



## ChildCarers 50+ Project

# LAW REGULATION ON BECOMING PROFESSIONAL CHILD CARERS

Speaker: [Romina Boraso](#)

2nd Project meeting – Sofia, 4th and 5th of May 2017

## *Child services overview*

### CHILD CARE SERVICES FOR 0-3 YEARS

- ❑ School year 2013/14: 13,459 units providing social and educational services for early childhood
  - 35% public offering 50.5% of total availability
  - 65% private
- ❑ Places available: around 360,314
  - covering the 22.5% of the potential catchment area
- ❑ 11,283 kindergartens are active
  - 20% consists of "spring sections" ( children 24-36 months )
- ❑ 2,176 units: supplementary services for early childhood
  - nurseries in home environment
  - playgrounds
  - children's and parental centers
- ❑ The availability of kindergartens is far from the European parameters
  - 22.5 places for 100 children under three years old: lower value than the EU rate
  - EU rate of 33%: strategic objective to promote greater participation of women in the labor market and to improve the reconciliation of family and working life
- ❑ Territorial differences are still strong concerning the percentage of children taken into care from public services or financed by the public sector
  - Regional level: the range of services is very different
  - Provincial level: the spread of services is fairly uniform within the regions and geographical divisions, and reproduces the gap between Center-north and South of the country
  - Municipal level: provision of services is heavily differentiated (confluence)

## CHILD CARE SERVICES FOR 3-6 YEARS

- Realized with a plurality of institutional models promoted by different subjects:
  - State
  - Religious Orders
  - Associations and Parish Communities
  - Local Authorities
- Moratti Reform of 2003: inclusion of these services called "kindergarten" in the educational system.
- Frequency of these services is not mandatory

## CHILD CARE SERVICES FOR 0-3 YEARS

### ***EDUCATIONAL SERVICES CHARTER, OF THE MUNICIPALITY OF ANCONA***

#### **WHAT IS AND WHAT IT IS FOR?**

- It's the first approach to knowing how work the municipal services for children and the means of access.
- It illustrates the **aims**, the **features**, the **educational proposals**, and the quality **standards** of municipal services.
- It is a tool of transparency that illustrates the rights and duties of administration and users.
- It is the offering of educational services for parents and citizenship.
- It is the **model** that refers to all Early Childhood Educational Services
- It **defines the guidelines that guide the daily work of the educational staff and the verification procedures for maintaining the declared quality standards.**
- It is a pact of transparency between citizens and administration.
- It is a pact of educational co-responsibility between educational service and parents.

## ***EDUCATIONAL SERVICES CHARTER, OF THE MUNICIPALITY OF ANCONA***

### **NORMATIVE REFERENCES**

- Italian constitution
- Law n. 176 del 27 maggio 1991 (Ratification and enforcement of the Convention on Rights of the child, made in New York on November 20, 1991)
- Law n. 30 del 9 febbraio 1999 (Ratification and implementation of the European Social Charter)
- **Law n. 104 del 5 febbraio 1992** (framework law for assistance, social integration and the rights of the disabled)
- Directive of the President of the Council of Ministers del 27 gennaio 1994 (Principles on the provision of public services)
- D. Lgs 286 del 30 luglio 1999 (Monitoring and evaluation of public administrations)
- Law n. 328 del 08.11.2000 (framework law for realization of the integrated system of social interventions and services)
- **Regional Law n. 9 del 13 maggio 2003** (Discipline for implementation and management of the services for the infancy, for teens and for the support of parental functions and families and modification of l. r. 12 April 1995 n. 46 concerning "Promotion of intervention policies for young people and adolescents")
- **Regional regulation n. 13 del 22 dicembre 2004** (Requirements and modalities for the authorization and accreditation of childcare, adolescent services and support for parental functions referred to L.R. 13 maggio 2003 n. 9)
- Law 244 del 24 dicembre 2007 (financial 2008) art. 2 comma 461
- D.Lgs n 33 del 14 marzo 2013 (Reorganization of the discipline regarding the right of public access and the obligations of publicity, transparency and dissemination of information by public administrations)
- Decree law n. 1 del 24 gennaio 2012 art. 8
- Nursery Regulation (Delibera of the Municipal Council n. 23 del 16/03/2015)
- Regulations "Time for Families" (Delibera of the Municipal Council n. 51 del 10/06/2015)

