



Fylkesmannen i  
Hordaland

**System based audit  
for  
services and facilities hosting children**

Eric Backer-Røed

Senior adviser

County Governor of Hordaland, Norway



## Background

Every country has a child welfare law which implements the requirements of:

- Convention on the right of the child  
United Nations 20.11.1989
- Rec. no 5 (2005) Council of Europe
- Explanatory report



## Why monitoring?

- To ensure that child protection laws are complied
- To provide legal safeguards for both children and staff
- The knowledge that one may be controlled at any time is an incentive to comply with the law



# Monitoring

- Definition:  
Monitoring is the authorities' outward activities to ensure compliance of the child welfare legislation
  1. Inspections: Announced / unannounced
  2. System based audit of the management system of services and facilities hosting children



## Clarifying of roles

- The governmental authorities:  
Responsible for making of the legal framework - the laws and other regulations which defines how child care facilities should be run (minimum standards)
- The executive level:  
Responsible for taking care of children – running of childcare facilities etc.
- The monitoring authority:  
Responsible for monitoring whether the childcare facilities are run within the framework of the law



## Monitoring is predictable

- The legality principle:  
To control that the childcare facilities follow the law and other regulations, not our own private opinions on how things should be done
- System based audits are conducted according to ISO-standard (19001)
  - predictable procedure
  - independent of the theme
  - evaluates the system, not the personnel



## Monitoring is not investigation

- Monitoring should be carried out with respect for all parties involved, children and staff
- The assumption is that child care facilities are law-abiding and fulfilling their obligations in the best possible way
- But - the police will be involved if there are reasons to believe that criminal activity is going on



## What is a management system?

- A system that ensures that relevant legislation is known and understood by the staff
- A system that ensures that the legislation is fulfilled and that deficiencies are prevented by:
  - Risk assessment
  - Establishing necessary routines
  - Participation from the children and staff
  - Education of the staff
  - Registration of errors and shortcomings and learning from mistakes
  - Evaluation/control that the child care facility is run according to the established management system (self-monitoring)



## Example of a risk assessment

Requirement:

We are obliged to prevent sexual exploitation of young girls by older boys

- Could this happen here?
- How can we prevent it?
- What do we do if it actually happens?



## The different steps of an audit

1. Decide who and what to audit
2. Choose the relevant sections in law and other regulations and what this implies
3. Notify the child care facility of the audit
4. Timetable for the audit
5. Meeting with the facility
6. Interviews with staff on different levels and other verifications
7. Analyze their practice against regulatory framework
8. Conclusion is drawn by holding observed practice against law and regulations – any non-conformities?
9. Make a report of the conclusions
10. Report from the institution on corrective action taken to eliminate the detected non-conformities



## Reasons for deficiencies could be:

- Unclear responsibilities
- Lack of routines
- Errors in routines
- Routines not followed
- Lack of competence/experience
- Insufficient reports on detected non-conformities
- Non-conformities are reported, but no corrective action taken
- Lack of internal control



## Council Of the Baltic Sea States facilitates audit training

- Four days of training monitoring skills
- Preparing and executing an imaginary system based audit of a childcare institution
- Mix of lecture, role-playing and working in groups
- First training planned in Estonia and Latvia 2012



## Summing up

- A thorough monitoring regime is an important element to secure children a life free from violence and other abuses
- We strongly recommend the countries to implement systems for monitoring child welfare
- System based audits are a proven way to secure that services and facilities hosting children comply with law and other regulations