



# About the Child Care and Protection Board

## Every child has the right to protection

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For the sake of readability, the text in this brochure has been written in the masculine form. Where the text refers to 'he', this may also be taken to mean 'she'. Where the brochure refers to 'parents', this may also be taken to mean 'parent' (with or without partner), carer(s) or legal representative(s). The term 'child' refers to all children and youths under the age of 18. The term 'client' refers to 'parent(s)' or 'child(ren)'.

### About the Child Care and Protection Board

This brochure is for parents who have come into contact with the Child Care and Protection Board for the first time. It contains a general description of the tasks and working method of the Board. This brochure is also relevant for other interested parties that want more information about the work of the Board. Do you want to know more about the tasks of the Board? Page 3 and 4 of this brochure lists an overview of all available information.

### Every child has the right to protection

Around the year 1900, the protection of children was officially laid down in Dutch law. In 1995, the UN Convention on the Rights of the Child entered into force in the Netherlands. The Convention's guiding principle is that children require special care and protection because of their vulnerable and dependent position.

Parents are primarily responsible for their children's safety. They have to raise and take care of their children and stimulate their development. A child's development may be jeopardised when parents cannot or do not carry their responsibility. In these cases, the Child Care and Protection Board, a division of the Ministry of Security and Justice, has the task of stepping in to protect the child concerned.

### > The role of the Board

The Board is consulted or called in when there are grave concerns over the living situation and upbringing of a child between the ages of 0 to 18. The Board protects the child's interests by assessing its family situation and advising about the best possible solution. A child's interest is at the forefront in everything the Board does.

Parents raise their children. It is their right and their duty. But a child's development may be jeopardised when parents cannot or do not take their responsibility or when voluntary help is failing or no longer an option. This is when the Child Care and Protection Board steps in to carry out its statutory duty. The Board thus contributes to the safety of children and the prospects of youths. At the request of the court, the Board may also become involved in divorces in which the parents cannot reach agreement on a parenting plan. Moreover, the Board assesses the situation of youths who have come into contact with the law and gives advice about appropriate sanctions. Finally, the Board also handles cases of child adoption.

Only a limited number of institutions have the option of directly calling in the Board, such as the police, courts, municipal authorities, certified institutions and 'Veilig Thuis' (Domestic Violence and Child Abuse Counselling and Reporting Centre - AMHK). Other institutions and persons can only contact the Board directly in case of acute and serious threats to the safety of a child.

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### Do you have concerns about a child?

Do you, as a neighbour, family member or teacher, have concerns about a child? Please report any suspicions of neglect, abuse or other serious parenting problems to your local 'Veilig Thuis' branche. For an overview of the 'Veilig Thuis' addresses, please visit the Board's website: [www.kinderbescherming.nl](http://www.kinderbescherming.nl), the 'Veilig Thuis' website: [www.vooreenveiligthuis.nl](http://www.vooreenveiligthuis.nl) or consult a directory.

'Veilig Thuis' can also be reached via telephone: 0800-2000.

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## The tasks of the Board

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### > Protection

The Board investigates families with parenting problems and may request the court to impose a child protection order.

### > Authority and access

At the request of the court, the Board conducts investigations and gives advice about cases concerning parental authority and access to children and involving parents who cannot reach agreement on a parenting plan.

### > Sanctions

The Board conducts investigations into the situation of youths who have come into contact with the law. The Board also informs the court or public prosecutor about its investigation and gives advice on the most appropriate sanction. Finally, the Board coordinates the performance of community service orders imposed on youths.

### > ASAA

The Board conducts investigations in ASAA cases. ASAA stands for 'Afstand' (put up for adoption), 'Screening' (of foster and prospective adoptive families), 'Adoptie' (adoption) and 'Afstammingsvragen' (questions related to parentage). The Board's tasks are explained in more detail below.

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## 1 > Protection

If a family has been dealing with problems, they may or may not have reached out for help in their social network or from professional organisations. However, a child's family situation may be so serious that this type of help is not or no longer sufficient. 'Veilig Thuis', a certified institution or a youth assistance provider appointed by the municipal authorities may be called in to provide assistance. If one of these institutions considers submitting a request for an investigation, the Board and the care workers involved assess whether the assistance is sufficient to remove the threat to a child's development. The Board promotes the interests of the child. If actions and results are insufficient, the Board conducts an investigation, which may or may not reveal that the child needs forced assistance. If needed, the Board requests the court to impose a so-called child protection order. The most common child protection order is the family supervision order, which involves the appointment of family supervisor. The family is obliged to accept this type of assistance. More information about this subject is available in the brochure *When parenting is a problem*. You can see where to get the *When parenting is a problem* brochure on page 4 of this brochure.

