
GOVERNMENT WAYS TO RESPOND TO THE NEEDS OF CHILDREN WITH PARENTS GONE TO WORK ABROAD

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Abstract: *THIS ARTICLE APPROACHES THE ISSUE OF MINORS WITH PARENTS GONE TO WORK ABROAD AND TO WHAT EXTENT THE PUBLIC INSTITUTIONS RESPONSIBLE WITH MONITORING AND PROTECTION OF THIS CATEGORY OF CHILDREN, HAVE PROPORTIONALLY DEVELOPED AND ACTED RECENTLY.*

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INTRODUCTION

In the prospects of the social determinism, the individual is not free, and their choices do not belong to them as they are compelled to act under the pressure of society.

The preeminence of the social act over the individual behavior¹ is often alleged when approaching the issue of people's having to leave to work abroad, for a better life, although the children are left behind without both parents for a long time.

Poverty, lack of alternatives, exclusion or the system resistance to change are used as arguments when personal decisions are made to migrate abroad for work, and they become overwhelming and extremely unsettling for the children separated from their parents.

In a research² of the Labour and Social Protection Ministry, the amount of the specific services provided to the vulnerable group of children, either in family or separated/ risk of separation is up to an average of 50% out of the whole existing social services, much higher than the other vulnerable groups identified.

¹social determinism was demonstrated by the father of modern sociology, Emile Durkheim, in his well known study on suicide;

²“Implementing of a system of public policy elaboration on the domain of social inclusion at the level of the Labor and Social Protection Ministry, POCA, 2014-2020”;



Nevertheless, as we will show further, a small percentage of children whose parents are gone to work abroad are included in the special protection system.

Consequently, children protection, seen as the responsibility not only of a society, but also as an answer to individual decisions, most times unwillingly made by some parents who expose their children to vulnerabilities which are difficult to manage at first sight, is far from the proper parameters.

SIZING THE SPECIAL PROTECTION FOR CHILDREN WITH THIS KIND OF NEEDS

According to the project “Implementing of a system of public policy elaboration on the domain of social inclusion at the level of the Labor and Social Protection Ministry, POCA, 2014-2020”³, the groups of children (children in family, separated or at risk of being separated from their parents), and the young (young people in difficulty) means 25.55% (15.79%, children and 9.76, young) of the most vulnerable among vulnerable groups⁴ identified at the level of the local and national administrative units.

There is a gap between the residential location (15.4% children in the rural area, and 19.4% children in the urban one, respectively 10.1% young people in the rural area, and 6.6% young in the urban one), due to factors like demographic ageing, being higher in the rural zone.

The category of vulnerable group represented, on the one hand, by the children in the family, children separated or at risk of being separated from their parents and, on the other hand, by the young in difficulty, has different proportions in the eight development regions, as it follows in the same document.

- North East region- 33% (21.2% and 11.8%);
- North West region-29% (23.8% and 5.2%);
- South East region-28.5% (18.5% and 10%);
- South West region, Oltenia-23.7% (15% and 8.7%);
- South region, Muntenia-23.5% (12.7% and 10.8%);
- Central region-21.7% (14.7% and 7%);
- West region-17.6% (13.6% and 4%);
- Bucharest Ilfov region-17.4% (10.9% and 6.5%).

In Romania, statistics show that the most vulnerable persons, among the identified vulnerable groups⁵, are the people at risk of poverty and the elderly ones, followed by the category of children – in the family, separated or at risk of being separated from their parents, and the young in difficulty. The people ageing and the lack of jobs are the main causes of this situation, and the emigration to get work only stresses the detrimental situation of the children who are raised by other persons than their parents.

³Analysis and evaluation of the vulnerable groups in order to set the need of social services;

⁴after the persons with risk of poverty (34.97%) and the elderly (34.18%);

⁵persons at risk of poverty, old people, children in family, separated children or at risk of being separated from their parents, young people with difficulty, disabled adults, mother and child, other vulnerable groups;



	developing regions	weight of the vulnerable group ⁶ of the all vulnerable groups identified children/young (%)	old people (%)	People at risk of poverty (%)	lack of jobs (%)
1	North East region	33	26.6	33.7	47
2	North West region	29	26.2	40.8	41.9
3	South East region	28.5	37.2	31	56.5
4	South West region of Oltenia	23.7	42	28.6	64.2
5	South region of Muntenia	23.5	37.9	32.8	61.7
6	Central region	21.7	28.5	44.7	45.5
7	West region	17.6	45.2	32.8	45.8
8	Bucharest Ilfov region	17.4	28.3	43.5	33.3

The information from the same Ministry⁷, updated on 30 June, this year, shows a high number of children with parents gone to work abroad. Therefore, the 57,963 families gone to work abroad left their children behind to be raised by up to fourth degree relatives/neighbors/other families, without any protection measure, or being integrated in the special protection system (maternal assistant, placement centers, relatives up to the 4th degree, other families/persons). Of the 75,803 children, 12,664 have both parents gone, 54,201 have one parent gone and 8,938 have the only parent gone abroad.

Of the total number of children left home, 72,528(95.67%) are without any protection measure and only 3,275(4.32%) are included in the special protection system.

The 19th August 2015 Procedure⁸, viewing to monitor the way the children with parents gone abroad are raised and cared for, added to those who are back home after spending more than one year abroad with their parents, settle concrete obligations for each institution or part involved in managing the situation of those children: the public service of social assistance, schools (teachers, school counselors), family doctors, the person entitled to raise and care for the child whose parents are abroad, the parent remained home.

