



INFORMATION SYSTEM
**Child and Youth Services
in Germany**

www.kinder-jugendhilfe.info

Structure and overview

Child and youth services in Germany incorporates ...

Promotion of care and upbringing in the family
Articles 16–21 of SGB VIII

Support for children in day-care facilities and nurseries
Articles 22–26 of SGB VIII

**Youth work;
Youth social work;
School social work;
Educational child and youth protection**
Articles 11–15 of SGB VIII

Youth services as an integrated whole
means:

- Promotion of child-raising and development
- Socio-educational support
- Protection from danger

based on shared principles and a coordinated support system

Socio-educational support services; Support for young adults; Participation services for young people with a psychological disability
Articles 27–41 of SGB VIII

Sovereign tasks to protect children and adolescents
Articles 42 ff. of SGB VIII

... and accompanies young people as they approach adulthood

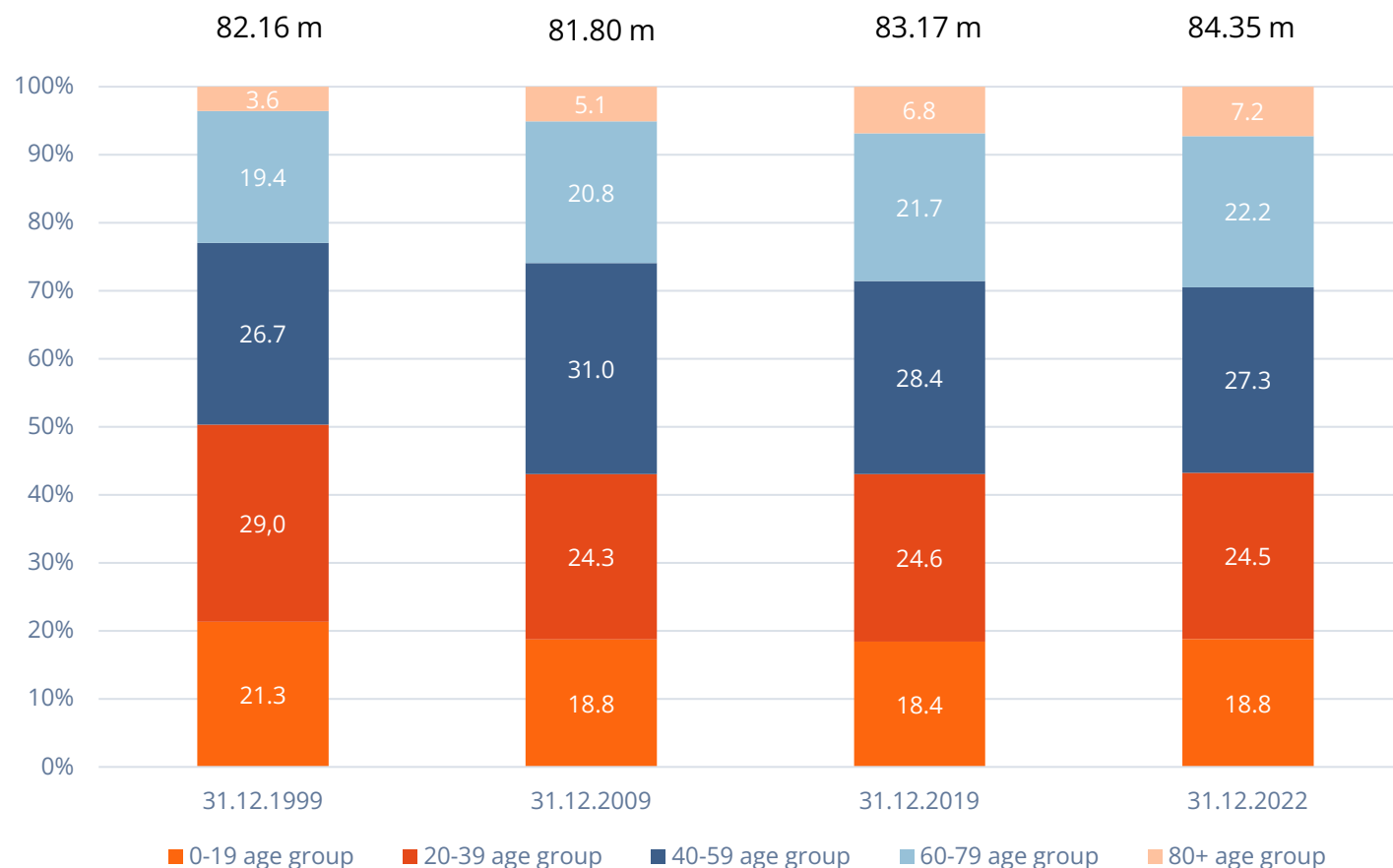
1. Structural framework

1.1 Society



1.1.1 Population

Population figures for Germany: 1999, 2009, 2019 and 2022, by age group (in %)



Source: Federal Statistical Office (Destatis)



1.1.2 Families

Children and adolescents grow up in **a wide variety of family structures**. For these young people, it is of particular relevance whether they live with both parents or just one.

Families with children under the age of 18 in Germany (2020):
8.45 million (49% with 1 child; 39% with 2 children; 12% with 3 or more children)

- ➔ single-parent families with children under the age of 18 in Germany (2021): 1.56 million
(share of all families with children under the age of 18: 18.5%)
(65% with 1 child; 27% with 2 children; 7.6% with 3 or more children)



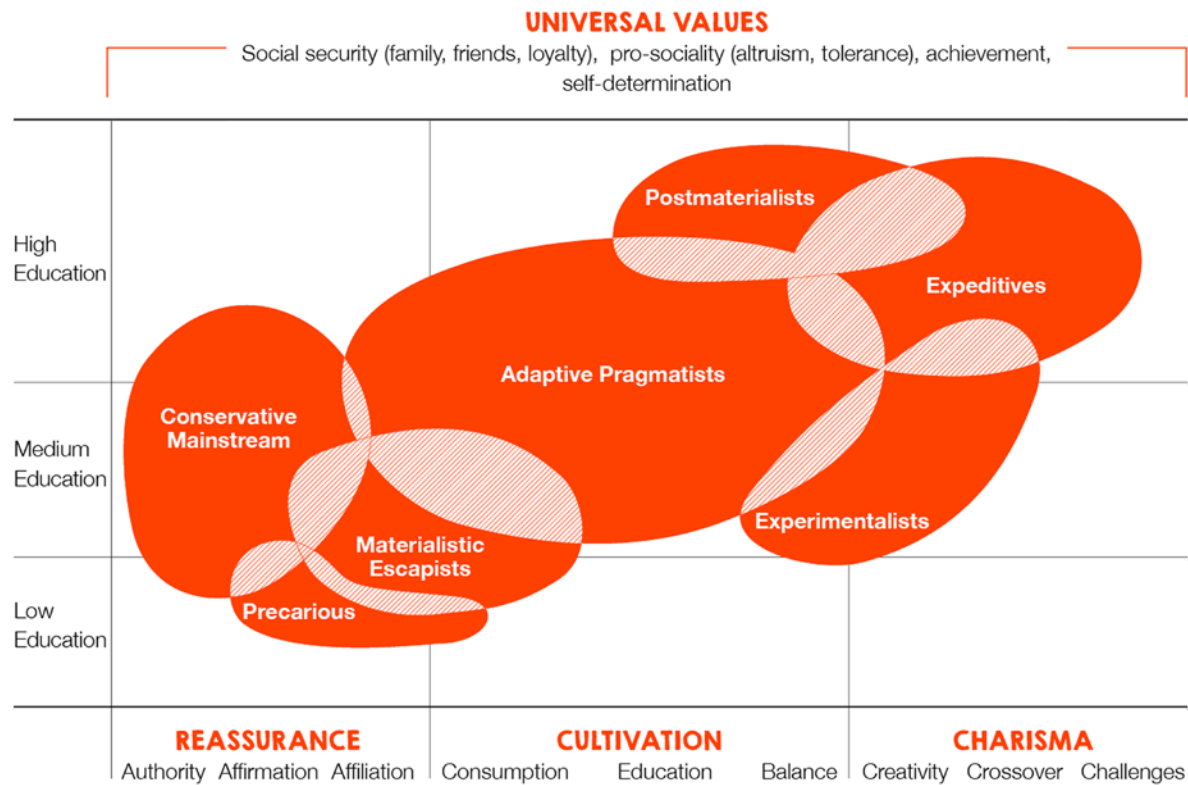
1.1.3 Children, young people and young adults

Definition in acc. with Article 7 (1) Social Code Book 8	Number of young people in Germany in 2021
1. Child: any person under the age of 14	11.1 million ~ 12.15% of the total population
2. Adolescent: any person that has turned 14 already but not yet 18	3.1 million ~ 3.67% of the total population
3. Young adult: a person that has turned 18 already but is not yet 27	8.9 million ~ 10.55% of the total population
4. Young person: a person who has not turned 27 yet	23.1 million ~ 27.38% of the total population

Source: Federal Statistical Office (Destatis)

1.1.4 "Youth milieus" in Germany: similarities and differences

SINUS YOUTH LIFEWORLD MODEL 2020





1.1.5 Gender differences affecting life circumstances

Despite striving for equality, **inequality** between the genders is still widely experienced in Germany:

- income, gender pay gap: in 2022 women earned on average 18% per hour less than men;
- significant gender disparity in paid and unpaid care work;
- poverty risk for single parents: 2.15 million women and 462,000 men are single parents;
- experiences of violence/sexual abuse/domestic violence: 80% affects women/young girls, 20% affects men/young boys. Incidences of violence against the LGBTIQ+ community have doubled since 2013;
- vulnerable living situations, homelessness, people living in shelters: young girls/young women make up between half and the majority.



1.1.6 Social inequality

Social inequality arises where social commodities or the living conditions of people are for social reasons permanently structured in such a way that certain sections of the population are regularly afforded better opportunities in life than others.

Dimensions of social inequality:

- distribution of income,
- distribution of wealth,
- education opportunities,
- living conditions.



1.1.7 Poverty

Poverty is principally understood to be a lack of resources and opportunities for people to live and shape their lives in a way that would ordinarily be possible based on the historical wealth level in the respective society.

At-risk-of-poverty rates in Germany (2021):

- Total: 16.9%
- Under-18s: 21.3%; 18-25s: 25.8%
- Unemployed: 49.4%
- Single parents: 42.3%
- Families with 3 or more children: 32.2%
- Persons with an immigration background: 28.1%
- Children with disabilities: 25%



1.1.8 Migration and displacement

10.9 million Germans (13% of the population) have an immigration background; one in three has lived in Germany since birth.

83.2 million people in Germany reside in private households:

- of which 11.2 million are foreign nationals; of these, 43% are EU citizens.
- of which 21.9 million have an immigration background. In the 10-20 age group, this share is around 36%.
 - 10.9 million Germans (13% of the population) have an immigration background; one in three has lived in Germany since birth.

244,132 people applied for asylum (initial and follow-up applications) in 2022.

28,600 unaccompanied refugee minors were taken into the custody of child and youth services in 2022. 19,100 of these were preliminary cases and 9,500 were regular cases.

