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## DIFFICULTIES IN IMPLEMENTATION OF SYSTEMIC SOLUTIONS OF FOSTER CARE IN POLAND

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## DYSFUNKCJE SYSTEMOWYCH ROZWIĄZAŃ PIECZY ZASTĘPCZEJ W POLSCE

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**Summary:** The aim of the study is to show discrepancies between the intention of the legislator and the actual functioning of solutions contained in the law on family support and foster care adopted in 2011. The article confronts selected system solutions of the Act on Family Support and Foster Care binding from 2012 on secondary institutional sources as well as research results based on literature sources. Analyzing selected legal and organizational solutions, they showed their unsatisfactory social effectiveness. The biggest problem of the current system of foster care is the failure of the available instruments as the result of the lack of a coordination mechanism and, in part, also the will to introduce them. It is all the more incomprehensible that we have not only well diagnosed needs in terms of instruments for family support and foster care, but also recommendations allowing effectively eliminate systemic dysfunctions by implementing adequate coordination mechanisms.

**Keywords:** family support, foster care, social policy, family dysfunctions.

**Streszczenie:** Celem opracowania jest ukazane rozbieżności między zamysłem ustawodawcy a rzeczywistym funkcjonowaniem rozwiązań zawartych w przyjętej w 2011 r. ustawie, dotyczących wsparcia rodziny i pieczy zastępczej. W artykule skonfrontowane zostały wybrane systemowe rozwiązania obowiązującej od 2012 r. ustawy o wspieraniu rodziny i pieczy zastępczej z wtórnymi źródłami instytucjonalnymi, a także wynikami badań w oparciu o źródła literaturowe. Analizując wybrane rozwiązania prawne i organizacyjne, ukazano ich niesatysfakcjonującą społeczną efektywność. Największym problemem obecnego systemu pieczy zastępczej jest niewykorzystanie dostępnych instrumentów na skutek braku mechanizmu koordynacji, a po części także woli jego wprowadzenia. Jest to tym bardziej niezrozumiałe, że dysponujemy dobrze zdiagnozowanymi potrzebami w zakresie instrumentów wsparcia rodzin i pieczy zastępczej i rekomendacjami pozwalającymi skutecznie eliminować systemowe dysfunkcje dzięki mechanizmom koordynacji.

**Słowa kluczowe:** wsparcie rodziny, piecza zastępcza, polityka społeczna, dysfunkcje rodziny.

## 1. Introduction

Changes in contemporary families and systemic support corresponding to them are among the most important challenges facing social policy in Poland in both theoretical and practical dimension.

The family carries out so many tasks crucial for the entire society that it is impossible to imagine the functioning of the society without it. Although in our times we observe development of alternative forms of family life (single parenthood, reconstructed families, consciously childfree families) [Szlendak 2010, pp. 108–130], it does not change the fact that fulfilment of functions assigned to the family is an element of social regulations maintaining a specific model of social order. Within its framework, the family while implementing the care or social tasks assigned to it, solves potential social problems and threats.

Social policy, which by its very nature is a form of regulating social relations, has – in the name of social order stability – a task to create appropriate conditions for the family to help it implement its social functions.

At the same time, the social changes occurring today undermine the foundations of the traditionally understood family. The very multiplicity of its forms creates a dilemma for family policy. What is more, for many years the problem areas in the field of child care and education or social orphanhood have been systematically deepening.

Among many spheres of family policy, support for families with such problems as well as compensation of orphanhood seem to deserve a special interest and priority within the framework of the instruments applied. Targeted compensated care which is aimed at removing the effects of a child's emergency situation and defining the goals of this care in order to overcome the effects of the threat situation will focus on actions to overcome the effects of an emergency [Kelm 2000, p. 26]. And there is no need to provide an axiological justification here. Children and families who are disadvantaged, educationally inefficient, or simply weak and vulnerable, cannot be omitted or marginalized by social policy and social assistance systems. It is worth mentioning that insufficient social competences, limited possibilities of articulating own needs and lack of political strength do not allow this social group to effectively influence decision-makers.

Counterintuitively, these problems are clearly treated as secondary ones by social policy and proposed solutions. Their inconsistency and fragmentation cause many ambiguities resulting in never ending problems of foster care de-institutionalization, lack of adequate support and development in the system of family assistantship or therapy system for members of families experiencing crisis and requiring professional assistance.

**Aim and method.** The aim of this paper is to show organizational challenges related to the implementation of the solutions which are to support families and the foster care system resulting from the Act adopted in 2011 and regulating these issues [Ustawa z 9 czerwca 2011].

The authoress' intention is to make social policy makers more sensitive to the systemic barriers obstructing solutions of the problems related to care, raising children and social orphanhood. In view of the omnipotence of authorities, helplessness of social workers, shifting responsibility between the judicature and social assistance, reliable discourse and development of clear recommendations as a result of an interdisciplinary debate among professionals may be the measure of our professional responsibility and caring about the weakest.

Z. Bauman emphasized that a new situation requires radical re-orientation of tasks and strategies in social studies. The main point of discourse should focus on the essence of this process – making obscure things clear, finding relationships connecting visible biographies with invisible social processes, aiming at understanding. All of them cause that society functions effectively [Bauman 2000, p. 15].