There is an actual noticeable issue with the high number of the children in the referential category who are not at all included in the social protection system, although the legal frame states measures to be taken to identify those children; to see the way their rights are observed(Law no 272/2004⁹); evaluation of the permanent children's evolution; to set the intervention needs of the specialized support persons, when the situation of the children requires measures; maintain the connection of the children with their parents, when both parents or the only parent are left abroad to work; to counsel the parent or the third parties who are responsible for the child they take care of; constant cooperation of the institutions, especially those of social assistance and education.

⁶children in family, children separated or at risk of becoming separated from their family, and young people in difficulty;

⁷ National Authority for the Rights of the Disabled People, Children and Adoptions – <http://andpdca.gov.ro/w/date-statistice-copii-si-adoptii/>;

⁸of monitoring the process of raising and caring of the child with parents gone to work abroad, and the services they could benefit from;

⁹ regarding protection and promotion of the children's rights;

Regarding the process of identifying those children, article 104 of the Law no 272/2004 results in the obligation of the only parent, both parents, or the legal tutor to notify the public service of social assistance of their intention to leave abroad to work, 40 days, at least, before leaving the country. Article no 2 of the 19th August 2015 procedure also states that, during the last trimester of every year, the public service of social assistance should require the schools which are on their territory data and information concerning the children with both parents/ the only support parent or one of the parents gone abroad to work.

Children's enlisting is actually the first condition to trigger the other stages specific to the system of special protection of the children who are temporary out of their parental guidance. Therefore, the role played by the school is essential. School not only sustains the process of identifying those children, but it also has strict attributions related to the child's school evolution and their emotional mood, aspects approached from the prospect of the children with special education needs, as part of the vulnerable group of the under age who no longer benefit from direct parental guidance.

Public services of social assistance have most responsibilities. Actually, for the 75,803 children left home (according to the Ministry of Labour and Social Protection statistics in June 2021), the national public services of social assistance should:

- require yearly, in the last trimester of the year, that the schools functioning on their administrative territory to provide data and information regarding the children in question;

- go, after receiving the information, to the address where the children are taken care of and check whether the parents notified both their leaving the country and the person appointed to support the child while the parents are abroad (and the appointed person has been confirmed by the tutoring court);

- inform in written form the person who takes care of the child about the need to be registered if their appointing was not done according to the law: to be confirmed by the tutoring court, to be part of the extended family, to be at least 18 years old, to fulfill the material conditions and the moral guarantees in order to raise and support a child, to make proof there is a constant touch with the child's parents;

- fill in risk identification records during visit at the residence;

- visit the residence of the persons designated by court every two months (the first half of the year), and then every semester, with a view to informing and counseling them regarding their responsibility for the raise and care of the child;

- fill in, after the visits, reports on the children's evolution and the way they are taken care of, including compulsory information on school performance, physical appearance, group of friends and entourage, and to transmit the information to the persons legally appointed;

- ask for psychological support in case there is any suspicion that the child is emotionally affected;

- inform in writing the family doctor and ask for their help to check the health situation of the child if there is any sign of health degradation;

- ask in writing the support of the general department of social assistance and children protection, inform the police and the school attended by the child, if there is any joining to a criminal group of individuals;

- inform the general department of social assistance and children protection if there is any suspicion of abuse, neglect or bad treatments;

- make a plan of services regarding the emotional and the health condition of the child, respectively the case of the child joining a criminal group;

- support the families with raising and caring the children with parents gone to work abroad by: monitoring the constant personal relationship of the children with their parents; organizing parental



education for the home remained parent; organizing trimester or whenever necessary reunions of the persons designated with raising and caring children; maintaining an easy and supportive permanent contact between the representatives of the school attended by the child and the person to whom the child was entrusted by the parents; encouraging the tutors and the teachers to set agreements for an educational process specific to the needs of the children.

In order to have the children included in the protection system, the legal responsibilities are divided to the parents, public services of social assistance and schools (for the children who attend an education system). **The fact that 95% of the children left behind home are without any special protection measure underlines a violation of the legal rights, firstly by parents, and secondly, by either the schools which do not register the students with parents working abroad, or the public services of social assistance which, for both objective and subjective reasons, ignore these cases and do not proceed to the inclusion of those children in the social system of protection.**

In Gorj County, the School Inspectorate reports a number of 3,471 students with parents working abroad, meaning 4.57% out of the 75,803 students in the whole country of Romania. If the figures are correct (actually this number could be higher), **carrying out the legal provisions**, as required by the 19th August 2015 Procedure of the Law no 272/2004, **seems impossible to fulfill by the public services of social assistance, based on their actual organizing** (number of social inspectors, logistics, existing /size of the supportive or specialized staff). And the situation is similar in the whole country.

CONCLUSIONS

In spite of the constantly increasing number of children with parents working abroad, the Romanian governments failed to synchronize, through a similar increase of staff and quality efficiency, the structures responsible for monitoring and ensuring protection specific to the underaged children left behind home.

The weakness chain starts with the lack of counseling the increasing number of parents who choose to go abroad together and leave their children in Romania.

This category of children becomes more vulnerable as they live with other vulnerable persons, in poor social environment, subject to social exclusion.

That is why a fast enforcement of the state structures, responsible for ensuring the social protection of the children with parents gone to work abroad, is highly required and it ought to happen soon, following the actual emigrating situation.



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