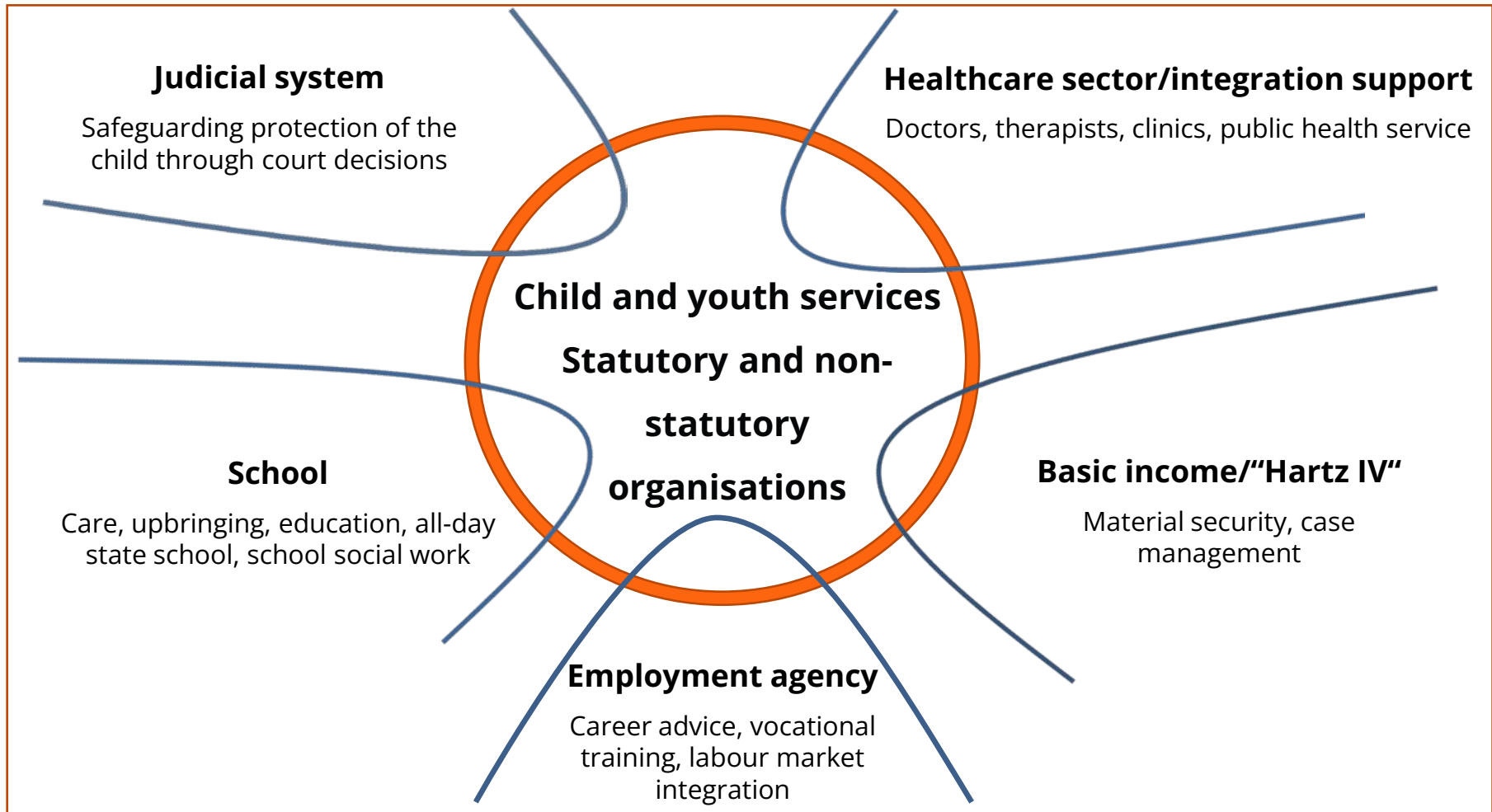


1.1.9 Disability

The UN Convention on the Rights of Persons with Disabilities defines a **young person as having a disability** if they have a physical, psychological, intellectual or sensory impairment that, in interaction with attitudinal and environmental barriers, is highly likely to impair their equal participation in society for longer than six months.

- Including all forms of disability as defined in the International Classification of Functioning, Disability and Health (ICF), the number of children and adolescents with a disability was approx. 415,780 at the start of 2022, or around 3% of all children and adolescents in Germany.
- In the 2021/2022 school year, roughly 600,000 pupils needed socio-educational support. Of these, pupils in need of support with learning made up the largest group (39.5%)
- 14,400 children and adolescents with integration support needs live in full-time residential care: approx. 9,800 in facilities run by child and youth services, and approx. 4,600 in facilities run by disability organisations.

1.1.10 Child and youth services – interfaces of cooperation





1.1.11 Child and youth services and cooperation with schools

The **German education system** is in the midst of transitioning from the traditional half-day school to all-day schools with extended responsibilities. These go beyond academic performance (lessons) to include

- improving work-life balance (care),
- improving education equity (still unsatisfactory in Germany),
- shaping inclusive learning for children with and without disabilities,
- influencing the quality of education,
- improving quality of life for children and adolescents,
- promoting democracy and diversity.

To achieve this, schools must cooperate with child and youth services.

Schools and child and youth services jointly contribute to the development of local education landscapes.



1.1.12 Child and youth services and the labour authority

In Germany, **school-leavers generally prepare to enter working life** by way of either a study programme or practical vocational training (“dual training system”).

The labour authority (Employment Agency) steps in to arrange practical training placements where individual attempts have been unsuccessful.

Child and youth services AND the Employment Agency are mutually dependent on one another for:

- implementing training programmes as part of the transition from school to training, and
- integration services for the target group “socially disadvantaged or individually impaired young people” to help with training and integration into working life.

This is done in coordination with the Employment Agency, providers of in-company and external vocational training, and employment services (Article 13 [4] Social Code Book 8).



1.1.13 Child and youth services and healthcare

Child and youth services intersects with multiple areas of the healthcare sector, making cooperation between the two systems essential. Key cooperation partners of child and youth services include:

- child and youth psychiatry, including the perennial issue of responsibility for children/adolescents with disruptive behaviours;
- adult psychiatry, on the one hand for caring for young adults (in receipt of youth services) and on the other in the context of supporting children of parents with mental health issues;
- paediatrics in the context of recognising and averting various forms of endangerment to the child's welfare;
- medical health professionals in the context of establishing "early intervention services" for children under the age of 3.



1.1.14 Child and youth services and material security

The job centres in the independent cities and municipalities have primary responsibility for **safeguarding material security** for people who are not in gainful employment.

They provide basic income support for people dependent on benefits. In Germany approx. 6.6 million people rely on benefits, of which approx. 1.8 million are children and adolescents.

- These children and adolescents are found across the entire spectrum of child and youth services action areas.
- A disproportionately high number of these children/adolescents are in receipt of socio-educational support and are affected by custody rulings of the family courts.

Despite the clear overlap, there remains a distinct lack of coordinated concepts between child and youth services and the providers of material security.



1.1.15 Child and youth services and the judicial system

Child and youth services is reliant in several respects on cooperation with the **family and juvenile courts** attached to the local courts:

- The family court handles custody matters and related issues concerning parental separation and divorce, and decides on the need for interventions to avert endangerment of the child's welfare.
- The juvenile court presides over criminal hearings involving juveniles and young adults who face criminal charges under the Youth Courts Act.

Child and youth services is required by law to cooperate in these court proceedings (Articles 50 and 52 Social Code Book 8). The courts are obliged to involve the youth welfare offices in all such proceedings (Act on Proceedings in Family Matters and in Matters of Non-contentious Jurisdiction and Youth Courts Act).



1.1.16 Child and youth services and inclusion

Even in 2023, **equal participation by children with physical and intellectual disabilities** in programmes offered by child and youth services – as called for by the UN Convention on the Rights of Persons with Disabilities – is still not a reality.

- Responsibility for participation services for these children/adolescents currently resides with the system responsible for adults (integration support pursuant to Social Code Book 9).
- Exclusion still affects even areas where responsibilities (child protection) and services (e.g., youth work) under Social Code Book 8 already – on paper, at least – apply to all children.

The 2021 Act to Strengthen Children and Youth laid binding foundations in Social Code Book 8 for development towards full inclusivity, and in particular the convergence of overall responsibility for all children – with and without disabilities – under child and youth services from 2028.



1.1.17 Child and youth services and digitalisation

As **digitalisation** advances and becomes a growing presence in the lives of young people as well as in professional activities in the social work field, it **is changing child and youth services** on multiple levels:

- At the first level, digitalisation and digital **experience spaces** have a stark influence on the experiential worlds of children and adolescents. The lines between real and virtual spaces are becoming increasingly blurred.
- At the second level, digitalisation is increasingly forcing **programme structures** in the various fields to adapt in order to stay relevant to young people's digitalised lifeworlds.
- At the third level, the dawn of the digital age requires statutory and non-statutory organisations providing child and youth services to rethink approaches to **administration** so as to ensure modern, effective and efficient work and cooperation formats.



1.1.18 Child and youth services and cultural diversity

German society can be described as extremely **divergent (unequal) with respect to living circumstances and very diverse** as regards the ethnic, cultural, material, religious or educational backgrounds of young people and their families.

This therefore requires child and youth services to

- consider the wide variety of living circumstances and backgrounds of young people and their parents and identify all different educational, funding and support needs,
- develop and provide accordingly nuanced services for children, adolescents, young adults and their families,
- ensure access to these services for people from different sections of the population and to this end work towards structural integration, including with the organisations providing child and youth services.

Actively combating all forms of racism and exclusion is a fundamental task common to all areas of child and youth services.

1. Structural framework

1.2 State



1.2.1 A state based on the rule of law

The Federal Republic of Germany is a republican, democratic and social **state governed by the rule of law** (Articles 20 [3], 28 Basic Law), i.e., it is bound by the constitutional order and law and justice.

Core tenets:

- bound by **basic rights** and by **justice and law** (legal proviso)
- **separation of powers** between
 - Legislative (legislature): **Parliament**
 - Executive (executive power): **Government/Administration**
 - Judiciary (dispensation of justice): **Courts**
- guarantee of **full legal protection through independent judges** in a fair trial



1.2.2 The Federal Republic of Germany as a "social state"

The term "**social state**" has both a normative and a descriptive element:

- **Used as a normative term**, "social state" designates a state based on social justice as a constitutionally enshrined goal (Basic Law):
 - "The Federal Republic of Germany is a democratic and social federal state." (Article 20 [1] Basic Law)
 - "The constitutional order in the Länder must conform to the principles of a republican, democratic and social state governed by the rule of law within the meaning of this Basic Law." (Article 28 [1] Basic Law)
- **As a descriptive term**, "social state" refers to the structures arising from this normative basis and the extent of public measures and programmes to realise greater social justice (social security and social balance).



1.2.3 Democracy

... as the Federal Republic of Germany's form of government

Article 20 (2) Basic Law: "All state authority is derived from the people. It shall be exercised by the people through elections and other votes and through specific legislative, executive and judicial bodies."

... as party pluralism

Article 21 (1) Basic Law: "Political parties shall participate in the formation of the political will of the people. They may be freely established. Their internal organisation must conform to democratic principles."

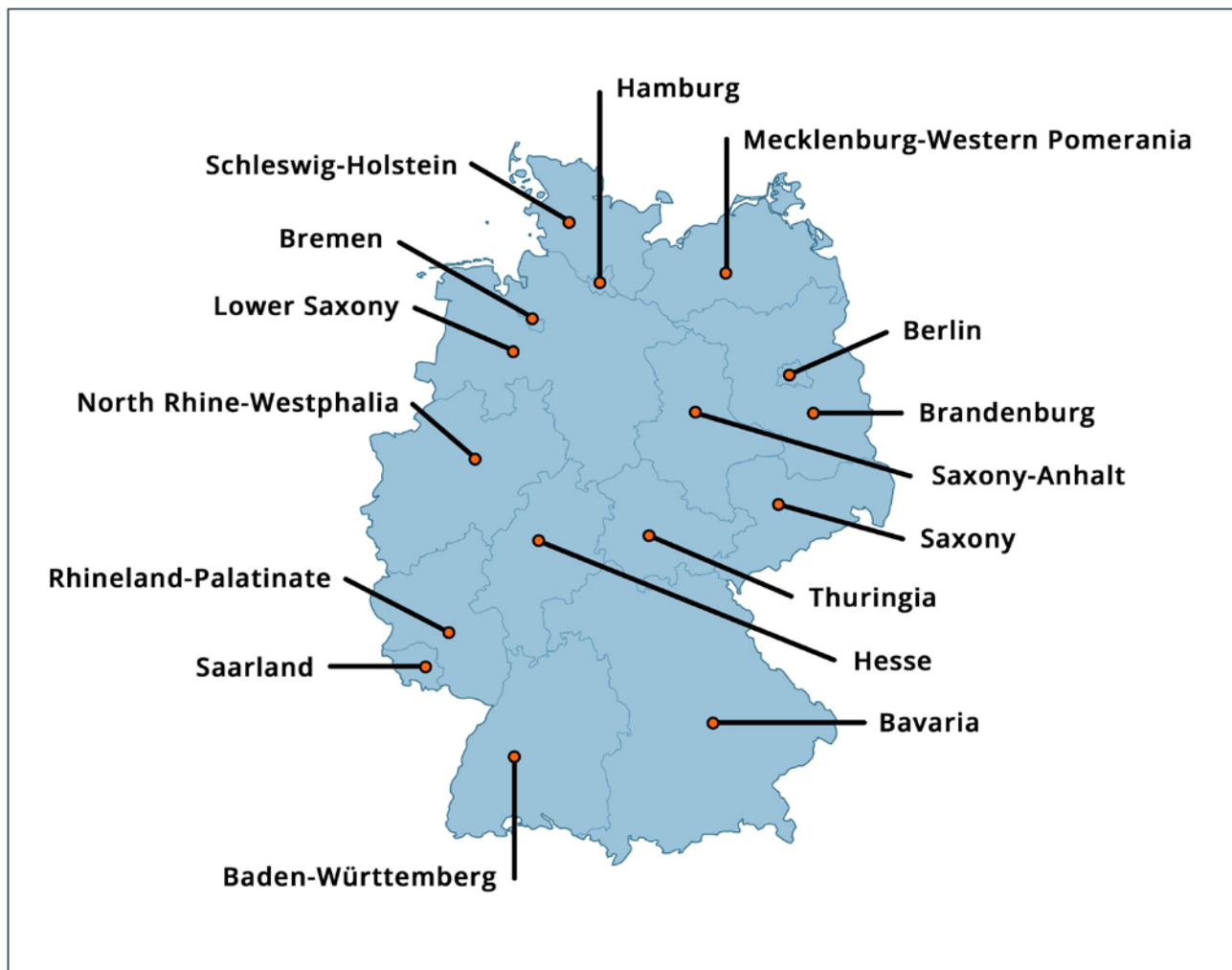
... and civil society

Democracy is based on self-determination, participation in civil society and the power of the people to choose (participation rights, co-determination, civic initiatives).