## 2 > Authority and access

It has been laid down in law that parents who separate continue to hold joint parental authority. Similarly, the law has made provisions for the right to contact and access to children. Parents who divorce are obliged to lay down agreements concerning their children in a so-called parenting plan. This plan contains agreements about access and a child's place of residence. When parents fail to reach agreement on a parenting plan, the court has to take a decision. The court may request the Board to investigate the situation and give advice about the best solution for the children. In case of grave concerns over a child, the Board may decide to also initiate a child protection investigation. More information about this subject is available in the brochure *When parents separate*. You can see where to get the *When parenting is a problem* brochure on page 4 of this brochure.

## 3 > Sanctions

When a child has committed an offence and an official police report has been drawn up, or when a child has been taken into police custody, the police informs the Board. The Board subsequently conducts an investigation in order to inform the public prosecutor about the youth and his family and general situation. The Board also gives the public prosecutor and the court pedagogic advice about a possible sanction and assistance in line with the offence. The Board monitors the child throughout the course of his sanction and ensures that all activities of the Board, the youth rehabilitation service and the public prosecutor are harmonised. In case of grave concerns over a child, the Board may decide to also initiate a child protection investigation. Moreover, the Board coordinates the performance of community service orders imposed on youths. More information about this subject is available in the brochure *When your child has come into contact with the law*. You can see where to get the *When your child has come into contact with the law* brochure on page 4 of this brochure.

## 4 > ASAA

ASAA stands for 'Afstand' (put up for adoption), 'Screening' (of foster and prospective adoptive families), 'Adoptie' (adoption) and 'Afstammingsvragen' (questions related to parentage). When a prospective adoptive family files an application for adoption of a foreign child, the Board investigates the family. The Board assesses whether the family is suitable to adopt a child and advises the Ministry of Security and Justice accordingly. The Board is also called in when parents want to give up their child for adoption, when children want to know who their parents are and when parents want to know how their child is doing in their new adoptive family.

## The investigation

An investigation by the Child Care and Protection Board is intended to clarify the situation of the child and the family. To this end, the Board conducts interviews with parents, children and other people involved in the family. The investigation centres on the question of what is in the best interest of the child.

A Board employee, a child welfare investigator, carries out an investigation into the child's development, the upbringing the child is receiving and the assistance, if any, already being offered. The child welfare investigator wants to gain a clear picture of the child and his circumstances to determine how the development of the child is jeopardised and what can be done to remedy the situation. Prior to the investigation, the child welfare investigator draws up an investigation plan. Throughout this process, the child welfare investigator keeps in mind that it is his task to promote the interests of the child. The child welfare investigator holds interviews with various parties. Not only the parents and other family members, but if need be also teachers, the family doctor or other care workers. During the investigation, the child welfare investigator also considers options of help from the family's social network.

The investigator is supported by a behavioural specialist and, if necessary, a legal expert. They take all decisions in the investigation together. The child welfare investigator's supervisor, however, is ultimately responsible. The investigator keeps the parents informed about the course of the investigation.

### > The report

Each investigation is concluded with a report in which the child welfare investigator describes the child's family and general situation, answers the questions of the investigation and states the Board's advice.

In the report, the child welfare investigator describes the working method and course of the investigation and answers the questions of the investigation. A report also includes the information provided by the parents and child about the topics of the investigation plan. It also contains information provided by third parties.

A report is generally concluded with a recommendation. The child welfare investigator sends his preliminary report to the parents and, depending on their age, the children. Incorrectly stated facts can be altered and other comments can be added to the report in an appendix, after which the report is made final. In nearly all investigations, the Board sends the final report to the parents and sometimes also the children. Depending on the type of investigation, the Board sends the report to the court, public prosecutor or the Minister of Security and Justice.

### > The file

A copy of the report is added to the Board's file with all data concerning the child and the family. The Board destroys the child's file after reaching the age of 24. In addition to adoption files, files about measures for the divestment of parental responsibility are also saved indefinitely.

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## Quality framework

The working method of the Child Care and Protection Board has been laid down in a quality framework, falls under the responsibility of the Minister of Security and Justice. The framework provides the Board employees with guidelines for their daily work. The document describes how an investigation is carried out, which information is included in the report and how long an investigation is allowed to take. The Board also makes use of protocols which prescribe how the Board must act in certain cases.

There is a Protection protocol, an Authority and Access protocol, a Criminal Proceedings protocol and an ASAA protocol. This enables the child welfare investigations to carry out their investigations in an as uniform as possible manner and allows clients to ascertain what they can reasonably expect from the Board. The Board, for its part, expects to be able to carry out his tasks in a safe and respectful manner. You can inspect the quality framework as well as the protocols at any location of the Board or consult them on [www.kinderbescherming.nl](http://www.kinderbescherming.nl).

