

Flemish Parliament Act of 13 July 2007 on the organisation of parenting support (Belgian Official Gazette 14.VIII.2007)

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The Flemish Parliament has adopted and We, the Government, ratify the following:
Flemish Parliament Act of 13 July 2007 on the organisation of parenting support

CHAPTER I. — General provisions

Article 1.

This Flemish Parliament Act governs a community matter.

Art. 2.

For the purposes of this Flemish Parliament Act the following definitions shall apply:

1° parenting support : accessible, stratified support of persons responsible for the upbringing of children;

2° persons responsible for the upbringing of children : the holders of parental responsibility, the natural persons having actual custody of one or more children for long-term care or on a regular basis or with whom the child is placed in care through mediation or at the expense of the authorities, and the professionals or volunteers who are co-responsible for the upbringing of several children on the grounds of their activities;

3° child: the person specified in Article 1 of the International Convention on the Rights of the Child, adopted in New York on 20 November 1989;

4° local social policy plan : the plan as referred to in Article 4 of the Flemish Parliament Act of 19 March 2004 on local social policy;

5° central city : the major cities, central places or the Flemish Community Commission as referred to in Article 4 of the Flemish Parliament Act of 13 December 2002 establishing the rules on the operation and breakdown of the Vlaams Stedenfonds (Flemish Funds for Cities);

6° Kind en Gezin (Child and Family) : internally autonomous agency with legal personality as referred to in the Flemish Parliament Act of 30 April 2004 establishing the internally autonomous agency with legal personality Kind en Gezin;

7° Jongerenwelzijn (Youth Welfare) : internally autonomous agency without legal personality as referred to in the Flemish Parliament Act of 7 May 2004 establishing the internally autonomous agency without legal personality Jongerenwelzijn.

CHAPTER II. - Local coordinators of parenting support and local consultation on parenting support

Art. 3.

The Flemish Government shall support the training and in-service training of local coordinators of parenting support if the following conditions are met :

1° the local coordinator of parenting support shall be employed by the municipality, an intermunicipal partnership or, in the bilingual area of Brussels Capital, by the Flemish Community Commission ;

2° the local coordinator of parenting support shall organise a local consultation on parenting support on a regular basis for the purpose of providing parenting support tailored to the local needs and characteristics ;

3° the local coordinator of parenting support shall coordinate parenting support at local level in a broader context and report on this to the local consultation on parenting support.

The Flemish Government shall specify the conditions governing the allocation of support as referred to in the first paragraph.

Art. 4.

The local consultation on parenting support under Article 3, first paragraph, 2°, shall perform at least the following tasks:

1° it shall prepare the local social policy plan and its evaluation, with regard to parenting support;

2° building on harmonisation and cooperation, it shall develop the actions on parenting support included in the local social policy plan ;

3° building on harmonisation and cooperation, it shall ensure the provision of information and awareness-raising about the upbringing of children and the early detection of uncertainty or problems related to upbringing;

4° it shall collaborate in the harmonisation at supralocal level of the provision of parenting support.

Art. 5.

The local coordinator of parenting support shall invite at least the following actors who are active in the municipality or the bilingual area of Brussels Capital or representatives of those various actors for participation in the local consultation on parenting support under Article 3, first paragraph, 2° :

1° the public centre for social welfare;

2° the recognised general practitioners ;

3° the secondary schools under Flemish Parliament Act of 31 July 1990 on education – II;

4° the regional institutes and community work institutions under Flemish Parliament Act of 26 June 1991 on the recognition and funding of community work, which operate at local level in the municipality concerned or in the bilingual area of Brussels Capital;

5° the parent associations under Flemish Parliament Act of 20 June 1996 on the funding of umbrella parent associations;

6° the nursery schools, primary schools and schools providing both nursery and primary education under Flemish Parliament Act of 25 February 1997;

7° the services for family care under Flemish Parliament Act of 14 July 1998 on the recognition and funding of associations and home care facilities;

8° the pupil guidance centres under Flemish Parliament Act of 1 December 1998 on pupil guidance centres;

9° the local police under Title II of the Act of 7 December 1998 organising integrated police services as a two-level structure;

10° the associations where poor people take the floor, as referred to in Article 8 of the Flemish Parliament Act of 21 March 2003 on poverty reduction;

11° the associations, which are recognised and funded under Title II of the Flemish Parliament Act of 4 April 2003 on socio-cultural adult work and, which systematically provide training programmes on parenting to persons responsible for the upbringing of children;

12° the facilities and actors ensuring the activities under Article 7, Article 8, § 1er, first clause, Article 13, § 2 and § 3, and Article 14 of the Flemish Parliament Act of 30 April 2004 establishing the internally autonomous agency with legal personality Kind en Gezin.