... and democracy education

Young people in a democracy are entitled to democracy education. Not only do they have participation rights, but must also be helped and supported with carrying out activities of civic and political engagement. This is an interdisciplinary task of child and youth services in Germany.

1.2.4 Federal structure



1.2.5 The role of local government

Local government as the constitutional, executive body for state responsibilities



Responsibilities of local authorities in their own right		Devolved responsibilities	
1. Voluntary responsibilities	2. Statutory responsibilities of self-government	3. Statutory responsibilities by direction	4. Responsibilities discharged on behalf of the state
<i>Leisure facilities; local public transport; playgrounds; grants for child and youth work</i>	<i>Refuse collection; water and power supply; building nurseries and schools, child and youth services</i>	<i>Availability of fire brigade, emergency services and civil protection; payment of income support and housing benefit</i>	<i>Holding Bundestag and local elections and carrying out the national census; recording persons liable to military service</i>



Local government as the constitutional body for local and democratic self-government



1.2.6 Public finance

Revenues:

- Tax revenues in Germany totalled €895.7 billion in 2022.
- The chief sources of tax revenues are “shared taxes” (mainly income tax and value added tax), which are allocated to the Federation, the Länder and the municipalities based on a set formula. In 2022 shared taxes accounted for a total of 75.4% of all tax revenues.

Financing sources:

- The Federation’s public revenue is mainly derived from federal taxes and the Federation’s share of shared taxes.
- The Länder (federal states) obtain their revenue mainly from Land taxes and the Länder’s shares of shared taxes, as well as the Financial Equalisation Scheme aiming to mitigate financial disparities between the Länder, and from federal, complementary grants.
- The local authorities derive their funds mainly from community taxes, the local authorities’ share of the income tax as well as trade tax, and from allocations made by the respective Land.



1.2.7 German youth policy and the EU

The Federal Republic of Germany acceded to the European Union in 1958.

Today, the EU Youth Strategy sets the youth policy framework for member states. **Child and youth services in Germany** is thus inextricably **tied to European youth policy**.

The Erasmus+ scheme helps young individuals as well as organisations with exchange programmes and international educational activities. The focus is on:

- school and university education, professional training and continuing professional development,
- civil society youth exchanges,
- establishing partnerships between youth groups and organisations, etc.,
- dialogue with policymakers, experts and innovators in the field of child and youth policy and the education sector.

1. Structural framework

1.3 Legislation



1.3.1 Basic rights

Article 1 Basic Law:

- (1) Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.
- (2) The German people therefore acknowledge inviolable and inalienable human rights as the basis of every community, of peace and of justice in the world.
- (3) The following basic rights shall bind the legislature, the executive and the judiciary as directly applicable law.

Article 6 (2) Basic Law:

- “The care and upbringing of children is the natural right of parents and a duty primarily incumbent upon them. The state shall watch over them in the performance of this duty.”

Article 19 (4) Basic Law:

- “Should any person’s rights be violated by public authority, he may have recourse to the courts. If no other jurisdiction has been established, recourse shall be to the ordinary courts.”

Children and adolescents are also basic rights-holders.



1.3.2 Rights of parents and rights of the child

Article 6 of the Basic Law regulates the relationship between state, parent and child.

- The subsidiarity principle takes precedence when determining the relationship.
- Child rights have not yet been expressly incorporated into the Basic Law, but there is no constitutional ambiguity regarding children as basic rights-holders. (Current: efforts under way to include child rights in the Basic Law)

The UN Convention on the Rights of the Child (ratified by Germany on 5 April 1992) **distinguishes between the following types of child rights:**

- care and assistance rights (“provision”),
- protection rights (“protection”),
- participation rights (“participation”).

Further (participation) rights of children, adolescents and parents are formalised in Social Code Book 8.



1.3.3 Social Code

The constitutional social state principle is fleshed out in the **Books of the Social Code**. Social Code Book 1 (General Part) and Social Code Book 10 (Social and Administrative Procedures and Protection of Social Data) apply to all relevant Books.

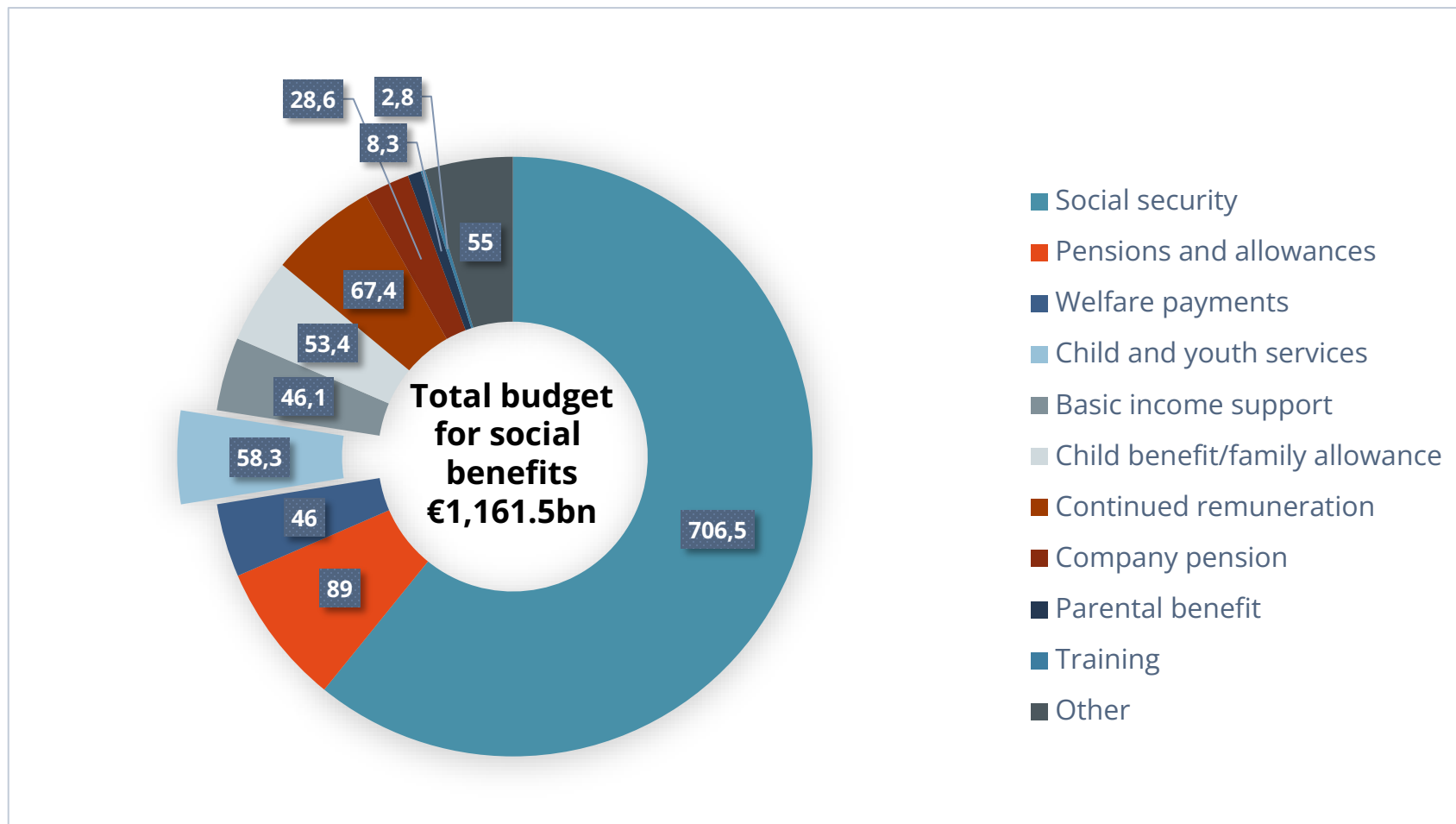
Relevant Books include:

- Book 2 – basic income support (responsible: job centre),
- Book 3 – promotion of employment (responsible: Federal Employment Agency),
- Book 5 – statutory health insurance (responsible: statutory health insurance providers),
- **Book 8 – child and youth services (responsible: youth welfare office),**
- Book 9 – rehabilitation and participation of people with disabilities (responsible: providers of integration support),
- Book 12 – social welfare (responsible: welfare offices).



1.3.4 Social benefits

Breakdown of social benefits by type (2021) (billions of €)





1.3.5 Central principles of social and administrative procedures

The **law on social and administrative procedures** first and foremost serves to safeguard the payment of social benefits and help eligible recipients to more easily navigate the complex system comprising the various Books of the Social Code as well as to apply for and (more quickly) receive social benefits.

Core principles underlying the process for the payment of social benefits	
Start	The process is generally initiated upon receipt of an application.
Content	The focus is on reviewing compliance with the eligibility criteria.
Rights of parties	<ul style="list-style-type: none">• Representation by proxy or support from an advisor• Access to documents• Right to be heard
Conclusion	Administrative act (notice)



1.3.6 Involvement in international treaties/conventions

UN conventions

UN Convention on the Rights of the Child; UN Convention on the Rights of Persons with Disabilities

Council of Europe conventions

on preventing and combating domestic violence; protection of children against sexual exploitation and sexual abuse

Hague conventions

on the protection of children; on the protection of infants; on adoption; on child abduction; on child support

Bilateral agreements

Franco-German Youth Office; German-Polish Youth Office; German-Greek Youth Office; ConAct – Coordination Center for German-Israeli Youth Exchange (German-Israeli Youth Office planned); Czech-German Youth Exchange Coordination Centre - Tandem; German-Russian Youth Exchange Foundation

