

„Recommendations on the empowerment and rights of young people in care placements

YOUR RIGHTS

Even if you cannot live at home like other children, you do have rights like everybody else. Officially, there are 10 basic rights for all children and adolescents in care, to make sure you thrive and feel secure. Everyone has to comply with these rights. You too! We, the so-called *Landesheimrat*, have prepared a simplified version of these rights for you, giving examples to show what we mean.

You have the right to be just as you like

You can be just as you like, but you must make sure your behaviour and appearance do not trouble or insult anybody else. If, for example, you are a vegetarian, nobody can force you to eat meat. Your supervisors should respect your eating habits.

Nobody is allowed to offend your dignity

Nobody, no supervisor, no child, no one else from your group has the right to insult you, hit you, bully, exclude or otherwise harm you physically or mentally. However, in emergencies, for example, your supervisor is entitled to take hold of you if you are a danger to yourself or to other people. Punishments must relate to any wrongdoing and take account of the age and the specific situation of the young person in question.

You have the right to learn

You have the right to go to school and afterwards to select an occupation that reflects your achievements. In this respect your supervisor must assist and advise you in your choice. Outside school, you are also entitled to pursue your hobbies and be encouraged in your talents. It should be possible to receive help with school work, for example, and to take up your particular sport.

You have the right to a faith

You are entitled to follow whatever religious belief you like and may not be restricted in this faith. At the age of 14 you may decide for yourself what religion you prefer and whether you would like to go to church or to other houses of worship. You obviously have the right not to have any religious belief at all. Nobody has the right to force you to act religiously (for example to engage in prayer).

You have the right to say what you want

You have the right to say what you like, as long as you do not insult other people or hurt their dignity.

You have the right to information

You have the right to information from the television, radio, newspapers, books and the Internet as soon as your age permits and you know how to handle media such as the Internet. The educators should help you to act responsibly when online. The use of the Internet should not only be permitted for school or job reasons; you should also have private access to it at certain times of the day. You also have the right to read and add to reports that are written about you (for example the report for the talk about your particular guidance programme).

You - and only you - are the addressee

You have the right to receive communications (letters, e-mails and SMS) and to read them first of all. You are also entitled to send your own communications that have not been read by anyone else. You should also be able to make telephone calls without being disturbed by other people.

Belonging to you and not to me

You have the right to keep and protect your own personal property. Moreover, you are entitled to certain payments, such as pocket money and a clothing allowance set for your particular age group by the Youth Welfare Office. You cannot be denied these payments nor may they be reduced without good reason.

Exception: You will pay in full for any damage you have caused, but you must **never be deprived of more than one half** of your pocket money each month.

It is not permitted to cut your pocket money as a punishment because, for example, you did not carry out your kitchen duties.

Your property may be taken from you for a period of time if you do not observe the rules and are unable to handle personal items properly. For example, your mobile phone can be confiscated if it has prohibited contents on it. However, it cannot be taken away from you for ever. At the latest when you leave the home you are entitled to all personal items that were taken from you.

You have enough initiative to be involved in decision-making

You have the right to participate in everyday routine at your care placement in accordance with your age. You can involve yourself in decision-making, like when arranging the interior of a room, for example, or planning vacation, relocations, defining rules for visitors or organizing leisure hours. You should also be able to be involved when defining rules for your group.

Somewhere private

You are entitled to have somewhere private where you can withdraw. As a rule, this is your own room where you can be on your own, in peace and quiet without anyone disturbing you in your private sphere (in your particular place or room). At all times care staff and supervisors are required to knock on your door and wait for you to say they can come in.

Owning your own key is not a right to which you are entitled but we, Landesheimrat Hessen, feel that it does make sense to be able to protect one's private and intimate space and possessions.

People you can turn to

Every care facility should have someone who represents your interests and who can help you; you should be able to express what it is you want and, where necessary, be able to make a complaint. This person to represent your interests can be either a group spokesperson or a committee that in the best case has been elected by you and the other residents. Of course you can contact us, the *Landesheimrat Hessen*, either by writing us a letter or sending us an e-mail. You will find the address and our e-mail address on the last page. You can also turn to the care placement supervisor at the Youth Welfare Office. And if you have any questions about your rights and would like to speak to someone outside your own home, you can contact the *Ombudsstelle für Kinder- und Jugendrechte in Hessen* [the office of the Ombudsperson for Child and Adolescent Rights in Hessen]. The contact details are also given in this brochure.

Where to make your complaints

It is important to us and to the staff that you feel at home. We depend on you to tell us about worries and wishes and your anxieties, so that we can help you as quickly as possible. So be sure to talk to the person representing your interests, your care facility, your home supervisor, your Youth Welfare Office, the ombudsperson or to us. We are committed to replying to any query you might have.

Finally we would like you to realise that you are entitled to these rights just as are the other people living with you. So please be sure not to violate their rights. However, these are “only” recommendations for the rights of young people to co-determination and involvement, such as were adopted by the state committee for matters of youth welfare. They are binding for your supervisors, although they may be cut back for educational reasons. For example, your supervisor may enter your room without your permission if you are in danger. This educational margin to restrict your rights must never be exploited arbitrarily and must only be exercised in the interests of your wellbeing. Your supervisors must be able to justify their decisions and actions to you at all times. Consequences should also never be arbitrary; in other words, decisions should never be taken by your supervisors just as the mood takes them, but must always be founded and relate to what you have done or said.

This is where you can contact us:

Landesheimrat Hessen
z. H. Belinda Forst
Platter Straße 72-78
65193 Wiesbaden
info@landesheimrat-hessen.de

You are empowered!

The office of the ombudsperson is where young people in Hessen can voice complaints and receive advice on any issues and problems they might have as part of the Youth Welfare Service (SGB – the German Social Security Code – VIII).

If there are difficulties in understanding a situation or legal problems with youth welfare offices or with care facilities for children and adolescents, the office of the ombudsperson will advise and assist children, adolescents and their parents.

This is where you contact the ombudsperson:

Tasia Walter
Ombudsstelle für Kinder- und Jugendrechte in Hessen
Graupfortstraße 5
65549 Limburg
ombudsstelle@dicv-limburg.de