



When your child has been placed under supervision

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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)'.

When your child has been placed under supervision

Parents sometimes are unable, temporarily or otherwise, to give their children the care and upbringing they need to develop into an independent and balanced adult. 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. Only if voluntary assistance has been ineffective and the parents or child refuse help, the court may place your child under supervision at the request of the Child Care and Protection Board. This is a drastic measure that is not taken lightly, but only if the court is of the opinion that it is in the best interest of your child that your family receives mandatory assistance. This brochure explains what a family supervision order is and the role played by the Board, court, municipal authorities, certified institutions and youth care institutions.

If the problems in your family jeopardise the development of your child, the Child Care and Protection Board may request the court to impose a family supervision order. If the court indeed imposes a family supervision order, your family is appointed a family supervisor. You and your child are obliged to accept this help.

> Family supervision order

Sometimes a family's problems are so serious that they endanger the development of a child. If the Board is of the opinion that this is the case for your family, your child has the right to protection. In this case, the Board may request the court to have your child put under the supervision of a certified institution, which appoints a family supervisor.

More information about the duties of the family supervisor is available on page 2 of this brochure.

> Purpose of family supervision order

The purpose of a family supervision order (OTS) is to find a solution to the problems that are endangering your child's development. These problems can range from child abuse to a dysfunctional relationship between the parents with disastrous consequences for the child. In this brochure, we refer to these problems as parenting problems. Sometimes, parents are unable to solve their parenting problems on their own or with outside help. A family supervision order is intended to create a better upbringing situation for the child and to eliminate the threat to this development. A family supervisor checks if this is actually achieved.

Child protection order

There are various child protection orders. The least severe measure is the family supervision order and most often imposed. It limits parental authority over a child. The other, more severe, measure is the removal of parental authority, in which the parents lose parental authority over their child. This measure is explained in brief in the brochure *When parenting is a problem*. On the back of this brochure, you can see where to get the *When parenting is a problem* brochure.

The role of the Board

The Child Care and Protection Board assesses whether there are parenting problems that threaten the development of your child. If the Board believes your family needs mandatory assistance, it requests the court to impose a child protection order.

> Investigation and report

If you and your youth care provider fail to solve the problems and the upbringing situation remains a threat to the development of your child, 'Veilig Thuis' (Domestic Violence and Child Abuse Counselling and Reporting Centre - AMHK), a certified institution or an institution appointed by a youth care organisation calls in the Board. In a consultation between the Board, the authorised youth care provider and, if needed, the municipal authorities, all available information is discussed. Based on this information, the Board

decides whether or not to initiate an investigation. If you accept assistance and voluntary assistance is an option, the Board does not take further action. However, if the Board does play a role in a situation, it joins the consultation to discuss ways in which the assistance will be organised. The Board also makes agreements to safeguard your child's safety. A child welfare investigator conducts an investigation into your child and your family. He is charged with determining whether or not the situation seriously endangers the development of your child and what is needed to eliminate this threat. He is also responsible for assessing whether the assistance required can be arranged within a time frame that is acceptable to your child. If that is the case, a family supervision order is possible. If this is not the case, it is considered whether an order to remove you from your parental authority is required. The Board concludes the investigation with a report which describes the best solution, in the opinion of the Board, for your child.

> Request to the court

If the investigation reveals that the development of your child can only be safeguarded with mandatory assistance and you have refused voluntary assistance, the Board requests the court to have your child placed under supervision. To this end, the Board sends the investigation report to the court. A family supervision order can be drastic, both for you and your child. Therefore, the Board only requests the court to impose such an order if:

- voluntary assistance is no longer or not sufficient;
- the parents have refused help;
- the investigation confirms that the development of the child is seriously threatened;
- assistance can be arranged within a time frame that is acceptable for the child.

According to the law, the municipal authorities, represented by the mayor, also have the right to request a child protection order from the court through the Board. However, only if after the investigation the Board has decided not to request a child protection order, in which case the mayor requests the Board to submit the case to the court after all. Parents and foster parents may only submit an independent request for a family supervision order after the Board has decided not to.

> Children at the forefront

The Child Care and Protection Board is charged with safeguarding the rights of children whose development is or may become jeopardised. Therefore, a child's interest is at the forefront in everything the Board does. At the same time, Board employees realise that the intervention of the Board can be an emotional and drastic event for both parents and children.

The court

At a hearing, the court asks for your opinion about the option of a family supervision order. The court may also ask the opinion of your child (hearing). The report of the Child Care and Protection Board plays a major role in the court's decision-making process. The court processes the Board's request at the hearing, which involves talking to you, the Board and any other parties involved. During the hearing, you may arrange to be assisted by a lawyer. If your child is twelve years or older, the court is obliged to ask for his opinion, without you being present. The court may also ask the opinion of children younger than twelve, but this is not required.

The report of the Board is an important source of information for the court, but it also gathers information at the hearing and include it in its decision. The court is under no obligation to accede to the Board's request.

The family supervisor

If the court has imposed a family supervision order, you are appointed a family supervisor by a certified institution. The family supervisor assists your child and helps you, as parents, to solve your parenting problems.

A family supervisor is charged with the enforcement of the family supervision order. He has to ensure that the parenting problems that threaten your child's development are solved. A family supervisor helps and supports you and your child and also initiates the assistance your family needs. A family supervisor may give you instructions, which you and your child must follow.

