



Republika e Kosovës
Republika Kosova-Republic of Kosovo

Qeveria - Vlada - Government

REGULATION (GRK) NO. 07/2024
ON THE ORGANIZATION AND SCOPE OF CHILD PROTECTION
HOUSES¹

¹ Regulation (GRK) no. 07/2024 on the Organization and Scope of Child Protection Houses has been Approved in the 191th meeting of the Government of the Republic of Kosovo, with the Decision No. 02/191, dated 05.03.2024.

The Government of the Republic of Kosovo,

Pursuant to Article 93 (4) of the Constitution of the Republic of Kosovo, in accordance with Article 30 paragraph 7 of the Law No. 06/L-084 on Child Protection (OG. No. 14, as of July 17, 2019) as well as Article 19, paragraph 6.2 of the Regulation No. 09/2011 of Rules and Procedure of the Government of Republic of Kosovo (Official Gazette No. 15, as of September 12, 2011).

Approves:

**REGULATION (GRK) NO 07/2024
ON THE ORGANIZATION AND SCOPE OF CHILD PROTECTION HOUSES**

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The purpose of this Regulation is to define the organization and scope of the Child Protection Houses (hereinafter: the Houses).

**Article 2
Scope**

The provisions of this Regulation are applicable by Houses and professionals for the child protection

**Article 3
Principles**

1. All actions, measures and decisions that are undertaken in the Houses are guided by the principles of:

1.1. Friendly approach;

1.2. Emergency response;

1.3. Interdisciplinary action;

1.4. Coordination between institutions and institutional actors involved in providing services and solving the case in the shortest possible time.

CHAPTER II WORKHOUSE CHILD CONCEPT AND TYPES OF SERVICES

Article 4 Working Concept

1. Houses functioning and implementing these working concepts and principles:

1.1. Provision of all child protection services under one "roof" throughout 24 hours and seven days a week;

1.2. Implementing friendly justice, including respecting the child's right to participation, ensuring that the child is heard and receives the appropriate information and support to exercise these rights;

1.3. Emergency response through actions and decisions that shall be taken and implemented without unreasonable delay in order to avoid any irreparable damage. All child protection professionals shall give priority to cases where the child's life and interest are at risk.

1.4. Multidisciplinary and inter-institutional cooperation during the investigation, procedure, diagnosis, assessment of needs and provision of services in order to avoid further traumatising and achieve results in accordance with the best interest of the child;

1.5. comprehensive and accessible services that meet the basic and specific needs of the child and his/her parent or guardian;

1.6. guaranteeing the highest professional standards;

1.7. ensuring the necessary protection and services which are carried out professionally within the foreseen legal deadline.

Article 5 Types of Services

1. Houses provide these types of services:

1.1. Emergency services for child protection, no longer than three (3) days;

1.2. Services for the development of procedures for all cases of violence, with special emphasis on criminal offenses against sexual integrity, when the child is a victim or witness;

1.3. counselling services, especially various therapies;

1.4. temporary shelter services for a child who cannot return Home, cannot be accommodated in family shelter, or is at Home but is required to leave due to the danger to his life or health.