2. Tasks and fields of work

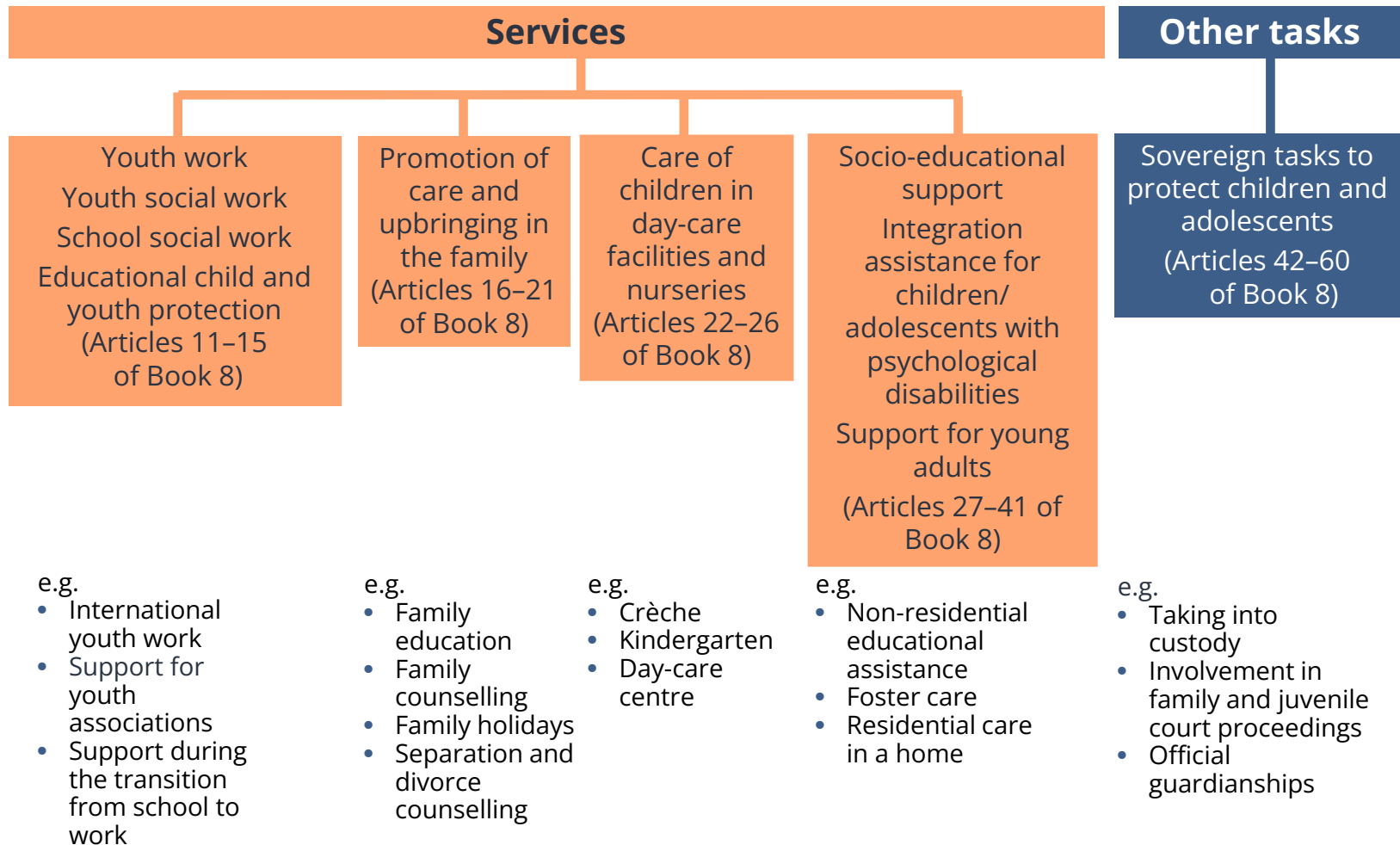
2.1 Mission and claim



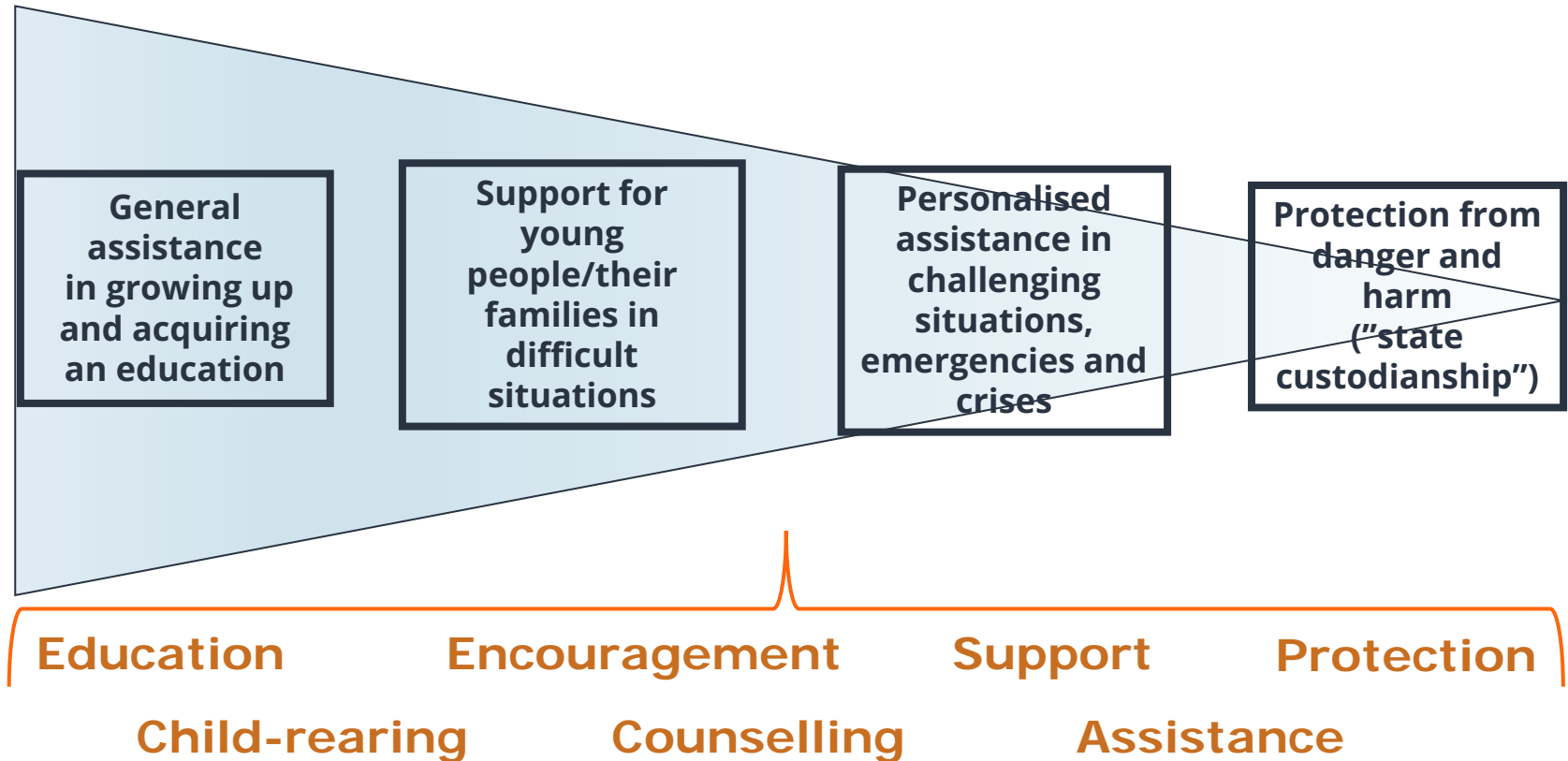
2.1.1 Tasks and mission of child and youth services - Article 1, Social Code Book 8

- (1) All young people have the right to receive assistance so they can become independent, responsible and socially competent individuals.
- (2) ...
- (3) The objectives of child and youth services are, inter alia,
 1. to assist young people and eliminate disadvantages so as to give all young people equal educational and development opportunities and hence address any structural imbalances or personal deficits;
 2. to support young people as appropriate given their age and ability so they can make their own choices in all areas of life that pertain to them and in turn, participate fully in society;
 3. to promote parents' ability to provide care so they are enabled to meet their responsibilities towards their children;
 4. to guard against dangers to children's and adolescents' welfare,
 5. to help create or maintain positive living conditions for young people and their families as well as a positive and family-friendly environment.

2.1.2 Fields of work in child and youth services – Articles 11-60, Social Code Book 8



2.1.3 Child and youth services – Support, assistance, protection



These tasks come to bear in all possible contexts in varying degrees of intensity depending on the situation at hand.



2.1.4 Right to autonomy and democratic participation

Child and youth services is aligned with Germany's Basic Law and the Universal Declaration of Human Rights.

The Basic Law recognises individuals' **right to autonomy** and **participation in democratic society**. These fundamental rights also extend to children and adolescents.

The UN Convention on the Rights of the Child is also legally binding upon child and youth services. It requires that the rights of children and young people to participation must be respected.

Child and youth services supports children and adolescents in exercising these rights in their institutions and in society as a whole.

2. Tasks and fields of work

2.2 Assistance and support



2.2.1. Child and youth work

Child and youth work in Germany reaches back more than **100 years**. It is enshrined in legislation (e.g., Book 8 of the Social Code). The aim of child and youth work is **subject formation** and **democratic development**: children and young people are to be assisted in acquiring autonomy, developing an ability to help choose and shape child and youth work activities, and becoming independent members of society and their communities.

It follows that child and youth work is **voluntary, open** to all young people, corresponds to their specific interests, and invites the **participation** of its target groups.

The child and youth work field includes **open child and youth work** and **child and youth association work** and extends to **other areas** such as international youth work and mobile and cultural youth work. It also incorporates organisations offering games, sports, nature/environmental activities, health activities, etc.



2.2.2 Youth social work/School social work

Youth social work

... is an aid to integration for socially or personally disadvantaged young people

- that supports them in academic and vocational training,
- helps them integrate in the labour market, and
- assists them in integrating in society.

School social work

... covers in-school socio-educational support and enhances the school's profile with socio-educational activities

- to support pupils' personal and social development,
- to strengthen and support pupils during personal, family or social conflicts or in-school conflicts,
- to strengthen the integration of schools in socio-spatial, lifeworld contexts.



2.2.3 Educational child and youth protection

Educational child and youth protection consists of a range of general preventive counselling and educational measures for children, adolescents and their parents. It aims to

- enable young people to protect themselves from harmful influences, learn to recognise threats, engage in critical assessment, take sound decisions, and embrace responsibility towards themselves and other people; and
- help parents and guardians learn how to protect children and adolescents from threats and dangers.

Educational child and youth protection is provided, e.g., via

- projects to empower children and adolescents (e.g., in kindergartens),
- family education (information and counselling),
- youth work, and/or
- general awareness-raising campaigns (e.g., concerning HIV/AIDS, drugs, harmful media, conspiracy theories, etc.).



2.2.4 Promotion of care and upbringing in the family

Child and youth services is responsible for **supporting parents in raising and caring for their children**. This is done, *inter alia*, by offering

- counselling for expectant mothers and fathers,
- advice on child-raising,
- education/holidays and recreational activities for families,
- caring for children in emergency situations,
- counselling on relationships, separation, divorce and custody matters,
- residential arrangements for mothers/fathers and children.

These services are complemented by what are known as early intervention services (mostly provided in cooperation with the health system).



2.2.5 Statutory day-care for children

Day-care for children ...

supports parents

benefits children

Day-care is provided in ...

Day-care facilities

Nurseries

Day-care for children provides ...

education:

It teaches them skills and competences.

child-rearing:

It teaches them norms, values and social skills.

care:

It provides them with care and supervision.

2. Tasks and fields of work

2.3 Socio-educational support services



2.3.1 Legal basis of socio-educational support services

Article 27 (1) of Book 8 of the Social Code is the key provision when it comes to socio-educational support services.

The only possible **claimants** are parents and guardians.

The **requirement** to be met is the absence of care provided to a child that is conducive to their welfare.

To assess the **scope of the claim**, i.e. the provision of “necessary and suitable” forms of support, two questions must be answered:

1. What form of support is **suitable** to bring about the desired impact?
2. What form of support is **necessary** to meet the need?



2.3.2 Support service planning

Support service planning involves assessing, defining and agreeing which types of socio-educational support are to be provided in accordance with Article 27 of Book 8 of the Social Code.

Support service planning is **first and foremost** a **socio-educational process** requiring negotiations and decisions public-sector providers and recipients (guardians, children and/or adolescents), wherever possible with the involvement of independent providers. (See slide 3.3.5)

Under Article 36, the planning process is required to incorporate the following elements:

- involvement of parents, children and adolescents; potentially also guardians/custodians,
- consultation between several experts,
- drawing up of a support plan,
- regular review of scope and underlying decisions.



2.3.3 Types of socio-educational support services

Socio-educational support can be provided

- **as non-residential or semi-residential support**
 - predominantly to parents/families (advice on child-rearing, socio-educational family support), or
 - predominantly to young people (social group work, family support workers, day groups),
- **as residential support (alternative accommodation),**
 - with another family (fostering),
 - in a home or other form of assisted living,
- **in a flexible manner,**
 - incorporating both non-residential and residential forms of support.

It is possible to combine a number of different forms of support.



2.3.3.1 Non- and semi-residential socio-educational support

Non-residential socio-educational support includes

- advice on child-rearing (Article 28),
- social group work (Article 29),
- family or care support workers (Article 30),
- socio-educational family support (Article 31).

Non-residential support services are free at the point of delivery.

Semi-residential socio-educational support consists of

- care in a day group (Article 32) or
- care in a suitable family care setting (Article 32).

Recipients may be required to contribute towards the cost of semi-residential services.



2.3.3.2 Full-time family care

Full-time family care involves **placing a child/adolescent with another family**. It may be temporary or permanent. It aims to allow children/adolescents who cannot live with their parents to grow up in a family environment.

Full-time family care can be provided in a large variety of different “family” constellations.

Birth parents are entitled to counselling and support, and to assistance in maintaining a relationship with their child (Article 37).

Likewise, carers are entitled to counselling and support (Section 37a).



2.3.3.3 Residential care and other forms of assisted living

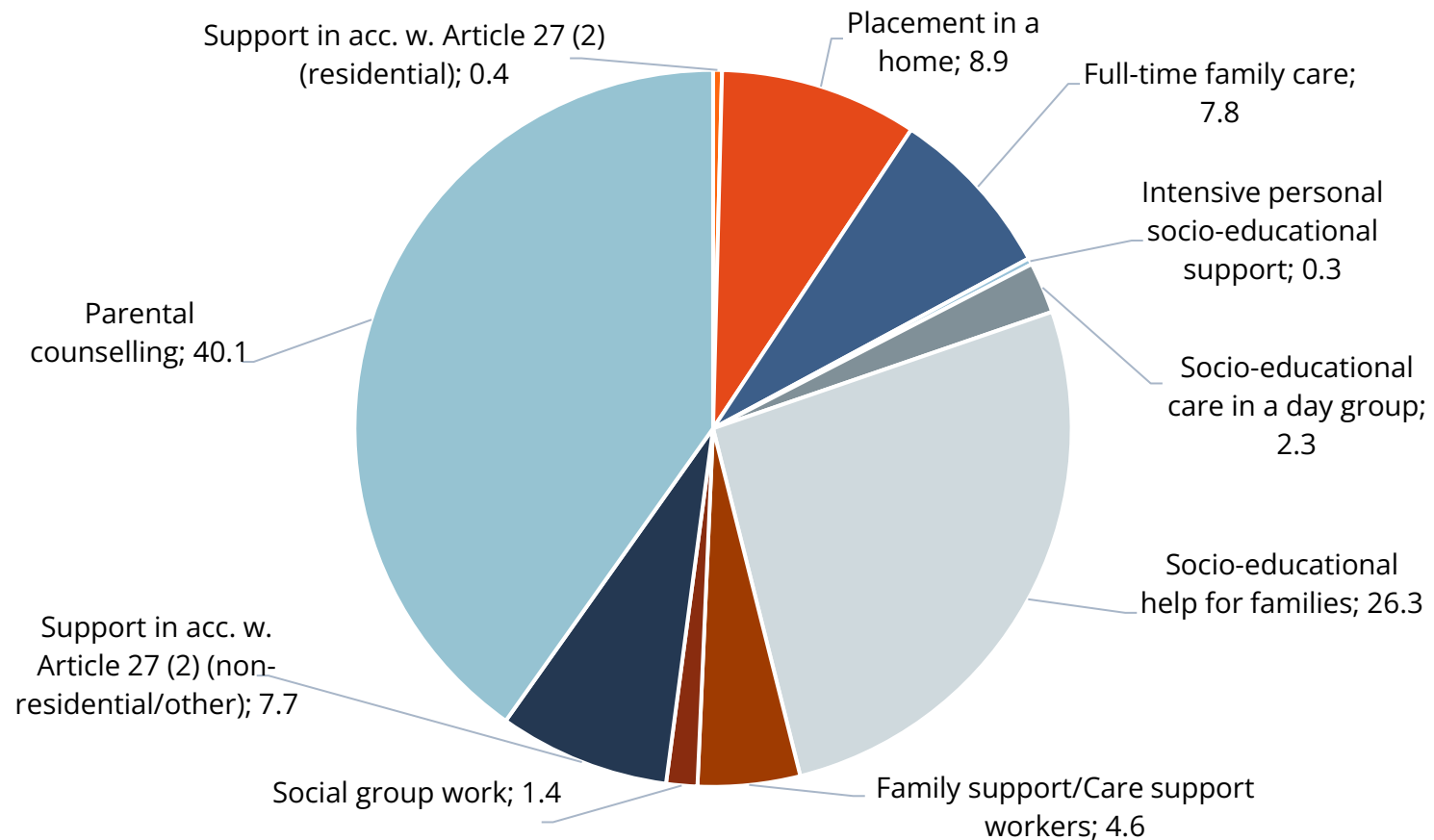
Residential care and other forms of assisted living denotes a wide variety of **alternative institutional accommodation**, ranging from traditional multi-group residential facilities and Children's Villages to independent residential groups, children's homes and various types of assisted living settings.

