‘My case manager has explained to me what the Programme is about and the types of things that I will do during the Programme. I agree to receive support services from the [NGO] under the Programme. The case manager has explained the NGO’s privacy policy and child protection policy. The case manager has also given me a hand-out on these policies. I agree to my personal details being handled according to these policies.’

SIGNED: .....

NAME: .....

DATE: .....

Consent by the parent or legal representative:

‘The case manager has explained to me the nature of the Programme and what it will involve. I consent to my child and I receiving support services from the [NGO] under the Programme. The case manager has explained the NGO’s privacy policy and child protection policy to me. The case manager has also provided me with a hand-out on these policies. I consent to my personal details and those of my child being handled according to these policies.’

SIGNED: .....

NAME: .....

DATE: .....

## ANNEX E. ASSESSMENT FORM

A thorough assessment is likely to require more space than this form allows. The Programme Social Worker should therefore append the full assessment to this form, and use this form only to highlight the key points:

<b>Name of child</b>	<b>Case ID Number<sup>54</sup></b>
<b>Name of NGO case manager conducting the assessment:</b>	
<b>1. Home life (assessment of the situation of the child within the home and the family):</b>	
<b>2. Assessment of the child's relationship with his/her extended family and friends</b>	
<b>3. Assessment of the child's social, legal, health, psychological and educational needs:</b>	
<b>Social:</b>	
<b>Legal:</b>	
<b>Medical health:</b>	
<b>Psychological:</b>	
<b>Educational:</b>	
<b>4. Case Manager's Overall Assessment and Conclusions:</b>	
<b>5. Immediate action required:</b>	
Signed by the Programme Social Worker: _____	
Date: _____	

<sup>54</sup> All cases admitted to the Programme must be assigned with a unique ID number.

## ANNEX F. SERVICE PLAN

Name of child	Case ID Number <sup>55</sup>
Name of Programme Social Worker:	

GOAL 1:			
OBJECTIVES	ACTIVITIES	RESPONSIBILITY	TIMELINE
1.1			
1.2			
1.3			
1.4			
1.5			
GOAL 2:			
OBJECTIVES	ACTIVITIES	RESPONSIBILITY	TIMELINE
2.1			
2.2			
2.3			
2.4			
2.5			
GOAL 3:			
OBJECTIVES	ACTIVITIES	RESPONSIBILITY	TIMELINE
3.1			
3.2			
3.3			
3.4			
3.5			



GOAL 4:			
OBJECTIVES	ACTIVITIES	RESPONSIBILITY	TIMELINE
4.1			
4.2			
4.3			
4.4			
4.5			

Signed by the child: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by (parent/legal representative): \_\_\_\_\_ Date: \_\_\_\_\_

Signed by the Programme Social Worker: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by relevant Service Providers:

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## MONTHLY PROGRAMME NUMBER :..... (INSERT DATE)

This shall be reviewed and updated every month by the Programme Social Worker and child.

<b>Name of child:</b>	<b>Case ID Number:<sup>56</sup></b>
<b>Name of Programme Social Worker:</b>	

#	Activities to be completed this month	Action points	Responsibility	What objective(s) and goal(s) does this contribute to?

Signed by the Programme Social Worker: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by the child: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by the parent/legal representative: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by Service Providers, as relevant:

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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<sup>56</sup> All cases admitted to the Programme must be assigned with a unique ID number.

# PLAN FOR THE WEEK BEGINNING ..... (INSERT DATE)

Name of child:	Case ID Number: <sup>57</sup>
Name of Programme Social Worker:	

DAY / DATE	TIME	ACTIVITY	COMPLETED?	COMMENTS
<b>To be completed by the Programme Social Worker, child and parent/ legal representative.</b>			<b>To be completed by the service provider</b>	

Signed by the Programme Social Worker: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by the child: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by the parent/legal representative: \_\_\_\_\_ Дата: \_\_\_\_\_

Signed by the parent/legal representative:

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Service Provider: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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<sup>57</sup> All cases admitted to the Programme must be assigned with a unique ID number.

## ANNEX G. DONATION RECEIPT FORM

<b>Name of child:</b>	<b>Case ID Number:</b> <sup>58</sup>
<b>Name of Programme Social Worker:</b>	

To be completed by the Programme Social Worker for each donation and approved by the Programme Coordinator:

<b>Type of donation (select one):</b>	<b>Donation in kind</b> <input type="checkbox"/> <b>Cash donation</b> <input type="checkbox"/>
<b>Amount of the cash donation in KZT or description of the amount of the donation in kind (e.g. 1 coat; 1 pair of shoes)</b>	
<b>Purpose of the donation:</b>	

I confirm that:

- The child is a beneficiary of the Programme;
- The NGO has funds available for providing the donation;
- The donation is necessary for addressing one or more assessed needs of the child, as determined by the Programme Social Worker pursuant to an initial assessment or full social assessment of the child;
- The NGO is unable to obtain services or support from a public authority or other service provider to meet the needs for which the donation is provided.