CHAPTER III ESTABLISHMENT AND ORGANIZATION OF HOUSES

Article 6 Establishment of Houses

1. In accordance with the provisions of the relevant Law on Child Protection and the relevant Law on Local Self-Government, the relevant Ministry of Labour and Social Welfare (hereinafter: The Ministry) establishes Houses near the Centers for Social Work, where the courts and basic prosecutions work.
2. House in the Municipality of Pristina acts for the territory of the Municipality of Pristina, Fushë Kosova, Obiliq, Lipjan, Podujeva, Gllgovci and Gracanica.
3. House in the Municipality of Gjilan operates for the territory of the Municipality of Gjilan, Kamenica, Novobërda, Ranillug, Partesh, Vitija, Klllokot and Verboc.
4. House in the Municipality of Prizren acts for the territory of the Municipality of Dragash, Suhareka and Mamusha.
5. House in the Municipality of Gjakova acts for the territory of the Municipality of Gjakova, Malisheva, and Rahovec.
6. The House in the Municipality of Peja acts for the territory of the Municipality of Deçan, Junik, Istog and Klina.
7. The House in the Municipality of Ferizaj acts for the territory of the Municipality of Ferizaj, Kaçanik, Shtime, Shtërpce and Hani t Elez; and
8. The House in the Municipality of Mitrovica operates for the territory of the Municipality of South Mitrovica and North Mitrovica, Laposaviq, Zubin Potok, Zveçan, Skenderaj and Vushtrri.
9. The houses are financed by the Budget of the Republic of Kosovo and donors.
10. The Ministry, through the relevant Ministry of Finance, proposes to the grants commission the provision of the budget for the construction and operation of the Houses.
11. The municipality in which the House is established is responsible for securing the plot and building the facility and accompanying infrastructure.
12. The Ministry is responsible for securing and recruiting the professional and managerial staff of the Houses.

Article 7

Organization within Houses

1. The houses are organized in rooms which are specialized to provide services according to the principle: child in center.
2. The services are provided according to the concept of multidisciplinary and cross-sectoral services, where the internal services are connected with the services provided outside the House.
3. For the realization of the services from paragraph 1 of this Article, the Houses have at least these rooms:
 - 3.1. the friendly interview room;
 - 3.2. observation room;
 - 3.3. psycho-social therapy and counselling room;
 - 3.4. the medical room and liaison with the health system.
4. In cases where the House cannot provide a certain service and such service is deemed necessary for the child, the staff of the House must be committed to finding opportunities to provide such a service outside the House, always based on the best interest. good of the child as well as guaranteeing his safety during the entire time that the child stays outside the House.

Article 8

Minimum Standards

1. The Ministry defines the minimum functional and structural standards for the Houses as they are, but not limited to:
 - 1.1. human resources;
 - 1.2. reception and stay spaces;
 - 1.3. placement capacities by calculating the number of children;
 - 1.4. adapting and designing the spaces of the house according to the friendly concept;
 - 1.5. common spaces, such as the kitchen and toilets.
 - 1.6. food;
 - 1.7. hygiene;

- 1.8. personal things;
- 1.9. physical and mental health care;
- 1.10. interview rooms;
- 1.11. observation room;
- 1.12. rooms for activities and related services;
- 1.13. work schedule and daily schedule, rules of interaction between the staff and the child;
- 1.14. type of services;
- 1.15. frequency of service provision.

2. Standard operating procedures that define the principles and multidisciplinary approach are, but not limited to:

- 2.1. identification;
- 2.2. reporting;
- 2.3. referral;
- 2.4. protection;
- 2.5. transition and phase of departure;
- 2.6. leaving House and re-integration;
- 2.7. assistance after departure and rehabilitation.

CHAPTER IV CHILD PLACEMENT IN HOUSE

Article 9 Child Categories and Exclusion Criteria

1. The houses offer emergency services for the protection of the child, no longer than three (3) days until a solution is found in the best interest of the child, return to the family or through basic forms of legal and family protection, when the Guardianship Body has reasonable grounds:

- 1.1. that there is a serious direct risk to the health, safety or well-being of the child and the child needs a safe place and care;

- 1.2. when learning about the existing risk for the child due to abuse, mistreatment, neglect or any risk that threatens the child, for which measures must be urgently taken to protect the personality, rights and interests of the child;
 - 1.3. that the child, due to special circumstances or needs, needs emergency protection, without excluding any category of children in need of services and protection.
2. The Houses also serve as centres for the development of procedures for all cases where the child:
 - 2.1. is a victim or witnesses of all forms of violence;
 - 2.2. is a victim of criminal offenses against sexual integrity;
 - 2.3. cannot return House;
 - 2.4. cannot be accommodated in family accommodation;
 - 2.5. is in house but their departure is required due to the high risk to their life or health.
3. In principle, brothers and sisters are not separated during placement, as long as it is not clearly assessed that there is a high risk of any form of violence or any other justification that justifies the separation in their interest.
 4. In case of their separation, at any time and moment efforts shall be made for them to unite, to have regular contacts between them, as long as this is not against the wishes and shall of the latter.
 5. With the exception of paragraph 1 of this Article, the mother must also stay in the House together with the child if:
 - 5.1. the child is in the breastfeeding period;
 - 5.2. the minor child is a victim of the same criminal offense committed against the mother;
 - 5.3. due to age, being alone and being separated from the mother can affect and cause further trauma.