Residential care can have one of three objectives:

1. return to the family,
2. preparation for placement in another family, or
3. a longer-term residential arrangement designed to prepare the recipient for an independent life.

2.3.4 Quantitative breakdown of socio-educational support services

Support for under-18 age group (Art. 27 SGB VIII) shown by type of service (2021; Total number of ongoing and concluded services. Proportions shown in %. N = 1,002,844)



2. Tasks and fields of work

2.4 Integration support



2.4.1 Integration support - Legal basis

Person with a disability (as defined in Article 2 of Social Code Book 9)
= person with a physical, psychological, intellectual or sensory impairment that, in interaction with attitudinal and environmental barriers, is highly likely to impair their equal participation in society.

Responsibility for providing integration support to persons with disabilities lies with **various** so-called **rehabilitation providers**.

Child and youth services is responsible for providing integration support to young people with (potential) **psychological disabilities (Article 35a of Book 8 of the Social Code)**.

In this case, the claimants are the **young people** themselves.

- Child or youth psychiatrists or psychotherapists diagnose the psychological disability; the youth welfare office assesses the participation impairment.

The **services to be provided** are selected in accordance with the applicable legislation in **Book 9 of the Social Code**.



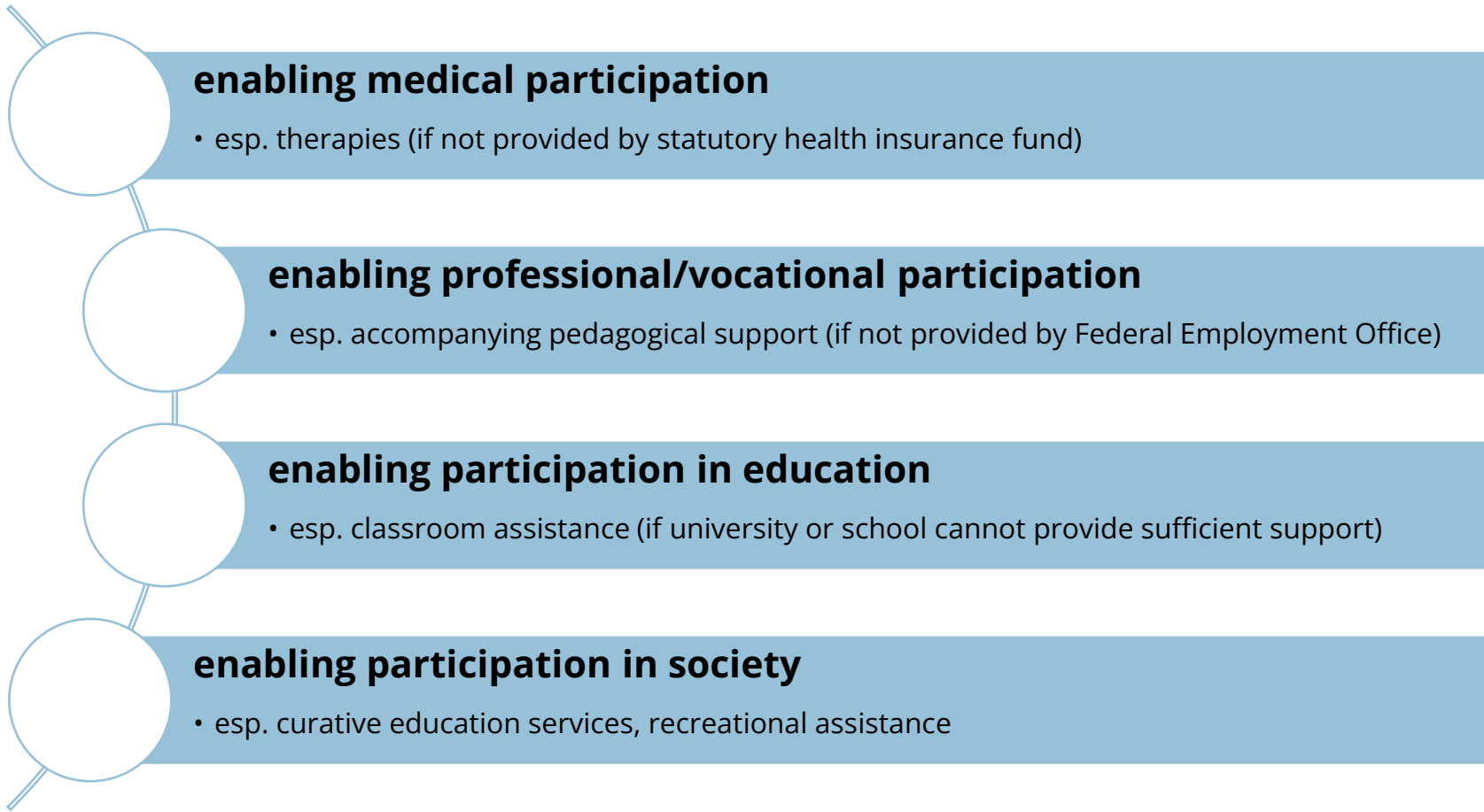
2.4.2 Integration support – Procedural requirements

Mandatory procedures to be followed by all providers in accordance with Book 9:

- **Expedited approval procedure** (Article 14)
To ensure rapid service provision, responsibility can be deemed to lie with a provider that may not be formally competent. Providers must resolve any disputes between them at a later point.
- **Delivery from a single source** (Articles 15, 19 and 20)
Should several providers carry responsibility for service provision, the recipient only has to deal with one main provider that is responsible for planning and where necessary, delivering all services.



2.4.3 Integration support for young people with a psychological disability



2. Tasks and fields of work

2.5 Support for young adults



2.5.1 Support for young adults

Article 41 (1) of Book 8 of the Social Code stipulates: Young adults shall receive suitable and necessary support whenever and wherever their personal development does not allow them to exercise independence, responsibility and autonomy.

- Support is generally only provided until recipients turn 21 → Care Leavers have called for this cap to be extended to 25.
- Emphasis lies on the continuation of support already provided until this point, mainly care in homes, group accommodation and foster families.
- Even if support comes to an end, services may continue to be provided where required and upon application.

Once support ceases, young adults are entitled to counselling and support that is understandable, appropriate and accessible to them (follow-up support in accordance with Article 41a).

2. Tasks and fields of work

2.6 Other tasks



2.6.1 Child and youth services in the context of child welfare endangerment

The state is **obliged to protect children and adolescents against threats to their welfare** (Article 6 para. 2 sentence 2 of the Basic Law; Section 1666 of the Civil Code; Article 1 para. 3 and Article 8a of Book 8 of the Social Code).

The term **“threat” in the context of child welfare** is understood to mean “a danger of such a magnitude that, if not addressed, is highly likely to cause considerable damage to the child’s development”.

All child and youth services activities must be directed at preventing such threats from arising in the first place (broad interpretation of child protection) or, if applicable, to avert them in time (narrow interpretation of child protection).

Parents and children/adolescents must be offered suitable assistance to prevent and, if applicable, avert any threats.

If parents refuse such assistance, the youth welfare office must intervene in order to protect their children (taking into custody/referral to the family court in cases involving intervention in parental custody rights).



2.6.2 Taking into custody

The youth welfare office is entitled and obliged to take minors into custody (Article 42 of Book 8 of the Social Code) when

- a child or adolescent requests it,
- there is imminent danger to their welfare, or
- a foreign-born child or adolescent arrives in Germany unaccompanied.

“Temporary taking into custody” is invoked for unaccompanied foreign-born children/adolescents or refugee minors ahead of the “regular” act (Article 42 a-f).

In 2022 approx. 66,400 minors were taken into custody:

- 8,000 requested it themselves,
- 29,800 were exposed to imminent danger to their welfare,
- 28,600 were unaccompanied foreign-born minors.

2.6.3 Involvement in family court proceedings in cases of (suspected) child welfare endangerment

State custodianship
to ensure child welfare

“Community of responsible bodies”

Youth welfare office

- Referral to the family court (if the risk to the child’s welfare cannot be resolved or eliminated)
- Contribution in the shape of socio-educational expertise
- Must guarantee that assistance be provided to avert any danger to child welfare
- Articles 8a and 50 of Social Code Book 8
- Act on Proceedings in Family Matters (FamFG)

Family court

- Management of family court proceedings
- Hearing and involvement of significant parties
- Appointment of a guardian ad litem for the child (by default)
- Decision(s) to avert any danger to child welfare
- Sections 1666 and 1666a of the Civil Code
- FamFG (e.g., Section 62)

Cooperation with and involvement of persons with custodial rights, children and adolescents

Involvement of further persons and/or institutions, e.g., experts (where required)

2.6.4 Involvement in family court proceedings in cases of separation/divorce involving parents of underage children

Aim:
to ensure child welfare in conflictual
separation/divorce proceedings

“Facilitation of agreement” in parental conflicts (Section 156 FamFG)

Role of the youth welfare office

Article 50 of Book 8 of the Social Code:
Involvement in family court proceedings involving children

- Counselling and support for parents
- Preparation for court appearances
- Submission of expert opinions on socio-educational aspects of the case

Role of the family court

Section 162 FamFG *Cooperation of the Youth Welfare Office: In proceedings that concern the person of the child, the court shall hear the Youth Welfare Office.*

- Involvement/hearing of the youth welfare office
- De-escalation and dispute resolution: joint agreements and settlements
- Assessment of child welfare
- Appointment of a guardian ad litem for children (by default)
- Decisions on custody/visitation rights

Cooperation with and involvement of persons with custodial rights, children and adolescents (e.g., through hearings or a guardian *ad litem*)

Involvement of further persons and/or institutions, e.g., child guidance office (where required)



2.6.5 Guardianships and custodianships

Guardians ... represent the legal rights of their underage wards in their entirety (parental care).

Custodians ... represent the legal rights of their underage wards to some extent (decisions on accommodation, healthcare, assets, etc.).

Guardians and custodians may be ... private individuals (“sole” guardians/custodians), experts working for independent organisations (“by association”) or representatives of the youth welfare office (“official”).

Facts and figures:

In Germany, at the end of 2022

- almost 45,950 minors were in the care of a guardian by appointment; almost 4,100 had a statutory guardian;
- around 32,900 minors were subject to an official custodianship.

In 2022, the family courts withdrew parental custody either fully or partially in approx. 14,950 cases – mostly at the initiative of the youth welfare office. (See slide 2.6.3).



2.6.6 Involvement in juvenile court proceedings

Adolescents (aged 14 to 17) are deemed criminally responsible and are subject to juvenile criminal law; the same applies to young adults (aged 18 to 20) whose developmental status or crime is deemed juvenile in nature.

The duties of the youth courts assistance service or youth assistance in criminal proceedings are outlined in Book 8 of the Social Code (SGB VIII) and in the Youth Courts Act (JGG):

Article 52 of SGB VIII:

- involvement in criminal proceedings under Sections 38 and 50 III 2 of the JGG,
- provision of assistance and support for the young accused during the proceedings,
- provision of youth services that may eliminate the need for criminal prosecution or lead to the discontinuation of proceedings already begun.

Sections 38 and 50 JGG:

- submission of relevant information in juvenile court proceedings, particularly relating to the young accused's personality and social circumstances,
- participation in and reporting during main proceedings,
- monitoring of compliance with instructions and conditions.