The Flemish Government may appoint other actors or representatives of these various actors who shall be invited for participation in the local consultation on parenting support under Article 3, first paragraph, 2°.

The Flemish Government shall determine the conditions under which the local consultation on parenting support as referred to in Article 3, first paragraph, 2°, may be composed of representatives of the various actors as referred to in the first and second paragraphs.

The Flemish Government shall adopt further rules on the organisation and operation of the local consultation on parenting support as specified in Article 3, first paragraph, 2°.

CHAPTER III. - Education shops

Art. 6.

§ 1. The Flemish Government shall fund a local partnership for parenting support by awarding an annual lump sum subsidy for the organisation and operation of an education shop if the partnership meets the following conditions:

1° it shall be launched by the local consultation on parenting support under Article 3, first paragraph, 2°, organised in a central city;

2° it shall consist exclusively of various actors participating in the local consultation on parenting support under Article 3, first paragraph, 2°;

3° agreements shall be made on the provision of parenting support by the actors who are involved in the local partnership on parenting support and who participate in the local consultation on parenting support under Article 3, first paragraph, 2° and by trained volunteers;

4° the education shop shall accomplish at least the following tasks:

a) without prejudice to Article 4, 3°, it shall provide basic information on the upbringing of children at the various stages of children's lives;

b) it shall answer general questions on upbringing;

c) it shall perform a distinct, demand-driven advisory task on education in response to specific educational questions;

d) it shall promote meetings between persons responsible for the upbringing of children, laying an emphasis on creating social networks and making the upbringing of children debatable among large groups of persons responsible for the upbringing of children;

e) it shall make information, training and educational activities with regard to upbringing accessible for persons responsible for the upbringing of children;

f) it shall provide support in solving educational problems, both in the family and in group;

g) it shall ensure early detection of uncertainty or problems which are related to upbringing and, if necessary, a targeted referral;

h) it shall ensure a coordinated, systematic and quantitative collection of data;

5° the education shop shall be centrally located, easily accessible, housed in one or more accessible buildings and have family-friendly opening hours;

6° the education shop shall use a series of approved methodologies, respect the principle of subsidiarity, operate in a demand-driven and disciplinary way and differentiate its provision in accordance with the various stages of children's lives and, if necessary, for specific target groups.

Youth Welfare shall support in situ the local consultation on parenting support, which shall be funded in accordance with the first paragraph.

§ 2. The Flemish Government may determine the operating area of an education shop, on the condition that the operating area covers at least the central city in which the education shop is located.

§ 3. The Flemish Government shall specify the conditions governing the allocation of the

lump sum subsidy and support as referred to in §1.

The Flemish Government shall determine the terms and conditions of the application, the definition, the allocation, the liquidation and recovery of the lump sum subsidy. When defining the lump sum subsidy, the Flemish Government shall determine the results to be achieved by the local partnership on parenting support under §1.

The Flemish Government may set out the terms and conditions upon which the local partnership on parenting support under §1 may combine the lump sum subsidy and another type of funding.

Art. 7. The Flemish Government shall award a quality label to local partnerships on parenting support which are funded in accordance with Article 6.

The Flemish Government shall award a quality label to the local partnership on parenting support set up by a local consultation on parenting support which is not organised in a central city under Article 3, first paragraph, 2°, and complies with the conditions laid down in Article 6, §1, with the exception of 1°.

CHAPTER IV. - Flemish coordinators of parenting support

Art. 8.

The Flemish Government shall support, in accordance with Article 13 of the Flemish Parliament Act of 19 March 2004 on local social policy, the municipalities, which do not receive such support as referred to in Article 3, by engaging Flemish coordinators of parenting support.