## **FOCUS ON RELEVANT LAWS CONCERNING PROFESSIONAL CHILD CARERS**

- REGIONAL LAW N. 9 DEL 13 MAGGIO 2003 (DISCIPLINE FOR IMPLEMENTATION AND MANAGEMENT OF THE SERVICES FOR THE INFANCY, FOR TEENS AND FOR THE SUPPORT OF PARENTAL FUNCTIONS AND FAMILIES AND MODIFICATION OF L. R. 12 APRIL 1995 N. 46 CONCERNING "PROMOTION OF INTERVENTION POLICIES FOR YOUNG PEOPLE AND ADOLESCENTS")

### **Relevant specifications about professional child carers figures**

#### **Art. 12 (Professional Figures)**

1. The staff of the services referred to in this Act shall be distinguished by **educators and service providers**. This staff operates in the structures according to the **group work method**, in close collaboration with the families and with the **territorial committees** referred to in Article 3, paragraph 2.
2. The staff of the services referred to in this Act, subject to the application of the employment contracts and any related supplementary agreements, must have the **qualifications** set out in the regulation referred to in **Article 13**.
3. Professional coordination **figures with pedagogical and organizational responsibilities** are identified in order to ensure continuity in educational programming and the quality of interventions. The regulation referred to in **Article 13** establishes the level of operations of these figures and the qualifications they must possess.
4. The municipality and the Sanitary Office is in charge to **integrate educational staff in the presence of specific needs arising from the admission of persons with disabilities** or with particular diseases, also based on the personalized education project defined by the Multidisciplinary Unit referred to in Article 10 of the Law 4 June 1996, no. 18 and subsequent amendments (Promotion and coordination of intervention policies in favor of people with disabilities).
5. Municipalities, in agreement with the Provinces and Territorial Areas, organize **training courses to update the staff** of the services referred to in this law.

## **FOCUS ON RELEVANT LAWS CONCERNING PROFESSIONAL CHILD CARERS**

- REGIONAL REGULATION N. 13 DEL 22 DICEMBRE 2004 (REQUIREMENTS AND MODALITIES FOR THE AUTHORIZATION AND ACCREDITATION OF CHILDCARE, ADOLESCENT SERVICES AND SUPPORT FOR PARENTAL FUNCTIONS REFERRED TO L.R. 13 MAGGIO 2003 N. 9)

### **Relevant specifications about professional child carers figures**

#### **Staff**

#### **Art. 13**

#### ***(Professional roles)***

1. The staff of the services referred to in Article 6 of the law pursue the objective of promoting the work and to support the well-being of children and adolescents and their families, bearing in mind the unity of the children paths of life. From this perspective, all the services and **operators cooperate to the well - being of people, in a transversal dimension**. In particular, in **support family members** for parental and education functions, to ensure the unity of the interventions, the municipalities themselves also benefit from the performance of local healthcare staff.
2. Without prejudice to the application of the relevant collective bargaining agreements and any supplementary agreements, the staff referred to in paragraph 1 operates according to the **method of group work in close collaboration with the families**, follows training paths and takes care of the documentation of their work. The staff involved in the childcare and adolescent services must have the qualifications indicated in Articles 14, 15 and 16. Art. 14

**(Educators)**

1. Educators must be in possession of one of the [education and training courses](#), i.e. psychological and social, as [provided for by current state legislation](#).
2. Educator functions may also be carried out by those who obtained the following qualifications by 31 July 2008:
  - A) a degree in education in preparatory schools;
  - B) a certificate of community leadership, issued by the female technical institute;
  - C) master's degree;
  - D) a diploma of maturity issued by the psycho-social-pedagogical high school;
  - E) vocational maturity diploma for childcare staff;
  - F) other high school diploma and attestation of qualification issued by the vocational training system for the socio-educational area addressed to carers for children and infants as indicated in the [tabulation of the professional qualifications of the vocational training service and the work problems of the Region Marche](#).
3. By way of derogation from the provisions of paragraphs 1 and 2, the staff employed may, on the date of entry into force of this Regulation, be employed as an educator with a permanent employment relationship with childcare services and, adolescence; May also carry out the duties of a trainer with the staff who have served in the three years preceding the date of entry into force of this Regulation for at least one hundred and forty days accrued, even in a non-continuum manner, in the specific role played by children's services And adolescence.