SIGNED BY THE PROGRAMME SOCIAL WORKER: .....

DATE: .....

APPROVED BY THE PROGRAMME COORDINATOR:.....

DATE: .....

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<sup>58</sup> All cases admitted to the Programme must be assigned with a unique ID number.

**To be completed by the child (if the child has sufficient maturity and understanding):**

'I have received the donation above. I understand that this is a one-off donation. I agree to use the donation only for the purposes written above. [For cash donations:] I agree to obtain a receipt when I spent the donation and to give the receipt to the Programme Social Worker without delay.'

SIGNED: .....

NAME: .....

DATE: .....

**To be completed by the parent or legal representative:**

'I confirm receipt of the donation above. I understand that this is a one-off donation. I agree to use the donation only the purposes described above. [For cash donations:] I agree to obtain a receipt when I spent the donation and to give the receipt to the Programme Social Worker without delay.'

SIGNED: .....

NAME: .....

DATE: .....

## ANNEX H. PROGRESS REPORT

To be completed by the child’s case manager (Programme Social Worker, Psychologist or Lawyer, as relevant) with the child and parent/legal representative, at least every month during the course of the Programme, and submitted to the Programme Coordinator.

<b>Name of child:</b>	<b>Case ID Number:</b> <sup>59</sup>
<b>Name of case manager:</b>	

REPORT NUMBER : .....

1. What services have the (i) child and (ii) parent/legal guardian received during the last month?

What activities have they been involved in?

2. What were the objectives and ultimate goals of these services and activities?

3. What objectives and/ or goals have been achieved over the last [month]?

4. Have there been and challenges/difficulties in meeting any of the goals/objectives set over the last [month]?

a. If so, what were they?

b. How are these challenges/difficulties being/ going to be addressed?

(Ask (i) the child and (ii) the parent/guardian to answer the following:)

5. Do you feel that the services have benefited you over the last [month]?

a. If yes, how?

b. If not, why not?

6. What other help or support do you think you need?

(To be completed by the case manager with the child and parent/ legal guardian):

7. Are any adjustments being made to the child’s service plan/ therapy plan/ plan for providing legal services? If so, what adjustments and why?

Signed by the case manager: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by the child: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by the parent/legal representative: \_\_\_\_\_ Date: \_\_\_\_\_

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<sup>59</sup> All cases admitted to the Programme must be assigned with a unique ID number.

## ANNEX I. CASE CLOSURE FORM

To be completed by the case manager (Programme Social Worker, Psychologist or Lawyer, as relevant) with the child and, where relevant, the parent/ legal representative. Ensure that you make it clear what is the child's response and what is the parent/guardian's response.

<b>Name of child:</b>	<b>Case ID Number:<sup>60</sup></b>
<b>Name of case manager:</b>	

1. Have the child and, if relevant, the parent/legal representative completed the Programme?

(a) Child's response:

(b) Parent/Legal Representative response::

2. In your opinion, has the Programme helped you or benefited you in any way? If so, how? (For example, improvement of family relationship; the child is now registered with a polyclinic; the child is now enrolled in school and will receive an official certificate on graduation; the child now has a birth certificate; the independent supporter helped the child voice his/her views, wishes and feelings during their case etc.)

(a) Child's response:

(b) Parent/legal representative's response:

3. What was the best thing about the Programme?

(a) Child's response:

(b) Parent/legal representative's response:

4. What did you like least about the Programme?

(a) Child's response:

(b) Parent/legal representative's response:

5. Do you have any other comments on the Programme? (For example, how do you think that we could make the Programme better?)

(a) Child's response:

(b) Parent/legal representative's response:

[To be answered by the child:]

6. Overall, how would you rate the Programme? (i) excellent; (ii) very good; (iii) fair; (iv) bad (v) very bad?

Подпись специалиста по делу:

Дата:

Подпись Координатора Программы:

Дата:

.....  
«Я понимаю, что мое дело закрыто с даты, указанной на странице 1 этой формы. Я понимаю, что это означает, что с этой даты я перестану получать услуги от [НПО] в рамках этой Программы».

Подпись ребенка:

Дата:

Подпись родителя/законного представителя:

Дата:

.....  
«Я понимаю, что мое дело закрыто с даты, указанной на странице 1 этой формы. Я понимаю, что это означает, что с этой даты я перестану получать услуги от [НПО] в рамках этой Программы».