The Flemish coordinators of parenting support must encourage the municipalities under the first paragraph to comply with the conditions of Article 3. In the absence of an employment under Article 3, first paragraph, 1°, a local coordinator of parenting support may be appointed, with his consent and under the terms of the Flemish Government, by and among the actors as referred to in Article 5, first paragraph.

Art. 9.

§ 1. The Flemish coordinators of parenting support shall ensure together with the local coordinators of parenting support, in accordance with Article 4, 4°, that the provision of parenting support, and in particular the advisory task on education, be harmonised. The Flemish Government shall determine each year the operating budget for the Flemish coordinators of parenting support. The Flemish Government may make this operating budget dependent on co-financing by the province.

The Flemish Government may determine the operating area of supralocal levels, on the condition that the operating area of a supralocal level only covers one province.

§ 2. The Flemish coordinators of parenting support shall join the directly accessible youth assistance networks, in accordance with Article 13, second paragraph, of the Flemish Parliament Act of 7 May 2004 on integrated youth assistance.

CHAPTER V. - Provincial support centres for parenting support and support centre for parenting support of the Flemish Community Commission

Art. 10.

The Flemish province, which starts or develops a provincial support centre for parenting support, shall meet the following conditions :

1° its organisation shall come within the competence of the Provincial Executive;

2° it shall accomplish at least the following tasks :

a) in consultation with the Flemish coordinators of parenting support :
- it shall facilitate intermunicipal or regional cooperation on parenting support;

- it shall allow for the launching of initiatives of parenting support outside the central cities;

- it shall collect examples of good practice and facilitate the exchange of experiences;

b) in consultation with the Flemish Centre of Expertise for Parenting Support : it shall help disseminate information and materials at provincial level among all stakeholders providing parenting support on a professional or voluntary basis.

Art. 11.

The Flemish Community Commission, which starts or develops a support centre for parenting support, shall meet the following conditions :

1° it shall be organised under the authority of the Board of the Flemish Community Commission;

2° it shall accomplish at least the following tasks :

a) in consultation with the Flemish coordinators of parenting support :

- it shall facilitate cooperation on parenting support;

- it shall allow for the launching of initiatives of parenting support;

- it shall collect examples of good practice and facilitate the exchange of experiences;

b) in consultation with the Flemish Centre of Expertise for Parenting Support : it shall help disseminate information and materials in the bilingual area of Brussels Capital among all stakeholders providing parenting support on a professional or voluntary basis.

CHAPTER VI. – Initiatives with regard to information, education and training on children's education

Art. 12.

§ 1. The Flemish Government may make, within budget appropriations, a contribution towards an association, a sub-association or an organisation, which organises an information, training or education activity with regard to the education of children and which can prove its involvement in the education of children.

The activity under paragraph 1 aims at enabling persons responsible for the upbringing of children to acquire or further develop knowledge, insights and attitudes with regard to the education of children.

§ 2. A training or education programme contains at least three meetings in a six months' period. This requirement shall not apply to an information activity. All activities shall be organised for a group of at least twelve participants and of at least eight participants for specific target groups.

The number of activities eligible for a contribution shall be limited to twelve per year for each initiator.

The coach shall be able to call on his expertise to speak about the education of children and young people.

§ 3. The Flemish Government shall define the application and grant procedure of the contribution in accordance with well-defined criteria for the coach, special attention being paid to the place and input of persons responsible for the upbringing of children.

CHAPTER VII. - Flemish Centre of Expertise for Parenting Support

Art. 13.

§ 1. The Flemish Centre of Expertise for Parenting Support shall be established as a section within Kind en Gezin, comprising an advisory committee and an operational unit.

§ 2. The advisory committee shall consist of experts in educating children and representatives of the internally autonomous agencies that are appointed by the Flemish Government.

The advisory committee shall provide advice to the operational unit on content-related aspects of the activities of the Flemish Centre of Expertise for Parenting Support.

§ 3. The Flemish Government shall adopt rules regarding the composition, the organisation and the operation of the advisory committee and the operational unit.

Art. 14.