2.6.7 Adoption

An **adoption** serves to provide a child who cannot live with their birth family long-term with the opportunity to grow up in a (legally) stable family environment under the care of social parents.

In 2021, 3,843 underage children were adopted in Germany. Various forms of adoption exist:

Form of adoption	% share of all adoptions (n = 3,843) in 2021	
Domestic third-party adoptions	998	26%
International third-party adoptions	178	4.6%
Adoption of a step-child (domestic/international)	2,535	66%
Adoption by relatives (domestic/international)	1322	3.4%

3. Structures

3.1 Institutions



3.1.1a The Federation, the Länder and the local authorities in child and youth services

Federation:

Enacts legislation on Book 8 of the Social Code – Children and Youth; incentives and financial support for cross-state child and youth services; Federal Youth Board (Bundesjugendkuratorium); four-yearly Child and Youth Report of the Federal Government.

Länder (federal states):

Länder implementing acts to Social Code Book 8; financial support for state-wide child and youth services infrastructure; Child and Youth Plans of the Länder; the Länder assist the local youth providers of youth services by providing advice and further training.

Local authorities:

Towns that are administrative districts in their own right and counties (in some cases larger towns within administrative districts), as public-sector providers, establish a youth welfare office; overall responsibility for planning and the local fulfilment of tasks under Book 8; local youth services planned and structured in the context of local self-government.

3.1.1b The Federation, the Länder and the local authorities in child and youth services

	Local authorities	Länder	Federation
Authority	Youth welfare offices in all counties and towns that are administrative districts in their own right	16 youth ministries of the Länder (federal states) and youth offices of the Länder	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
Basics	Medium-term child and youth services plans	Implementing acts to Social Code Book 8	Social Code Book 8 Child and Youth Services Act
Instruments	Planning and funding responsibility in the context of local self-government	Initiation, promotion, further development of public-sector and non-statutory child and youth services	Nationwide initiation, models and promotion
Funding and reporting	Local and regional facilities and offerings run by public-sector and non-statutory bodies	Child and Youth Plans of the Länder Child and Youth Reports of the Länder	Child and Youth Plan of the Federation (KJP) Child and Youth Report

3.1.2 Local public-sector providers of child and youth services

The local public-sector providers of child and youth services are determined in federal state law (Article 69 [1] Social Code Book 8). Generally speaking, the local providers are the towns that are administrative districts in their own right and the counties (in exceptional cases also towns within administrative districts).

Each local public-sector provider must establish a youth welfare office to carry out the tasks required by Social Code Book 8 (Article 69 [3]).

The local authorities decide on the specific structure of the youth welfare office.

The public-sector providers have overall responsibility to ensure

- that the youth welfare offices have access to adequate resources;
- that people have access to the necessary and appropriate services when they are needed and in an adequate scope;
- structural plurality across services;
- the development of standards to ensure quality development across all tasks of child and youth services.

3.1.3 The dual structure of the youth welfare office

Youth welfare office

Youth welfare committee

Administration

The **youth welfare committee** deals with all matters of child and youth services and, in particular, with:

- counselling of young people and families with problems,
- proposals for further development of child and youth service planning,
- funding and support for non-statutory youth service providers.

Ongoing **administrative functions** performed in accordance with the statutes of and the resolutions adopted by the local or municipal political representation and the youth welfare committee.

Composition of the youth welfare committee:

2/5 of the members are representatives of youth organisations, welfare organisations, religious communities, associations.

3/5 of the members are representatives of the local council.

3.1.4 Provider structures in child and youth services

Public-sector providers of child and youth services

Land (state) youth welfare office (regional provider)
Administrates the Land youth welfare office and Land youth welfare committee

- Advises the local providers
 - Plans, promotes and supports pilot projects
 - Provides employee further training
 - Grants operating licences
- i. a.
(Article 85 [2] Social Code Book 8)

Youth welfare office (local provider)
Administrates the youth welfare office and the youth welfare committee

- Meets statutory duties (Article 79 Social Code Book 8)
... to establish infrastructure
... to fulfil tasks
- Provides services in individual cases

Non-statutory providers of child and youth services

Non-statutory, non-profit providers

- Welfare associations
- Youth associations
- Other providers (not organised in associations)

- Deliver services
- Shape infrastructure
- Participate in political decisions

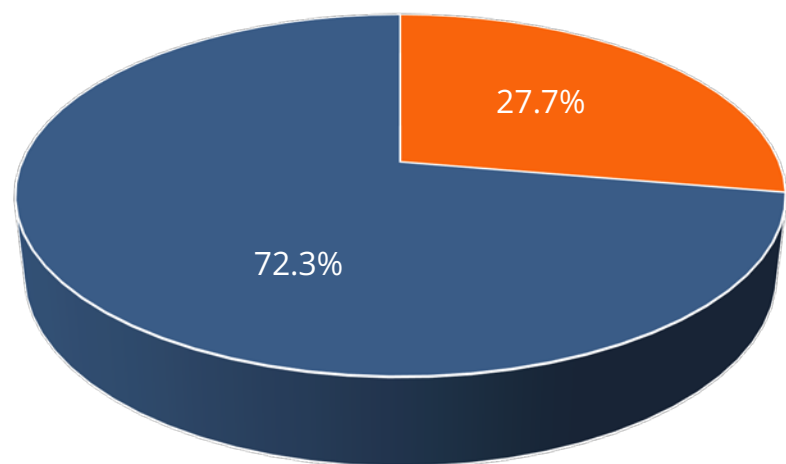
Private commercial (for-profit) providers

- Deliver services

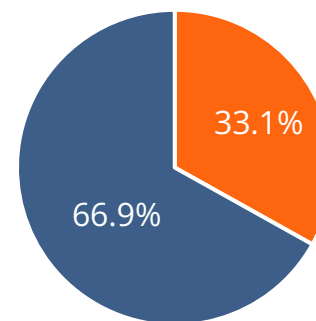
3.1.5 Facilities operated by public-sector and non-statutory providers

Day care facilities for children; 1 March 2022 (N = 59,323)

Facilities of child and youth services,
total (N = 98,108)

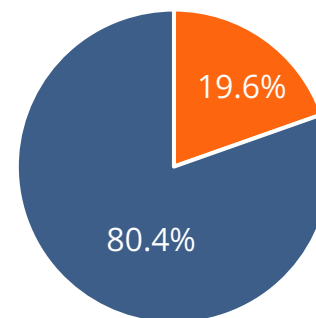


Public-sector providers Non-statutory providers



Public-sector providers Non-statutory providers

Facilities in other fields of work; 31 December 2020
(N = 38,785)



Public-sector providers Non-statutory providers



3.1.6 Umbrella organisations and research institutes in child and youth services

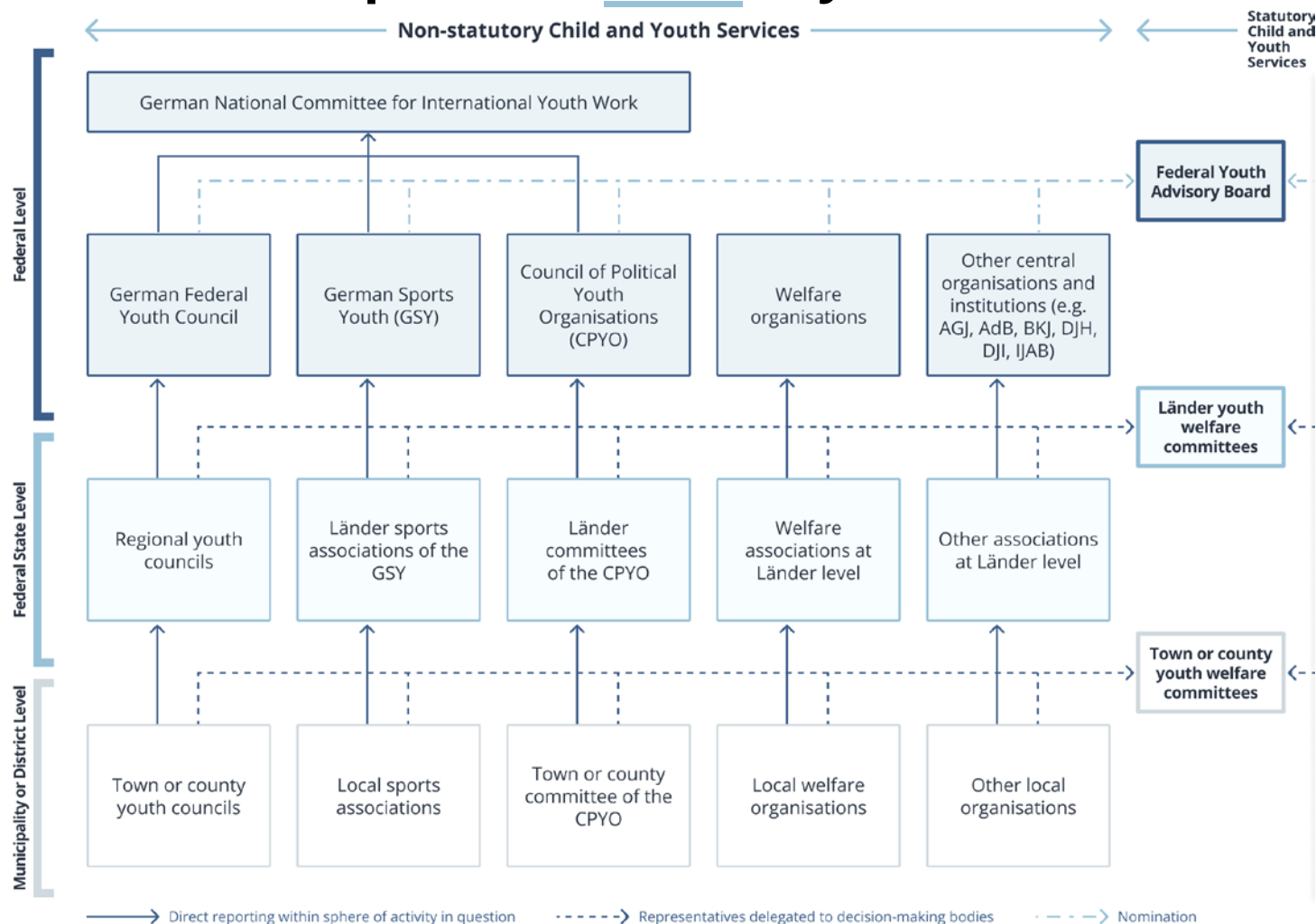
The **Child and Youth Welfare Association – AGJ** addresses the entire spectrum of child and youth services work. AGJ is an alliance of some 100 national public-sector and non-statutory providers of child and youth services.

In terms of the social work field as a whole, a large portion is addressed by the **German Association for Public and Private Welfare – DV**. DV's structure balances the influence of municipal umbrella organisations against that of the umbrella organisations of non-statutory welfare associations.

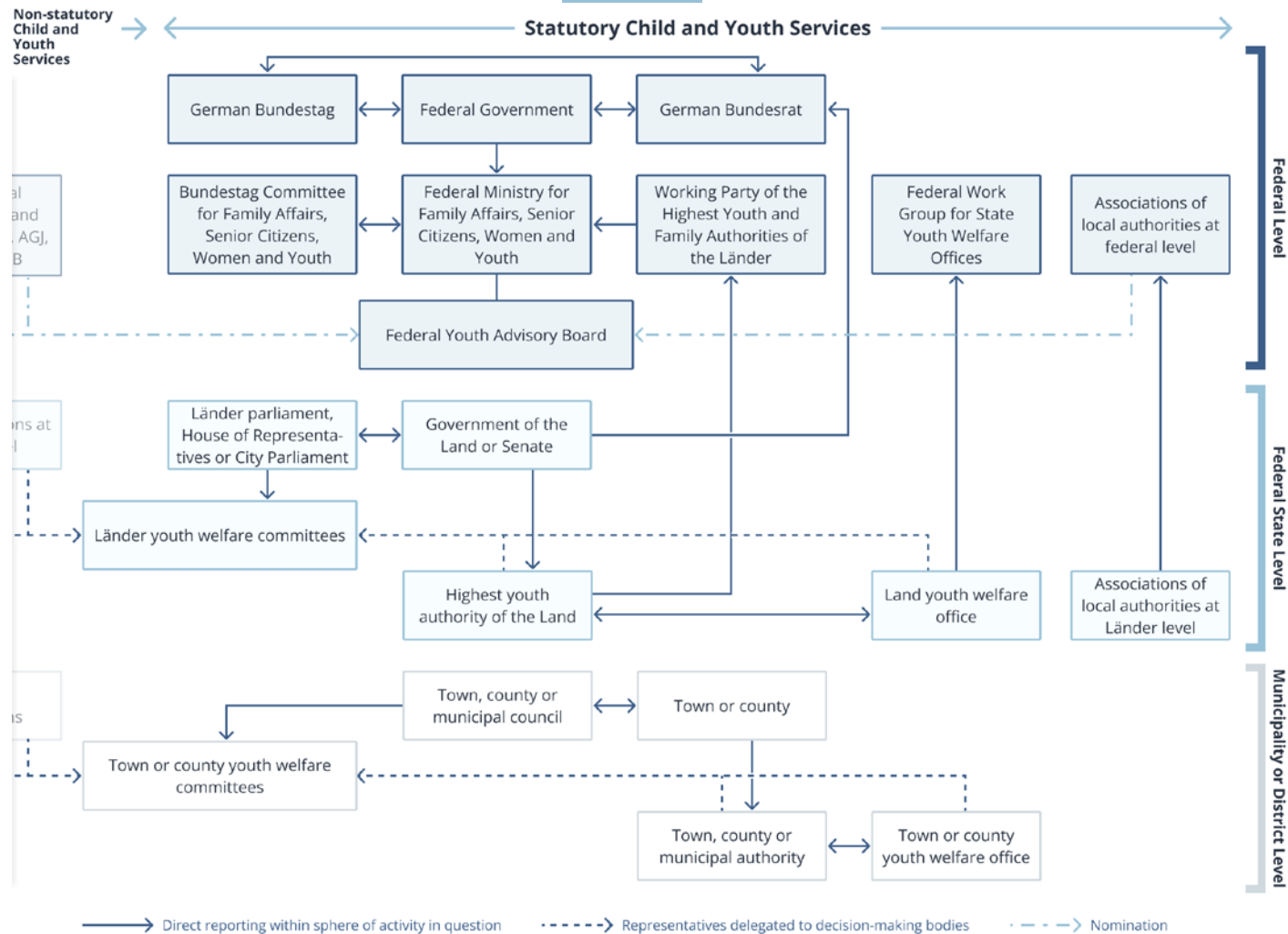
The **German Youth Institute – DJI** in Munich is the central contributor to research in child and youth services. DJI is one of Europe's largest social science research institutes.