Article 10

Placement Capacities

1. A maximum of ten (10) children can be accommodated in the House within a period of three (3) days.
2. Except in cases of emergency and extraordinary situations, the Houses can increase the placement capacities. The increase in capacity must not exceed half of the full capacity of the

House and under no circumstances must affect the impairment or diminution of the provision of services and treatment plans for the child.

3. With the exception of paragraphs 1 and 2 of this Article, when the capacities of the respective House are full, the child may be placed in another House closer to the child's place of residence.

Article 11 Case Reporting and Referral

1. Any person who notices or has information about a situation or act in which any form of violence has been applied to a child is obliged to report the case to the Police or the Center for Social Work.

2. The Police and the Center for Social Work without delay undertake the necessary actions to place the child in the House.

Article 12 Actions before Placement

1. After receiving the information and referring the case from the Police to the Center for Social Work, the case is identified and the criteria for placement are assessed.

2. With the exception of paragraph 1 of this Article, the identification and assessment of the case can be done directly by the Center for Social Work in cases where the report is made by other sources or identified by the Center for Social Work.

3. The Center for Social Work during the identification of the case must provide evidence and record this data:

3.1. source of referral;

3.2. name and surname of the child;

3.3. date of birth of the child;

3.4. location of the child;

3.5. name and surname of parents and place of their occurrence (if known);

3.6. current circumstances for the child;

3.7. social report (anamnesis).

4. In cases where the Center for Social Work finds that the conditions for placing the child in the House have been met, it notifies the Coordinator of the House and, in coordination, takes the steps to place the child.

5. Before placement and throughout the child's stay in child protection houses, the case manager appointed by the Center for Social Work and the legal guardian, together with the

staff of the House, ensure that the child is prepared and supported for the child's placement temporary in the House to accept it easily and that is in his interest.

Article 13

Coordination and Notification

1. The Center for Social Work is responsible for coordinating all actions with the institutions and professionals involved in the case until the child is placed in the House.
2. The Center for Social Work is specifically obliged to keep informed and at the same time receive instructions from the Police, the Prosecutor's Office or the Court for the cases of a child who may be a victim or witness of violence, with an emphasis on criminal offenses against sexual integrity.
3. After determining that the conditions are met and the decision to place the child in the House, the Center for Social Work informs the Coordinator of the House immediately about the decision to place the child, in order to prepare the environment for the best possible reception for the child.

Article 14

Transport

1. The transport of the child to the House is done by the Center for Social Work accompanied by the case manager, parent or guardian.
2. Exceptionally from paragraph 1 of this Article, in high-risk cases during transport, the police officer shall also be present.
3. The means of transport and accompanying staff shall be civilian and without uniform.
4. During the transportation of the child, the child's dignity is respected and guaranteed, in a friendly manner, avoiding stigmatization or any specific trauma.
5. During the transportation of the child, there shall always be food and hygiene materials.

Article 15

Admission in House

1. When the child is placed in the House, the child's personal file is created, which contains the relevant information during the child's stay in the House.
2. On the day of the child is admitted in House, the coordinator together with the case manager draw up a plan for addressing emergency needs during temporary care, including the time of stay in House and the need to communicate with other professionals.

