

# **Decree on the Organisation of Preventive Family Support**

Date: 29 November 2013

## **Chapter 1. General provisions**

### **Article 1.**

This Decree regulates a Community matter.

### **Article 2.**

In this Decree, the following definitions shall apply: 1° actor: any natural or legal person that organises or offers preventive family support services; 2° users: all natural or legal persons that make use of preventive family support services, including expectant parents, families with children and actors; 3° family: primary living arrangement or cohabitation form in which several people maintain more or less long-lasting relationships; 4° young person: person between the ages of 15 and 24; 5° child: the person referred to in Article 1 of the United Nations Convention on the Rights of the Child, adopted in New York City on 20 November 1989; 6° Kind en Gezin: the internally autonomous agency with legal personality Kind en Gezin (Child and Family), created by the Decree of 30 April 2004 establishing the Internally Autonomous Agency with Legal Personality Kind en Gezin; 7° local authorities: the town council and the Public Centre for Social Welfare council and, for the bilingual Brussels-Capital Region, the Flemish Community Commission; 8° parenting support: the easily accessible and multi-layered support for the raising of children and young people that is provided to people responsible for child care; 9° preventive family support: the aggregate of measures and services aimed at promoting the well-being of all families with children and young people as well as expectant parents, including support for parenting and preventive healthcare; 10° preventive healthcare: that portion of healthcare consisting of measures and actions aimed at promoting, protecting or maintaining health, as referred to in Article 2, 24° of the Decree of 21 November 2003 on Preventive Health Policy; 11° non-profit organisation: a non-profit association as referred to in Article 1 of the Law of 27 June 1921 on Non-Profit Associations, International Non-Profit Associations and Foundations; 12° care regions: care regions as defined in the Decree of 23 May 2003 on the Division of Care Regions and the Cooperation and Programming of Health and Welfare Facilities.

## **Chapter 2. Scope and attainment targets**

### **Section 1. Scope of the Decree**

#### **Article 3.**

The Decree applies to the cooperation between actors in the field of preventive family support, providing these actors organise support services in a “Huis van het Kind” (House for Children) and are active in the Dutch-speaking part of Belgium or in the bilingual Brussels-Capital Region. The conditions that apply to the Huizen van het Kind (Houses for Children) relate to the cooperation among the actors involved, i.e. they have no direct impact on the services provided by actors to their individual users.

## **Section 2. Attainment targets and principles of preventive family support**

### **Article 4.**

Preventive family support is aimed at families with children and young people, at children and young people and at expectant parents. The age range of a given Huis van het Kind depends on the requests it receives and the services that are arranged to address these requests, and it corresponds as closely as possible to the local situation.

### **Article 5.**

By means of the attainment targets specified in Article 5, paragraph 2 and Article 6, preventive family support helps strengthen the rights and interests of children as set forth in the United Nations Convention on the Rights of the Child.

Preventive family support is aimed at promoting the well-being of expectant parents and families with children and young people by supporting them in the area of health and welfare in order to maximise the health and welfare gains for every child and young person. At minimum, preventive family support does this by: 1° providing proper support to expectant parents, families and their children and young people in the area of health and in the development and parenting of their growing children and young people; 2° promoting and supporting the informal social networks that surround families and their children and young people; 3° the early detection, monitoring and/or referral of risks or problems among children related to health, development, parenting and education; 4° preventing infectious diseases among children via measures that include the administration of vaccines; 5° working to strengthen vulnerable expectant parents and families with children and young people as part of the effort to combat child poverty; 6° raising awareness and promoting support measures for expectant parents and families with children and young people that contribute to the creation of a family-friendly climate throughout all of society.

### **Article 6.**

Preventive family support is aimed at offering a range of universal services whereby a basic set of services is offered to every child and every family. On this basis, there exists a range of integrated, supplementary services that are tailored to the needs of specific families, with special attention paid to the support of socially vulnerable groups.

Preventive family support is aimed at offering services that adapt to changes in society and provide differentiated responses that are accessible to every parent and every child.

Preventive family support stands for services which, from the perspective of the intended target group, are high-quality and easily accessible.

## **Chapter 3. Huizen van het Kind**

### **Section 1. General provisions**

#### **Article 7.**

A Huis van het Kind is a local cooperation partnership among actors in the area of preventive family support arranged for the purpose of achieving the attainment targets and principles specified in this Decree.