Child and Youth Services in Germany

3.1.7 Structure of Child and Youth Services in the Federal Republic of Germany - Part 1



3.1.8 Structure of Child and Youth Services in the Federal Republic of Germany - Part 2



3. Structures

3.2 Guiding principles and procedural principles



3.2.1 Subsidiarity and overall responsibility

Subsidiarity:

- Whatever the individual, the family, or groups and associations can do independently must not be appropriated by a higher authority or by the state.
- The state still has a duty to – if necessary – empower these smaller, private units to act by providing the requisite assistance.
- In the context of child and youth services, subsidiarity refers to conditional priority over the public-sector provider when it comes to providing services (Article 4 [2] Social Code Book 8).

Overall responsibility of public-sector child and youth services:

- Overall responsibility for planning and for fulfilling the tasks of child and youth services under Social Code Book 8 (Article 79 [1]) resides with the public-sector provider of child and youth services.
- It is also the basic responsibility of the public-sector provider to ensure quality, especially with respect to safeguarding the rights of children in facilities and protecting them against violence (Article 79a).



3.2.2 Key concepts and terms in child and youth services

Conceptual debates amongst child and youth services professionals in Germany are peppered with **terms with relatively uncontested legitimacy**. These terms shape the professional normative basis of child and youth services:

- everyday and lifeworld orientation,
- participation, co-production,
- empowerment, helping people to help themselves,
- resource orientation,
- prevention,
- integration, inclusion,
- decentralisation, regionalisation, orientation towards the social environment.

However, all of these mainstream terms convey ambivalences and conflicts that must be viewed critically for each conceptual, structural and individual situation.



3.2.3 Principles of action in child and youth services

Child and youth services must always consider the free will of the people. Hence, its offerings can only be created as a product of co-production.

In consideration of this, the actions of child and youth services are:

- subject oriented,
- dialogue centred,
- participative and democratic,
- reflective,
- diversity aware and inclusive,
- local,
- political.



3.2.4 Inclusion

From 2028 the plan is that child and youth services will be responsible for services **for all children and adolescents** with and without disability (known as the “inclusive solution”). The specifics are still unclear.

The 2021 Act to Strengthen Children and Youth (Kinder- und Jugendstärkungsgesetz) for the first time ever introduced an express obligation on providers to **inclusively further develop child and youth services** and, in so doing, gave the official green light for all support and task areas.

Despite a continued legal focus on disability-related barriers to participation, the principle of inclusion is also being discussed with regard to incorporating other social barriers to participation (e.g., poverty) (referred to as the **broad understanding of the term inclusion**).



3.2.5 Principles of participation in child and youth services

Social Code Book 8 operationalises the provisions of the Basic Law, on human rights and the rights of the child, especially with regard to participation.

- Children and adolescents have the right to an upbringing as an independent, responsible and socially competent individual.
- Children and adolescents must be able to participate in all decisions that affect them.
- Children and adolescents have the right to air grievances about violations of their rights without the fear of sanctions.

But: **rights of participation are tied to the maturity of the child or adolescent.** Child and youth services thus has to balance respecting the participation rights of children and adolescents against imposing paternalistic restrictions.



3.2.6 A closer look at participation rights in Social Code Book 8

Book 8 of the Social Code implements the participative orientation of child and youth services in differentiated rights.

These rights can be described as follows:

- rights of autonomy,
- rights of participation in shaping programmes provided in child and youth services facilities,
- rights of participation in shaping child and youth services in the community.



3.2.7 Ombuds offices in child and youth services

In the context of child and youth services, the ombuds office provides **impartial information, advice and mediation in conflicts** with public-sector or non-statutory providers of child and youth services.

Its activities serve to **redress the balance of power in the highly asymmetric structure** of child and youth services, especially in scenarios of conflict.

Crucially, the ombuds office is **independent and is not accountable to another authority**.

To date, ombuds offices in the context of socio-educational support services have largely developed at federal state (Länder) level. In 2021 they were enshrined in Article 9a of Book 8 of the Social Code.



3.2.8 Protection of confidence

Confidence in the protection of information is one of the **basic requirements of assistive relationships**. It is constitutionally protected (as the “right to informational self-determination”).

Since 2018: application of the **European General Data Protection Regulation** (GDPR)

Specific **national provisions apply to child and youth services:**

Collection (Article 62 Social Code Book 8)

only **required** data

- only from the **data subject**
- **without the data subject's consent** only in **exceptional cases as listed** exhaustively (Article 62 [3] Book 8)

Transmission (Articles 64, 65 Social Code Book 8)

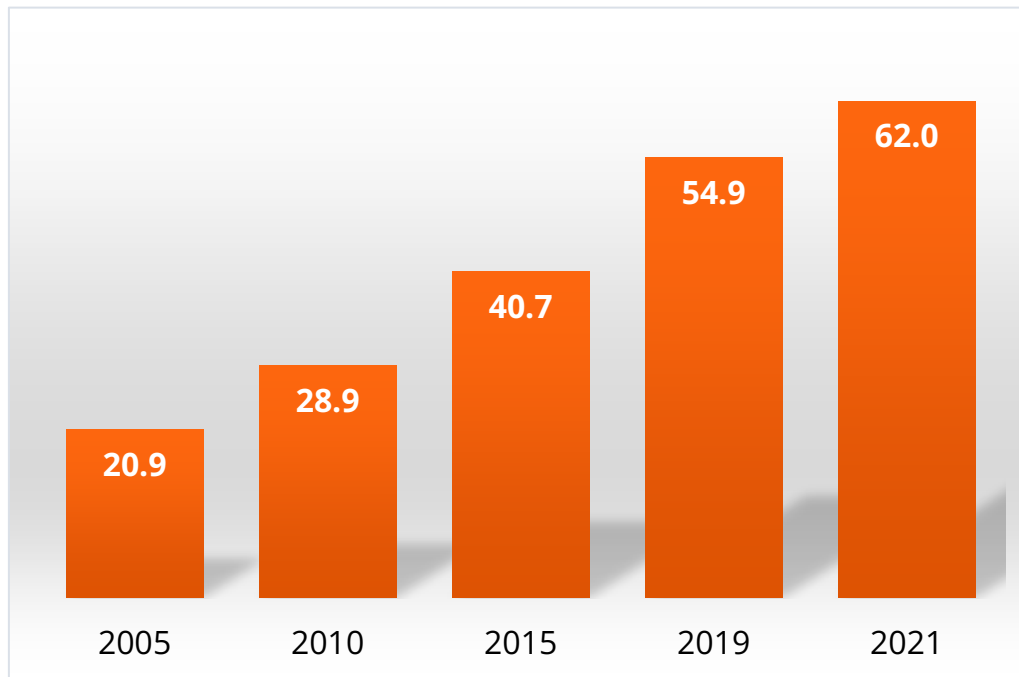
- where required in order **to perform task** and where transmission does not jeopardise the outcome of support
- **information provided in confidence is afforded special protection:** only with consent or special authorisation under Article 65 (2) Book 8

3. Structures

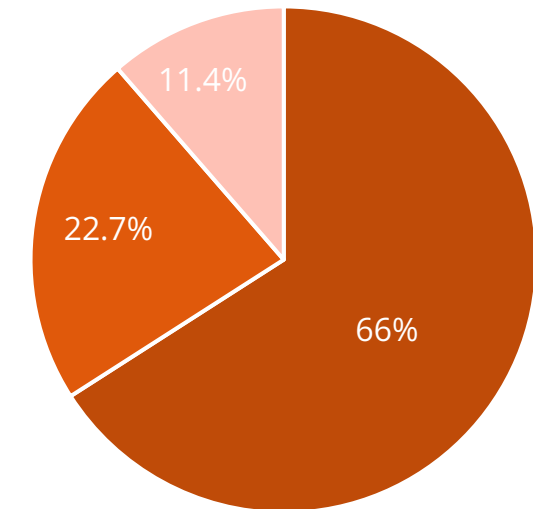
3.3 Financing

3.3.1 Expenditure for child and youth services

Total expenditure (billions of €)



Breakdown of expenditure (€62 bn)



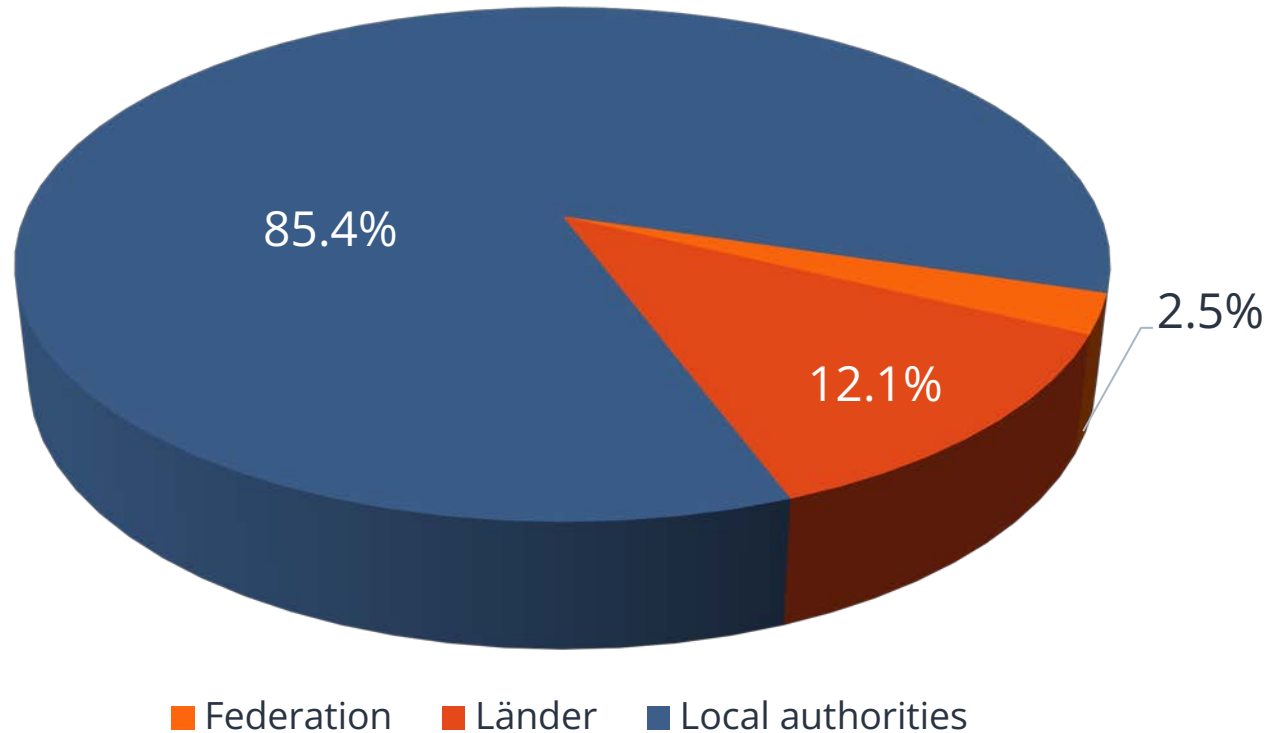
- Child day care
- Socio-educational support services and integration support
- Other

accounts for 5% of the social budget (2021)



3.3.2 Federal, Länder and local authority spending

Of the **total** €62 billion **spent on child and youth services** in 2021, spending at each level was as follows:





3.3.3 Child and Youth Plan of the Federal Government

The **Child and Youth Plan of the Federal Government** is the central federal funding instrument. In 2023, it had a budget of €233 million.