Note on Article 14: As amended by art. 1, r.r. 28 July 2008, no. 1.



## Art. 17

### *(General requirements)*

1. The staff referred to in this Chapter:

- A) shall **not have been subjected to any criminal offense or to any action in respect of any abuses, ill-treatment or other acts envisaged by law no. 269** (Provisions against the exploitation of prostitution, pornography, sexual tourism in harmony with minors, such as new forms of slavery reduction);
- B) must have a **specific health certificate** attesting to the suitability of the activity in contact with the public, in particular the children.

Note on Article 17: So modified by art. 3, r.r. 28 July 2008, no. 1.

➤ **NURSERY REGULATION (DELIBERA OF THE MUNICIPAL COUNCIL N. 23 DEL 16/03/2015)**

**Relevant specifications about professional child carers figures**

**TITLE VII**

**PROFESSIONAL FIGURES**

Pedagogist, responsible nursing coordination, nursery educator, Intergroup educators

**Art. 35 – Nursery Educator Page 15**

The Nurse educator is a **qualified trainer with precise psycho-pedagogical knowledge** related to the evolutionary band 0/3 years and contributes to the educational process of children in this age group.

Participation in the **training and updating programs** organized by the Municipal Administration **concerning psycho-pedagogical, legislative, hygienic and health issues.**

## *HOME NURSERY*

### **Professional profile of the Nursing Home Operator**

This professional profile represents:

- job opportunity for women who want to reconcile work and family time
- resource for all those families seeking childcare services that meet their needs

The home nursing:

- one or more children 0-36 months
- at home or in a specially equipped third place
- opportunities for development and socialization appropriate to the age and the psychophysical level of the child
- collaboration with the socio-educational services of reference

## *HOME NURSERY*

### **Subjective requirements of Nursing Home Operator**

- Have reached the age of majority
- Degree in Educational and Training field, Community manager diploma, High school diploma, High school psycho-pedagogic diploma, Diploma assistant childhood community
- Course on hygiene and environmental safety, first aid, and food handling
- At least 30 hours of stage/apprenticeship in a childhood structure (Law 9/03, Article 6, paragraph 2, letters a) and b)) if not done during the course of study
- Any other high school diploma, together with a second level qualification course, which is related to the professional profile, which provides for a minimum of 30 hours of stage/apprenticeship
- Operators can be involved in a network made up of social cooperatives or family associations that provide them technical-logistical support.

## *HOME NURSERY*

**With reference to Delibera of the Municipal Council n. 1197 del  
01/08/2012**

### **NORMATIVE REFERENCES**

- Regional Law N. 9 DEL 13 MAGGIO 2003
- Regional Regulation N. 13 DEL 22 DICEMBRE 2004
- D.G.R. n. 1700 del 19 dicembre 2011
- D.G.R. n. 1038 del 09 luglio 2012

## CHILD CARE SERVICES FOR 3-6 YEARS

### *TEACHING QUALIFICATION*

- Degree in Primary Education Sciences School, Child address.

### *NORMATIVE REFERENCES*

#### **Relevant specifications about child care service**

- **Art. 2 law n. 53 del 28 maggio 2003:** "Contributes to children's educational, psychomotor, cognitive, moral, religious and social development, promoting the potential of relationship, autonomy, creativity, learning, and ensuring an effective equality of educational opportunities. In respect of the educational responsibility of parents, the kindergarten contributes to the integral development of children and, through its autonomy and didactical and pedagogical unity, achieve educational continuity with the primary school".

**THANKS FOR YOUR ATTENTION!**



**Romina Boraso**

R&T Department  
COOSS MARCHE ONLUS Soc. Coop. p.a.  
Via Saffi 4, 60121 Ancona (IT)

Tel. 0039 071 50103275

Fax 0039 071 50103206

E-mail: [r.boraso@cooss.marche.it](mailto:r.boraso@cooss.marche.it)

Skype: romina.boraso

Web: <http://www.cooss.it>

Facebook: **Cooss Ricerca e Formazione**