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## More information

### > Client counsellor

In their contacts with the Board, clients can arrange to be assisted by someone they trust: a family member, friend, lawyer or care provider, which is subject to several rules. For instance, a client counsellor is not allowed to act on behalf of his client and is also not allowed to do anything without his client's permission. The Board is entitled to refuse a client counsellor if he is disruptive to the proceedings of the investigation.

### > Independent counsellor

Besides the client counsellor, clients also have access to an independent counsellor. He is charged with informing and advising clients about their general and legal position and supporting them when they have questions, problems and complaints about the Board. Independent counsellors have received special training for this. Brochures about the independent counsellor are available at every Board location. The independent counsellor is employed by the Youth Care Advisory and Complaints Office (AKJ). More information is available on [www.akj.nl](http://www.akj.nl).

### > Client council

The client council wants to contribute to the improvement of the quality of the Board's work. The members of the client council advise the Board about various subjects, including the quality of the Board's services. They have based their advice to the Board on their experiences with the Board. The client council's objective and tasks have been laid down in regulations. More information about the client council is available on [www.kinderbescherming.nl](http://www.kinderbescherming.nl).

### > Client satisfaction survey

The Board would like to know what clients think of the quality of the work. Therefore, the Board regularly has surveys conducted into

client satisfaction. For the Board, the opinion of its clients is one of the factors which determines its working method and the manner in which it deals with clients. Parents and youths over the age of twelve may receive a questionnaire for the purpose of the survey.

### > Doubts about identity

Sadly, some people pose as Board employees. If you have doubts about a person's identity who poses as a child welfare investigator, please contact your local Board's branch. Addresses and telephone number are available on [www.kinderbescherming.nl](http://www.kinderbescherming.nl).

Always ask a person for his Child Care and Protection Board pass, which all child welfare investigators are obliged to carry.

### > Personal data protection

- Board clients' personal data as well as those of other parties involved in an investigation are saved in a computer file and physical file. The Board follows the statutory regulations pertaining to personal data protection. Naturally, the Board handles client data with due care and confidentiality. Clients and other parties involved have the right to inspect their own files and have their data complemented or corrected. The procedure for inspecting your file is described in the *Wbp Regulations\** which is available at all Board locations, or on [www.kinderbescherming.nl](http://www.kinderbescherming.nl).

\* in full: *Personal Data Protection Act Regulations Primary Process Child Care and Protection Board*

- In order to improve the information exchange between the municipal authorities, authorised youth care providers, certified institutions, the Board and judiciary, these organisations use special systems, such as GCOS and CORV. This allows all participants in the meetings between the chain partners and the Board to have a complete overview of all relevant and current information about a child, which improves and accelerates the decisionmaking process.
- In the *Young People at Risk Reference Index*, the Board states the children for who a child protection investigation has been initiated, who have been taken into police custody or about who an official police report has been drawn up. This notification consists of the general personal details of the client and his citizen service number. The Board merely states that an investigation has been initiated. When several different organisations have entered notifications about the same minor,

the system shows a match. The organisations know which institutes are involved in the client's case and are thus able to exchange information.

### > Complaints

A client who is displeased with the way a Board employee has acted towards him or about the way in which the investigation has been conducted, can initially discuss this first with the employee involved and his supervisor. They then try to find a solution together with the client. If this fails, the client concerned can file an official complaint. More information about this subject is available in the brochure *When you have a complaint*. In the column to the right, you can see where you can get this brochure.

### > Questions?

Do you have other questions about the work of the Child Care and Protection Board? Please direct them first to your Board contact person, or contact your local Board branch. The addresses and route descriptions of the various branches are available on [www.kinderbescherming.nl](http://www.kinderbescherming.nl). Here you can also find information about organisations that cooperate with the Board.

### > Brochures

More information about the Board is available in the following brochures:

- *When parenting is a problem*
- *When your child has been placed under supervision*
- *When parents separate*
- *When your child has come into contact with the law*
- *When you have a complaint*
- *When you have asked the Board for information*
- *When you have been appointed temporary guardian of a youth from Caribbean Netherlands*

For youths:

- *When your upbringing is jeopardised*
- *When you have come into contact with the law*
- *When you have received a community service order*
- *When your parents separate*

These brochures are available:

- on [www.kinderbescherming.nl](http://www.kinderbescherming.nl)
- at all Board locations

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## Protecting children, it's a joint effort

The Child Care and Protection Board fights for the rights of children whose development and upbringing is jeopardised. The Board creates conditions to eliminate or prevent such threats. The Board conducts independent investigations, gives advice in legal proceedings and proposes measures or sanctions. The Board works in close cooperation with other institutions.