The Flemish Centre of Expertise for Parenting Support shall have the following tasks :

1° it shall develop basic information on children's education at various stages of their lives and provide this basic information, inter alia, to the local consultation on educational support under Article 3, first paragraph, 2°, and to the education shops under Article 6 and Article 7, second paragraph;

2° it shall make and distribute text and audiovisual material and deliver feedback to persons responsible for the upbringing of children;

3° it shall develop and update a digital platform on the education of children at various stages of their lives, in cooperation with the education shops under Articles 6 and 7, second paragraph;

4° it shall provide telephone services to persons responsible for the upbringing of children who have educational questions, in cooperation with one or more pertinent partners;

5° it shall develop a documentation and information centre on the upbringing of children at various stages of their lives;

6° it shall guarantee progress control of Flemish and international research on educating children at various stages of life;

7° it shall develop and disseminate participative and scientifically supported methodologies in the field of parenting support;

8° it shall organise training and in-service training of local coordinators of parenting support under Article 3, first paragraph;

9° it shall develop a manual that can be used for local consultation on parenting support under Article 3, first paragraph, 2°;

10° it shall organise training programmes of professionals in parenting support;

11° it shall process the collections of data under Article 6, §1, 4°, h), and report on them to the Flemish Government.

Art. 15.

The local coordinators of parenting support as defined in Articles 3 and 8, second paragraph, and the Flemish coordinators of parenting support as defined in Article 8 shall report on their activities to the Flemish Centre of Expertise for Parenting Support. The Flemish Government shall determine the format of reporting.

Art. 16.

The Flemish Government shall determine each year the funds, which may be utilized, in accordance with Article 80, §2, of the Flemish Parliament Acts on radio and television broadcasting, coordinated on 4 March 2005, for the financing of television programmes on parenting support that are made in cooperation with the Flemish Centre of Expertise for Parenting Support.

The Flemish Government may make the funding as referred to in the first paragraph dependent on co-financing by the province in which the regional broadcaster is located.

CHAPTER VIII. - Monitoring and reporting

Art. 17.

The Flemish Government shall organise the monitoring of compliance with the conditions as defined in Chapters II, III and V.

Art. 18.

The Flemish Government shall report every two years before May 31 to the Flemish Parliament on its findings in a separate report and shall undertake an evaluation of the operation and activities of :

1° the local consultation on parenting support and the local coordinators of parenting support as referred to in Article 3;

2° the provincial support centre for parenting support as referred to in Article 10;

3° the support centre for parenting support as referred to in Article 11;

4° the education shops as referred to in Articles 6 and 7, second paragraph;

5° the Flemish coordinators of parenting support as referred to in Articles 8 and 9;

6° the initiatives with regard to information, education and training on children's education;

7° the Flemish Centre of Expertise for Parenting Support.

Chapter IX. - Final provisions

Art. 19.

The following amendments to Article 5, § 2, of the Flemish Parliament Acts on special youth assistance, coordinated on 4 April 1990, shall be adopted:

1° point 2° shall be substituted by the following:

" 2° it shall offer support on the basis of its local or sector specific knowledge to the internally autonomous agency Jongerenwelzijn (Youth Welfare) as referred to in the Flemish Government Decree of 7 May 2004 establishing the internally autonomous agency Jongerenwelzijn;"; 2° points 3°, 4° and 5° shall be repealed.

Art. 20.

In Article 9 of the same Flemish Parliament Acts, a 6°bis is inserted in § 2, which reads as follows:

"6°bis. if the absence of a problematic educational situation appears from the adopted refusal as referred to in 6°, the social service shall indicate the opportunities of parenting support under the Flemish Parliament Act of 13 July 2007 establishing the organisation of parenting support;".

Art. 21.

The Flemish Parliament Act of 19 January 2001 on the organisation of activities in the field of parenting support is repealed.

Art. 22.

The present Flemish Parliament Act shall come into force on 1 August 2007.

¹ Note

(1) 2006-2007 Session.

Documents. - Proposal of Flemish Parliament Act, 1178, no. 1. - Amendments, 1178, no.

2. - Report on the hearing, 1178, no. 3. - Report, 1178, no. 4. - Amendment, 1178, no.

5. - Text adopted by the plenary meeting, 1178, no. 6.

Proceedings. - Discussion and adoption. Meetings of 10 July 2007.