Подпись ребенка:

Дата:

Подпись родителя/законного представителя:

Дата:

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<sup>60</sup> All cases admitted to the Programme must be assigned with a unique ID number.

## ANNEX J. CHILD-FRIENDLY HANDOUT OF THE PRIVACY AND CHILD PROTECTION POLICIES

### Will the [NGO] keep my information private?

- All the information that the NGO has about you (for example, your name, address or photo) is confidential.
- This means that we will not give your information to anyone outside of the NGO unless:
  - We need to for your safety or
  - We have to share the information by law or
  - UNICEF and their team needs to see your case file to check the Programme and train our staff or
  - You and your parent or legal representative tell us that we can in writing.

### Sometimes, we need to share your information....

#### .....For your safety

- Your safety is the most important thing to us.
- We may share your information with someone outside of the NGO if we think that you are in danger or are being harmed.
- If we need to share your information, we will talk to you and your parent or legal representative to let you know what is going to happen, unless this would put you in danger or harm you.
- We will only share the information needed to keep you safe.

#### .....Because we have to by law

- Sometimes, we have to share your information by law.
- If we have to do this, we will talk to you and your parent or legal representative to let you know:
  - What information we will share
  - Why we need to share the information
  - Who we will share the information with
  - How we will share the information

#### .....For UNICEF to check the Programme or train our staff

- We will keep your personal information in your personal 'case file.' We will keep your case file safe in our office.
- Your case file is confidential. This means that we will not show your case file to anyone outside of the NGO, unless we need to show UNICEF and its team.
- We will only show your case file to UNICEF and its team when UNICEF is checking the Programme or training our staff.
- UNICEF and its team will not share your information with anyone else.

### What should I do if I don't feel safe?

- You should talk to an adult you trust. This could be your parent, teacher, social worker or another adult that you are happy to talk to. This could also be a member of our staff.
- There are also two adults working at the [NGO], who are in charge of making children at the NGO feel safe. You can always talk to them if you are not happy speaking to someone you know. These two people are:



<p><b>[Name of Safeguarding Lead]</b></p> <p><b>[Photo]</b></p>	<p><b>[Contact details]</b></p>
<p><b>[Name of Deputy Safeguarding Lead]</b></p> <p><b>[Photo]</b></p>	<p><b>[Contact details]</b></p>

**What happens if I tell the NGO that I don't feel safe?**

- Your safety is the most important thing to us.
- We may need to tell someone outside of the NGO to keep you safe.
- If we need to tell someone outside of the NGO, we will try to speak to you beforehand to let you know what is going to happen.
- If we do share your information with someone outside of the NGO, we will only share the information needed to keep you safe.
- We will normally also speak to your parents or legal representatives. However, we will not tell your parents or legal representatives if this would put you in danger or harm you.

**What happens if it is an emergency?**

- We will call emergency services, for example an ambulance or the police, right away, to protect you and get you the help that you need.

**What happens if I feel unsafe because of a person who works at [NGO]?**

- You should always tell an adult you trust. This can be another staff member at the NGO, for example, [the Safeguarding Lead] or [Deputy Safeguarding Lead].
- We will listen to you and take you seriously.
- We will report what you have told us to the [Guardianship and Tutelage Authority]. The Guardianship and Tutelage Authority will investigate your complaint.
- While the Guardianship and Tutelage Authority is doing its investigation, the staff member you complained about will not be allowed to talk to you or see you, or come into the NGO's building.
- At the end of the investigation, we will normally take the steps that the Guardianship and Tutelage Authority tells us to take.
- We will tell you and your parent/ legal representative the result of the investigation, unless telling you would put you in danger or harm you.
- No matter what happens, you will not be punished for making the complaint.

## ANNEX K. CONSENT FORM FOR PHOTOS OF LIVING QUARTERS

This consent form should be used whenever an NGO staff member considers that it is necessary to photograph the living quarters of a child or family, as part of the evidence for the child's social assessment.

### Consent by the child (if the child has sufficient maturity and understanding):

'I agree that the NGO can take photographs of where I live to help it understand my situation and help me under the Programme. I understand that the NGO will not share the photographs with anyone else unless it is allowed to under its privacy policy. An NGO staff member has explained the privacy policy to me. The NGO has also given me a handout explaining the privacy policy.'

SIGNED: .....

NAME: .....

DATE: .....

### Consent by the parent or legal representative:

'I agree that the NGO can take photographs of where my child and I live so that it can understand our situation and help us under the Programme. I understand that the NGO will not share the photographs with anyone else unless it is allowed to under its privacy policy. An NGO staff member has explained the privacy policy to me and my child. The NGO has also given my child and me a handout explaining the privacy policy.'

SIGNED: .....

NAME: .....

DATE: .....