Any local authorities and any local actor involved in preventive family support can take the initiative to organise a Huis van het Kind. Each initiative is carried out in cooperation with the local authorities. In the absence of other initiatives, the local authorities will take the initiative themselves.

The Flemish Government can stipulate further rules on these initiatives.

## **Article 8.**

A Huis van het Kind brings together a wide range of preventive family support services. At minimum, this involves services for preventive health care and parenting support as well as activities designed to promote encounters and increase social cohesion.

The services from each of the three pillars referred to in the first paragraph can be offered in several different forms. In addition to the preventive medical consultations certified and subsidised by Kind en Gezin and the consultations carried out by the regional team members of Kind en Gezin, this also involves: 1° an emphasis on encounters; 2° the offering of group work; 3° the provision of easily accessible, individualised support; 4° the organisation of a reception and information centre.

Within the framework of the available budget appropriations, the Flemish Government can stipulate further rules related to the content, organisation, conditions and procedure for the certification and subsidising of preventive family support services.

## **Article 9.**

Each Huis van het Kind has a unique coverage area that takes an intramunicipal, municipal or intermunicipal form, provided that this coverage area does not transcend the boundaries of the “small town” care region level. This coverage area is determined by the cooperation partnership, which takes into account at minimum the provisions specified in Article 12, § 1, paragraph 1 when making this determination.

The Flemish Government can stipulate further rules regarding the coverage area of a Huis van het Kind as well as the coverage area of the actors involved as long as they are certified or subsidised by, or pursuant to, this Decree.

## **Section 2. Attainment targets for the Huizen van het Kind**

### **Article 10.**

To implement and to improve the achievement of the attainment targets and principles specified in Articles 5 and 6, the Flemish Community intends to bring the actors that play a role in preventive family support together in Huizen van het Kind.

Via the establishment of Huizen van het Kind, the Flemish Community moreover intends to create an integrated and efficient set of services tailored to the needs of local users and actors through which, from an operational and organisational standpoint, the maximum will be derived from preventive family support.

### **Article 11.**

In regard to individual users, the Flemish Community, via the establishment of Huizen van het Kind, intends: 1° to make the aggregate of measures and services for preventive family support that are established within a Huis van het Kind as accessible as possible for all families and to tailor them to the requests and needs of the users; 2° to bring these measures and services within the reach of socially vulnerable families, including by linking measures and services geared toward this target group to the services referred to in item 1°; 3° to also make the services accessible to all professionals who work with families with children and young people that are in need of preventive family support; 4° to facilitate the coordination of care.

At the level of the organisation of the services, the Flemish Community, via the establishment of Huizen van het Kind, intends to create an integrated set of preventive family support services that are tailored to local needs and requirements.

The Huizen van het Kind provide participation for users for this purpose.

In regard to preventive family support actors that work in Huizen van het Kind, the establishment of the Huizen van het Kind is aimed at: 1° increasing the competences of the actors involved, including via the exchange of knowledge and expertise; 2° increasing efficiency via a maximum return on the resources deployed by each actor involved for communications, coordination, infrastructure, etc. and by joining forces where possible.

### **Section 3. Organisation of preventive family support in Huizen van het Kind**

#### **Article 12.**

§ 1. Each Huis van het Kind provides at minimum the following services with a certain degree of regularity: 1° preventive medical consultations certified by Kind en Gezin; 2° consultations conducted by the regional team members of Kind en Gezin; 3° at least two other, different types of services as specified in Article 8, paragraph 2, including the services specified in section 2 of this article; 4° the active referral of users to the services specified in Article 5.

A Huis van het Kind publicises its services at the Lokaal Overleg Kinderopvang (Child Care Local Consultation offices) specified in Article 13, paragraph 2 of the Decree of 20 April 2012 on the Organisation of Child Care for Babies and Preschool Children. In doing so, the Huis van het Kind tailors the way in which information regarding the services will flow to child care users as well as the way in which cooperation with child care initiatives takes shape.

The Flemish Government will establish further conditions for this.

A Huis van het Kind publicises its services at the Intersectoraal Regionaal Overleg Jeugdhulp (offices for Intersectoral Regional Consultation for Youth Support) specified in Article 65 of the Decree of 12 July 2013 on Integrated Youth Support. In doing so, the Huis van het Kind tailors the way in which information regarding the services will flow to providers of youth support and to the users within integrated youth support.

The Flemish Government will establish further conditions for this.