> Authority

The law stipulates that parents hold authority over their children. This means that you have the authority to take decisions regarding your child. You retain, limited, parental authority even if your child has been placed under supervision. This means that you remain responsible for the care and upbringing of your child, but you are also obliged to accept assistance from the family supervisor. He has regular contact with you and your child. His duty is to support you so that you can continue under your own steam in the long term.

> Information

The family supervisor starts with an introductory interview with you and your child. He collects any further information he needs. For example, he may read the report of the Board and the decision - the judgment and motivation - of the court. If necessary, he consults other people who know your child, such as a family member, teacher or care worker. Finally, the family guardian sets up an action plan to solve the parenting problems.

> Action plan

The type of assistance your family will receive depends on your situation. You and your child have a great deal of say in the action plan. Among other things, the report states how you intend to solve the problems, what your plans for the future are and which

agreements you have made. The family supervisor aligns the action plan with the goals you want to achieve. If he deems it necessary, other care organisations are called in. He may also decide that it is best to place your child in care (see also the text on page 3). When the action plan is finished, you and your child receive a copy. If needed, interim changes can be made.

Who does what

> The initiative:

The Board, mayor, certified institution or parents/foster parents may request the court to impose a family supervision order. The request has to be substantiated with a report about your family.

> The court decides:

The court processes the Board's request. If the court deems it necessary that your family receives mandatory assistance, it accedes to the Board's request. The court orders the certified institution to enforce the family supervision order.

> The family supervisor enforces:

The family supervisor assists your child and helps you, as parents, to solve your parenting problems. If necessary, he gives instructions, which you have to follow.

> The Board reviews:

After the expiry of the family supervision order and the authorisation for custodial placement, if applicable, the Board reviews whether the reasons for these measures have been eliminated and your child's situation is safe again.

The court decides how long the family supervision order will last, depending on the severity of the problems. It is also possible to terminate a family supervision order early. When the court imposes a family supervision order, it also determines the duration of the measure. A family supervision order may only be imposed for the duration of twelve months at most, but the court may extend the order by one year each time, in principle until your child turns eighteen.

The court asks for your opinion prior to making a decision, but may also ask other parties for their opinions. If your child is twelve years or older, he is entitled to give his opinion. However, if he is younger than twelve, the court may choose to hear him, but is not obliged to do so.

> Early termination

When your child's development is no longer severely threatened, the family supervision order may be terminated early. The family supervisor usually takes the initiative, but the parents or the Board are also entitled to do it. The requesting parties ask the court to take a decision.

> Termination

A family supervision order can be terminated in several ways.

A family supervision order:

- generally ends when the term has lapsed and the certified institution or the Board have not requested an extension;
- expires if the court agrees to early termination or rejects a request for extension;
- automatically ends when your child turns eighteen.

> Review

The family supervisor informs the Board if he intends not to extend the family supervision order or custodial placement or to terminate the authorisation for custodial placement early.

Based on the report of the family supervisor, the Board assesses whether the reasons for the family supervision order and the authorisation for custodial placement are no longer present and the situation for your child is safe again. If the Board does not agree with the termination, it can request the court to have the family supervision order be imposed for several more months. The Board is always obliged to give the court advice about an extension of a family supervision order and authorisation for custodial placement if this measure and the custodial placement have been going on for two years.

If a child is in acute and severe danger, there must always be an option of immediate custodial placement. In these cases, the Child Care and Protection Board may request the court to impose a provisional family supervision order, which usually coincides with a request for an authorisation for custodial placement. If the court accedes to the request, a family supervisor is appointed who enforces the provisional family supervision order and assists with the custodial placement. The court does not have to talk to the child, the parents or other parties involved before taking this decision. However, the court has to hear them again after fourteen days following the day of the ruling. A provisional family supervision order lasts a maximum of three months. During the provisional family supervision order, the Board continues its investigation into the family situation. The Board also keeps in contact with the family supervisor who assists the child and parents. The Board may request the court to extend the provisional family supervision order within three months following the original provisional family supervision order, with a maximum of one year.

Custodial placement

Your child stays at home during a family supervision order. However, it may be in your or your child's best interest to place him in a foster family or residence, temporarily or otherwise. If the Board wants to have your child removed from your house, it has to request the court for an authorisation for custodial placement. The court assesses whether custodial placement is needed and determines the period of custodial placement. The maximum period of custodial placement is the same as the maximum period for a family supervision order. If the family supervisor believes that the custodial placement has to be extended, the court has to review the situation.



If it becomes apparent that the family supervisor wants to extend the family supervision order with the custodial placement after two years, he must add the Board's recommendation to this request.

The family supervisor informs the Board if he intends to terminate the custodial placement (early). Based on the report of the family supervisor, the Board assesses whether the reasons for the custodial placement are no longer present and the situation for your child is safe again. If the Board disagrees with the termination or the extension of the custodial placement, it may advise the court about the decision. Generally speaking, you can keep in contact with your child during custodial placement, but the family supervisor may decide that it is in your child's best interest to temporarily or permanently cut off all contact.

More information

> Questions?

Do you have other questions about the work of the Child Care and Protection Board? Please direct them 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. Here you can also find information about the organisations that cooperate with the Board.

> Other brochures

- *When parenting is a problem*

> About the work of the Board

- *About the Child Care and Protection Board - Each child is entitled to protection*

These brochures are available:

- on www.kinderbescherming.nl
- at all Board locations

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