3. In drawing up the plan, the child is given the opportunity to express its views, needs and concerns.
4. The child is informed about assessments and actions for its best interest, based on the child's age and abilities

Article 16 **Emergency Needs Assessment**

1. The assessment of the child's needs for emergency medical services and professional treatment is done at the time of the child's admission in House.
2. Medical examinations and treatment are carried out by specialized personnel who are trained to recognize the indicators of physical, sexual and emotional abuse, as well as child neglect.
3. Medical examinations and treatment are routinely carried out in the premises of the House, except for urgent or complicated cases that require interventions or special equipment in a hospital environment.
4. If it is identified that the child needs specialized medical care, the child shall be accompanied to specialized medical services, and medical assistance shall be provided immediately.
5. In the cases as in paragraph 4 of this Article, the Center for Social Work is immediately notified of the need for specialized medical services.
6. If, during the evaluation of the child's needs, it becomes clear that the child needs support from social services, the case is referred to be followed by the services of the Center for Social Work.
7. In cases where the child must be interviewed, this is done only by order of the prosecutor or the judge.
8. Interview with the child takes place in the friendly interview room inside the House.
9. Multidisciplinary professional team listens to the child's testimony from the observation room.
10. Interview with the child is conducted by professionals according to specified protocols and is adapted to the specific characteristics of the child's status.
11. Interview with the child takes place only once and is recorded.
12. At the request of the Court or the Prosecutor's Office, after the forensic and clinical examination, a report is drawn up, which is submitted to the Court to be used as evidence.

Article 17 **Basic and Emergency Services**

1. After accepting the child and assessing the emergency needs, the House ensures that the needs are met.

2. The services offered to the child at the House include:

2.1. Basic emergency protection services:

2.1.1. shelter;

2.1.2. food;

2.1.3. hygiene;

2.1.4. clothes.

2.2. Child welfare services:

2.2.1. medical services;

2.2.2. psychological and therapeutic services;

2.2.3. trauma treatment services;

2.2.4. psycho-social activities;

2.2.5. physical and recreational activities;

2.3. Integrated services:

2.3.1. legal services;

2.3.2. free legal aid;

Article 18 **Transition and Leaving the House**

1. Center for Social Work, in cooperation with the staff of the House and other institutions involved, undertake all actions to provide the child with a temporary or permanent solution and protection within a period of three (3) days, so that the child leaves the premises of the House.

2. Temporary or permanent protection includes but is not limited to:

2.1. return to the family environment if the circumstances or causes that caused the child's departure from the family have been eliminated;

2.2. placement of the child in any of the forms of alternative care, with family accommodation as a priority;

3. Transition of the child from the House to another care alternative is based on the individualized plan drawn up by the case manager and professionals related to the case.

4. House submits the report with recommendations and the copy of the case file for the child to the case manager of the relevant Center for Social Work.

Article 19

Free Legal Aid

1. Child must be offered free legal aid in every action and decision in accordance with the legislation in force.

2. Child is offered free legal aid at all stages up to the provision of long-term and permanent protection.

Article 20

Personnel of Houses

1. Houses, in order to perform their legal duties and responsibilities, have the necessary personnel such as:

1.1. Head of the House;

1.2. Psychologist;

1.3. Social worker;

1.4. Caregivers-carers for basic and health needs of the child during 24 hours;

1.5. Administrative and technical officer.

2. The duties and responsibilities of the staff of the Houses are determined by the Ministry and are part of the minimum standards act.

Article 21

Infrastructure

1. All Houses shall be designed and built according to a unique standard approved in advance by the Ministry.

2. Model of the Houses shall be designed according to these parameters:

2.1. to be friendly and suitable for the child;

2.2. the facility has two separate and separate entrances;

- 2.3. be accessible, ensuring that all children have the opportunity to move and fully use the spaces of the House;
 - 2.4. lighting and sufficient space;
 - 2.5. to be compatible with the types of services that shall be offered;
 - 2.6. to provide security for the child during his stay at the House.
3. Interior together with the equipment and accompanying items for the activities that will take place within the House must be in accordance with the services that will be offered and the age group of the children that will use these services.