§ 2. All services that are certified or subsidised by Kind en Gezin in implementation of Articles 7 and 13, § 3, of the Decree of 30 April 2004 establishing the Internally Autonomous Agency with Legal Personality Kind en Gezin, as well as the amenities specified in Article 24 that receive a quality label or are subsidised by Kind en Gezin and whose coverage area is contained within the coverage area of the Huis van het Kind, are required to join the Huis van het Kind.

§ 3. The actors that offer services through a Huis van het Kind open up their cooperation partnership to other actors in the area of preventive family support that would like to join the Huis van het Kind.

The Flemish Government can stipulate additional rules regarding the joining of actors and the contribution of services to a Huis van het Kind for the purpose of monitoring the attainment targets specified in Articles 5 and 6.

§ 4. The actors that offer services through a Huis van het Kind undertake specific actions to achieve the attainment targets specified in Articles 10 and 11.

§ 5. The cooperation partnership conforms as closely as possible to the way in which local social policy is implemented by local authorities. The local situation is treated with as much flexibility as possible during the networking process. The Flemish Government can stipulate further rules on these initiatives.

#### **Article 13.**

The Huis van het Kind is a functioning cooperative arrangement that, in principle, is not associated with any formal requirement. Nevertheless, the name 'Huis van het Kind' and its accompanying logo can only be used on the condition that the services offered and the cooperative relationship among the actors involved meet the conditions specified in Article 12. The Flemish Government stipulates rules for granting permission to use the logo, including the way in which actors demonstrate that they have met the conditions and attainment targets

specified in this Decree as well as the way in which inspections are organised, with the proviso that these inspections do not apply to the organisation and performance of individual actors. The Flemish Government can also formulate additional conditions that must be met by the aggregate of services or the cooperative relationships among the actors involved.

#### **Section 4. Subsidising the Huisen van het Kind**

##### **Article 14.**

§ 1. The cooperation partnership can receive a subsidy providing that: 1° the services meet the requirements specified in Article 12, § 1 through § 2; 2° the cooperation partnership actively involves other preventive family support actors with which it shares a coverage area in the Huis van het Kind, provided that the number of actors and the aggregate of services are such that the services offered by the Huis van het Kind conform to local needs and requirements; 3° the cooperation partnership assumes the form of a de facto association or non-profit organisation in which all actors that offer services on a regular basis in the Huis van het Kind are represented; 4° the subsidy received by the cooperation partnership is used to achieve the attainment targets specified in Articles 10 and 11, whereby the cooperation partnership must clearly demonstrate that: a) it is not limiting its focus to users already reached by the Huis van het Kind and is additionally taking actions targeted at users it has not yet reached; b) it is eliminating overlaps between the different actors; c) it is addressing gaps at the local level of preventive family support services by bundling the resources of the various actors; d) it is undertaking concrete initiatives to structurally embed user participation in the Huis van het Kind to the greatest extent possible; e) it organises the coordination of care for individual users; f) provides resources for the coordination, quality enhancement, etc. of the services offered through the Huis van het Kind.

§ 2. The Flemish Government stipulates further rules concerning the subsidy (including the subsidy amount), the award procedure as well as the way in which the spending of the subsidies is monitored.

§ 3. The Flemish Government stipulates the rules regarding the application for the subsidies, including the way in which the cooperation partnership demonstrates that the conditions specified in Article 14 have been met. While taking into account the criteria for quality, flexibility and efficiency, the Flemish Government can formulate additional conditions that the services or the cooperation among the actors involved must meet.

§ 4. The subsidies specified in section 1 can only be awarded within the limits of the budget allocated for this purpose.

§ 5. A Huis van het Kind that meets the conditions set forth in this article and which, in implementation of Article 8, takes responsibility for the organisation of preventive family support services will receive a subsidy, the amount of which will be determined by the Flemish Government.

#### **Chapter 4. Expertise, support and innovative services in the area of preventive family support**

##### **Section 1. The Vlaams Expertisecentrum voor Opvoedingsondersteuning**

##### **Article 15.**

The Vlaams Expertisecentrum voor Opvoedingsondersteuning (Flemish Centre of Expertise for Parenting Support, EXPOO) is organised within Kind en Gezin.