Central:

- funding for nationwide child and youth services infrastructure (Child and Youth Welfare Association – AGJ, youth associations, child and youth services provided by the welfare associations, federal-level professional bodies, etc.),
- funding for projects in child and youth services action areas,
- funding for youth migration services,
- funding for international youth and expert exchange schemes.

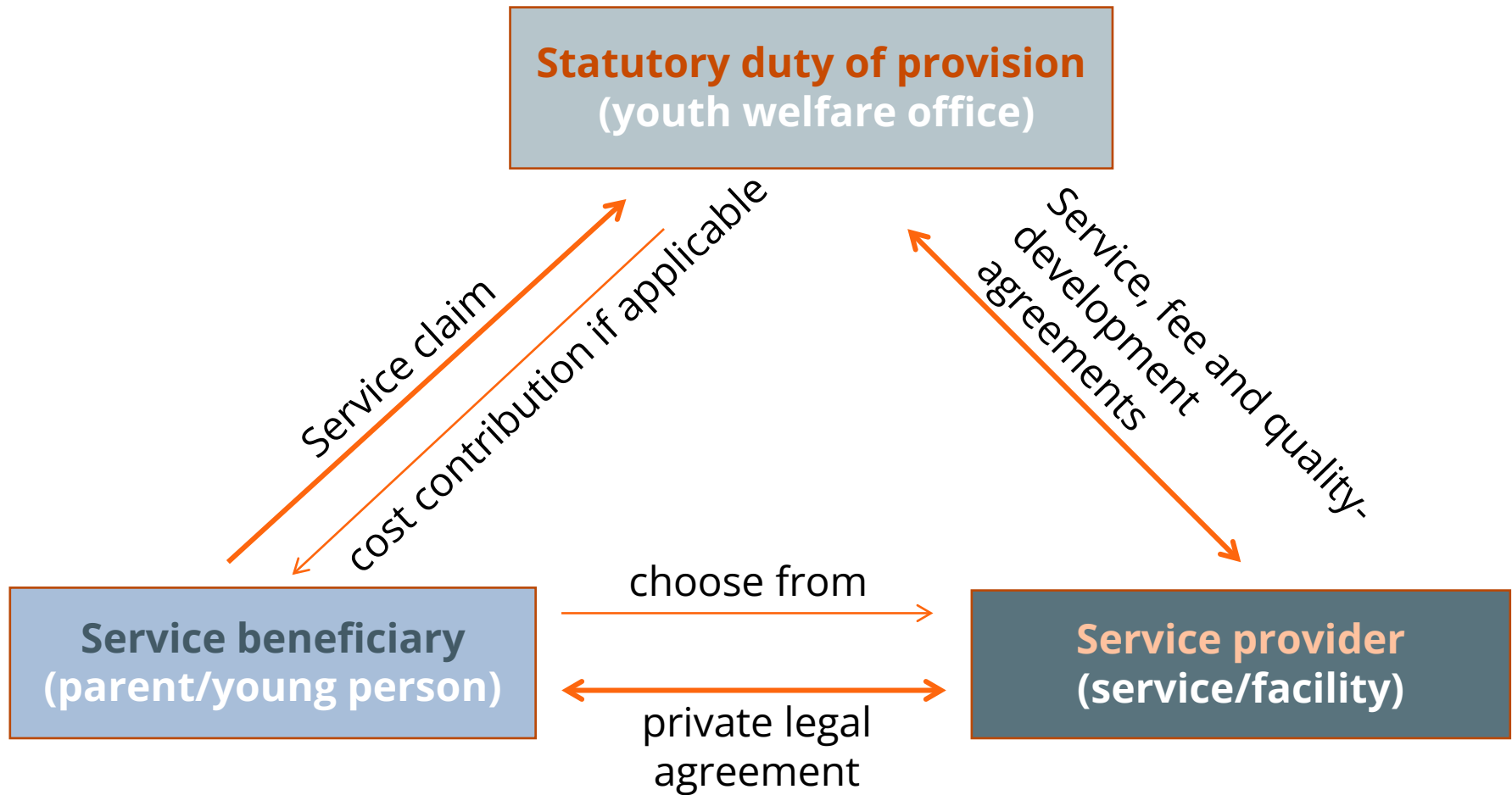


3.3.4 Financing of facilities and services

Financing can be provided for facilities and services of child and youth services based on the following (Book 8 of the Social Code):

- funding (Article 74),
- cost-based financing under the triangular relationship under youth welfare law (Article 78 a et seq. and, where applicable, Article 77),
- bilateral financing arrangements between public-sector and non-statutory providers (Article 77 and Article 36a),
- special provisions on financing for child day-care facilities (Article 74a).

3.3.5 Triangular relationship between individual legal claims under social law

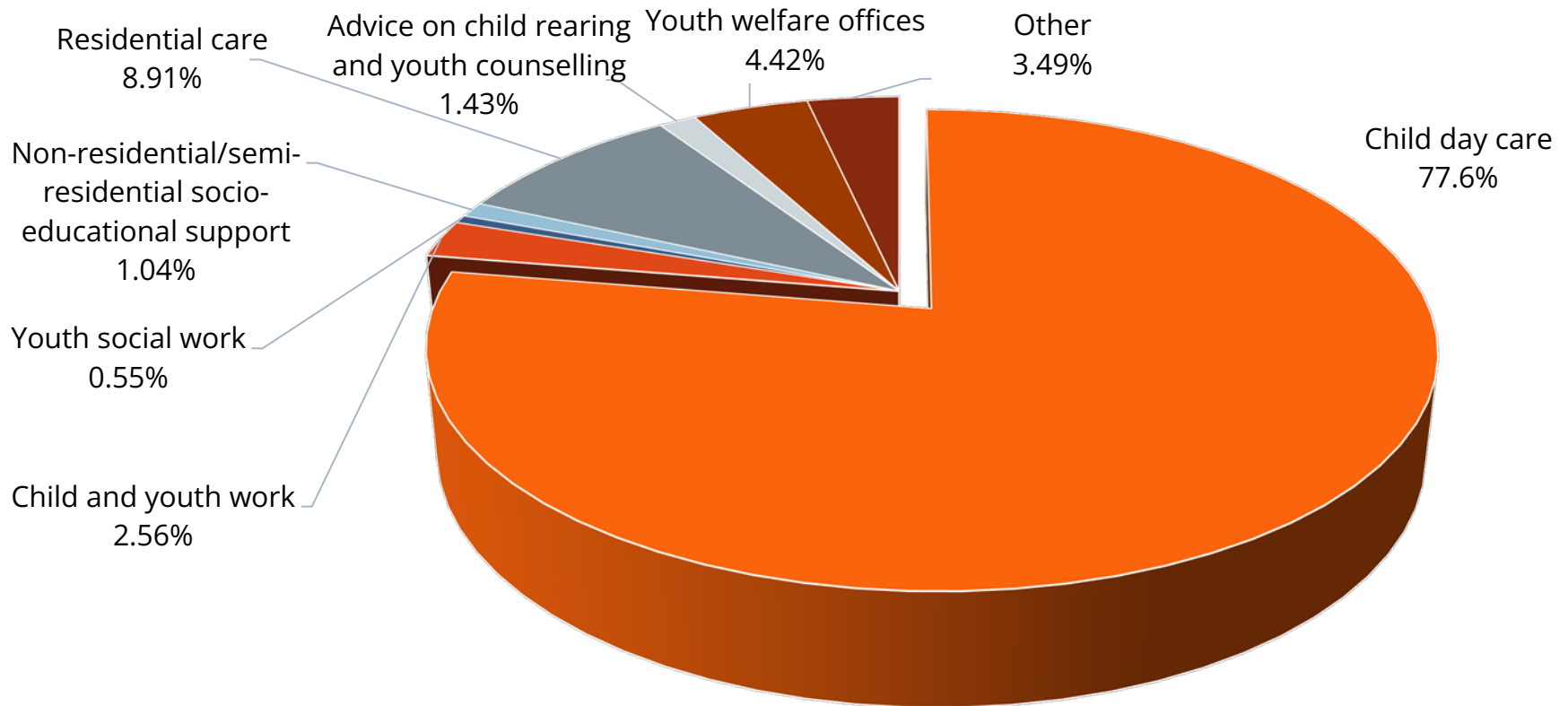


3. Structures

3.4 Employees

3.4.1 Fields of work of child and youth services professionals

In 2022 there were **almost 1.3 million people** working in the field of child and youth services, or 2.8% of all gainfully employed persons in Germany.



Source: Statistisches Bundesamt: Statistiken der Kinder- und Jugendhilfe – Einrichtungen und tätige Personen (31 December 2020); Kinder und tätige Personen in Tageseinrichtungen und in öffentlich geförderter Kindertagespflege (1 March 2022); own calculations



3.4.2 Civic engagement, volunteers

A total of **30 million people** across Germany are active in over **600,000 non-profit organisations**.

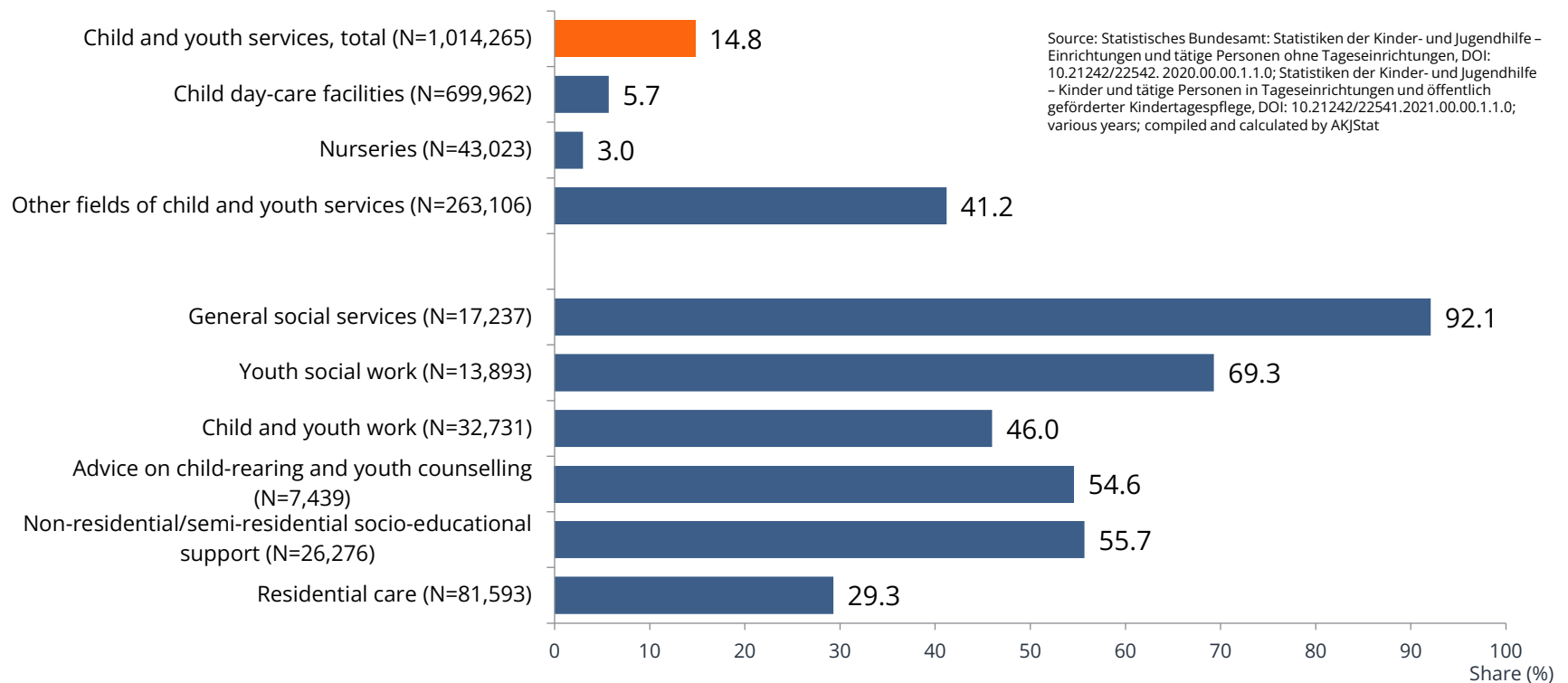
- 72% of these organisations work exclusively with volunteers.
- 18% are part of the "education and upbringing" sector.

In child and youth services, this work mostly takes place in the many (predominantly non-profit) democratically structured **associations and organisations**.

A sizeable portion of young people work as volunteers. Around **two-thirds of 14- to 28-year-olds** volunteer in a range of areas.

3.4.3 Qualifications of professionals in socio-educational youth work

Professionals in the field of socio-educational child and youth work have a **wide range of training backgrounds** gained with universities, colleges for continuing professional development, technical schools and others besides. The share of youth work professionals with relevant university qualifications varies depending on the field of work (2020/21; share in %):



Child and Youth Services in Germany

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