Article 22 Cooperation

1. For the implementation of the mission and work concept, the Houses through the Center for Social Work cooperate and coordinate actions with other institutions and entities for the protection of the child, such as:

- 1.1. Ministries in accordance with the assessment of the needs of the case;
- 1.2. Municipalities;
- 1.3. Kosovo Police;
- 1.4. Prosecutor's office;
- 1.5. Courts;
- 1.6. Institute of Forensic Medicine;
- 1.7. Medical Services (primary, secondary and tertiary);
- 1.8. Office for Victim Protection;
- 1.9. Free Legal Aid Agency;
- 1.10. Ombudsperson;
- 1.11. Shelters;
- 1.12. Help Desk in case management;
- 1.13. Team for the rights of the child.
- 1.14. Licensed Civil Society Organizations;
- 1.15. Licensed experts and professionals in the field;

- 1.16. Private licensed companies.
2. Ministry may sign memorandums of cooperation with the relevant institutions for the implementation of the concept of the House for the purpose of child protection.

CHAPTER V CHILD PROTECTION

Article 23 Child Protection Policy

1. Ministry prepares relevant policy documents for child protection within the House.
2. The purpose of child protection policy documents is to protect and promote the rights of the child and their best interest.
3. Ministry during the development of the policy document for the preservation and protection of the child should take into account:
 - 3.1. risk assessment;
 - 3.2. awareness of those involved;
 - 3.3. preventing damage and avoiding re-victimization;
 - 3.4. reporting;
 - 3.5. reaction and response.

Article 24 Confidentiality and Protection of Personal Data

1. Verbal, written or electronic communication related to the provision of the child protection service at the House is handled in accordance with the legislation in force for the protection of personal data.
2. Information from paragraph 1 of this Article is shared with others only as much as is necessary to provide the service in the best interest of the child.
3. Relevant Department of the Ministry maintains, stores, uses, creates safe conditions and supervises the database for all Houses.
4. Registration, maintenance and use of the child's personal data is done in accordance with the conditions defined by the Law on the Protection of Personal Data and the Criminal Code.
5. Head of the House with the authorization of the Department has access to the database.

6. Head of the House, with the consent of the Department, can authorize one of the social workers of the House to update the data in the database.

7. All employees shall be informed about their obligations and responsibilities and shall sign declarations for maintaining the confidentiality of information learned during work at the House in order to preserve the integrity of the child and the parties involved in the procedures and actions for his protection.

Article 25

Capacity Building

1. Relevant institutions develop and offer training programs for professionals to implement child protection at House.

2. Continuous trainings are mandatory for all staff of the House and other professionals who are directly or in other ways involved in providing services to the child.

Article 26

Right to Appeal

1. Against the decision of the Center for Social Work to place the child at House, the party has the right to appeal to the Complaints Commission in the Ministry's Department.

2. Provisions of the Law on General Administrative Procedure are applied in the procedure for realization of rights from services according to this regulation.

CHAPTER VI

SUPERVISION

Article 27

Supervision

1. Relevant department in the Ministry supervises and monitors the Houses regarding the implementation of legal procedures and standards for the provision of protective services.

2. For each supervision from paragraph 1 of this Article, minutes are kept on the occasion of the visit and a report is drawn up, which presents the achievements and deficiencies within the provision of services.

3. Department, within the framework of the implementation of the mandate for supervision and monitoring, can give advice, recommendations and instructions as needed.

Article 28

Inspection

1. The inspection of the provision of services is carried out by the responsible inspectors from the relevant Unit in the Ministry according to the authorization.

2. If during the inspection it is suspected or there is evidence of violence, abuse, discipline or any misuse of the child's interests, the inspector, within the framework of legal obligations, must take urgent measures first to order the protection of the child's interest and then to take measures for investigating and reporting the case to the competent authorities.

Article 29 Reporting

The Head of the House prepares regular reports every three (3) months and reports as requested by the Ministry.

Article 30 Entry into force

This Regulation enters into force seven (7) days after publication in the Official Gazette of the Republic of Kosovo.

Albin Kurti

Prime Minister of the Republic of Kosovo

08 March 2024