##### **Article 16.**

The task of the Vlaams Expertisecentrum voor Opvoedingsondersteuning is to gather, improve and spread knowledge and expertise on parenting and parenting support and to offer support for

methods, techniques and tools to actors in the field of parenting support by: 1° promoting and organising an exchange of knowledge about parenting support; 2° offering education and training to parenting support professionals; 3° organising seminars, congresses and conferences on parenting and parenting support; 4° developing basic information about the parenting of children in various life stages and making this basic information easily accessible to all actors in the field of parenting support, including parents and children; 5° organising awareness campaigns, including an annual campaign, on parenting topics; 6° promoting networking and incorporating a warning system for relevant issues in the field of parenting support.

#### **Article 17.**

The Vlaams Expertisecentrum voor Opvoedingsondersteuning can support local cooperation partnerships, actions or initiatives for the purpose of achieving the attainment targets specified in Article 16.

### **Section 2. Funding of innovative services for preventive family support**

#### **Article 18.**

Within the limits of budget appropriations, a subsidy can be awarded to any actor seeking to develop innovative services in the area of preventive family support.

The Flemish Government stipulates further rules regarding the subsidy, and in particular regarding the amount and duration of the subsidy as well as the additional conditions that the initiative must meet to qualify for the subsidy.

### **Chapter 5. Processing and exchange of private data**

#### **Article 19.**

For the sake of scientific or statistical research (and in particular for policy preparation, policy evaluation and policy programming) or for the purpose of enforcing the certification and subsidy conditions specified in this Decree and its implementing measures, Kind en Gezin can request information, including personal information, from any actor within the Huis van het Kind.

Kind en Gezin is in charge of processing the requested private data referred to in the first paragraph, and it determines which of the categories of data will be processed as well as the form of processing.

### **Chapter 6. Monitoring**

#### **Article 20.**

The Flemish Government organises the monitoring of compliance with the provisions of this Decree and its implementing measures.

The Flemish Government designates an entity to inspect the Huizen van het Kind. The staff members of this entity have access to each Huis van het Kind location, with the proviso that only the areas or rooms that are intended for Huis van het Kind activities that have been certified or subsidised by Kind en Gezin or which are associated with those activities are subject to monitoring.

The actors referred to in paragraph 2 lend their assistance to the monitoring process. They provide the staff members referred to in paragraph 2 with all the data required for the monitoring. They allow these staff members to perform an on-site verification of the compliance with the provisions of this Decree and its implementing measures. The staff members referred to in paragraph 2 draw

up a report based on their findings. This report has evidential value until evidence to the contrary is introduced.

## **Chapter 7. Amending provisions**

### **Article 21.**

In Article 2 of the Decree of 30 April 2004 establishing the Internally Autonomous Agency with Legal Personality Kind en Gezin, item 3° is replaced by the following: “3° preventive family support: the aggregate of measures and services aimed at promoting the well-being of all families with children as well as expectant parents, including support for parenting and preventive healthcare;”.

### **Article 22.**

In Article 7, § 1 of the same Decree, the phrase “The responsibility of the agency regarding the organisation of preventive family support” is being replaced by the phrase “The responsibility of the agency’s own staff members regarding the provision of preventive family support”.

## **Chapter 8. Final provisions**

### **Article 23.**

The following regulations are being rescinded: 1° the Decree of 13 July 2007 on the Organisation of Parenting Support; 2° the Order of the Flemish Government of 18 May 2001 regulating the subsidising of parenting support activities, amended by the Orders of the Flemish Government of 31 March 2006, 24 November 2006 and 24 September 2010; 3° the Order of the Flemish Government of 12 December 2008 concerning the award of a subsidy budgetary allocation and quality label to the parenting shops; 4° the Order of the Flemish Government of 27 March 2009 implementing the Decree of 13 July 2007 on the Organisation of Parenting Support.

### **Article 24.**

As a transitional measure, the amenities that, in implementation of the tasks specified in Articles 6 and 7 of the Decree of 13 July 2007 on the Organisation of Parenting Support, have received a quality label or a subsidy budgetary allocation will retain the quality label or subsidy budgetary allocation. The Flemish Government will determine the date on which this quality label or this subsidy budgetary allocation will be discontinued.

### **Article 25.**

Prior to the date that this Decree enters into force, the Flemish Government will stipulate the transitional provisions for the actors engaged in the field of preventive family support that have already been certified and subsidised by Kind en Gezin.

### **Article 26.**

The provisions of this Decree will enter into force on a date to be determined by the Flemish Government, which will be no later than 1 April 2014.