According to the principles of the intuitive method and critical analysis [Zieliński 2012, pp. 49, 50] in this paper selected systemic solutions of the Act of 2012 on family support and the foster care system will be confronted with practice in the light of secondary institutional sources (of the Ministry of Family, Labour and Social Policy, the Supreme Chamber of Control) and also research results on the basis of literature presenting their weaknesses.

## **2. Changes in the family and family support**

The last three decades have brought about so many changes in the functioning of economy and society that the patterns in which individuals, groups or institutions act have changed completely. Thus, the entire foundations on which social order relies have undergone transformations. In his analysis of transformations in modern societies, A. Giddens emphasizes that modernity has radically transformed the character of everyday life and changed the most personal experiences of the human being [Giddens 2009, p. 11].

The dominating individualistic orientation which is expressed in an attitude characterized by “the will of relying on oneself while pursuing life plans, self-reliance and conviction that if something must be taken care of then we can take care of it on our own and not together with others” [Domański, Dukaczewska 1994, p. 63] becomes the central category regulating the life of individuals. U. Beck sees many negative phenomena in the expanding scope of individualism, such as: insecurity of individuals or moral disorder related to elimination of extra-industrial determinants of human activities [Beck 2002, p. 57].

The reconstruction of the social order foundation disintegration outlined above is best reflected by the situation of modern families.

Consumerism is in the foreground of changes in value systems which determine the shape of modern family. The dominance of material goods, often achieved at the expense of moral, emotional or intellectual values, determines behaviours within the family on many levels [Zaborowska 2016, pp. 31–36].

We can mention among them: radical changes in social attitudes to marriage and its functions, attempts to re-define the social concept of the family [Rymsza 2009], social acceptance of informal relationships and more tolerance for divorces, decline in fertility rates and postponing parenthood until later age, delaying decisions about giving birth to the first child and other phenomena showing loosening of family ties or reconstruction of family structures. Also a new wave of migration after 2004 affected the functioning of a large number of families. The observed effects of migration emphasize the loosening, and often disruption of family ties, unfavourable relations with one or both parents, the priority of material values [Kulesa, Mikułowska 2009, pp. 4–7]. The issue of émigré orphanhood is not only a real threat to the functioning of families, but also a problem that family policy has to deal with [Zawisza-Masłyk 2008, p. 42].

Naturally, not all transformations of the family can be explained by economic factors and dominance of consumerist lifestyle. As K. Błachiewicz emphasizes, the quality of the relations that connect their members plays a fundamental role in the functioning of families [Błachiewicz 2012, p. 19]. However, all changes are determined by cultural and educational factors which, when internalized in the process of socialization, affect the choices of the members of community.

Fulfilment of the basic functions by the family is of universal character, however, these days their carrying out requires from the family more mobilization of powers and instruments, both material and mental ones. Structural changes and implementation of market economy, withdrawal of the state from a number of social benefits and guarantees, unemployment and lack of social security disturbed the rhythm of changes as a result of accumulation of elements of a crisis situation. Aversion to institutionalized marital relationships, decline in fertility rates, blurred borders of family relationships result not only from the changes. The changeable structure of families is also the problem of a different scale of needs and expectations towards legal regulations to incorporate extramarital forms of family life into the sphere of institutionalized state protection and social policy.

Family policy which is to become one of the crucial elements of social and economic order of the state assumes as its goal ensuring durability and development of the family and respect for its legitimate rights, including the right to economic independence and deciding about children upbringing [Durasiewicz 2016, p. 14].

In modern approach to social policy it is no longer reduced to interventional function in the area of phenomena which are associated with risk, deprivation of material needs or addressed to selected categories of society only, especially those treated marginally. Its investing, stabilizing character should result from a more general reflection on our times and their effect on social well-being [Zamorska 2015, pp. 24, 25]. Supporting institutional and environmental care for children and the development of new personalized services are, according to M. Grewiński, the basic instruments of investment social policy [Grewiński 2015, pp. 52, 53]. It is particularly important to support educational, upbringing and socialization processes at the early stage of child

development. Thanks to early prevention and prophylaxis, the need for subsequent intervention is reduced.

Caring of families which have problems with childcare and child upbringing and activities aiming at ensuring temporary care for and education of children (within the framework of foster care), in the case when parents are unable to perform these functions, must have a special place in social care understood in this way. The solutions adopted in this respect have been implemented since 2000 when the tasks in this field were shifted from the system of education and assigned to the system of social assistance, and moved from the central level to the self-government levels of the county (powiat) and commune. At that time organizational standards and performing care functions over the child (foster care) were put forward, which apart from such principles as: the good of the family, respect for the child's rights, the child's good and identity and subsidiarity determined the system of compensatory care [Szczeponiak 2010]. Unfortunately, neither the law on social assistance which was amended at that time and which was enlarged by the chapter entitled "Family and Child Care", nor other legal regulations amended time and time again created stable organizational and legal foundations for the family and child care system [Kaczmarek 2004, pp. 139–142]. It is worth emphasizing that both social policy makers within the framework of conducted studies, and the Supreme Chamber of Control [NIK 2014] in its post-inspection report diagnosed barriers which make it impossible to implement proposed changes in the family and child care system and outlined a number of recommendations which were to become a solid basis for rational and effective organizational and legal solutions in the Act on family support and the foster care system which has been in force since 2012 [Ustawa z 9 czerwca 2011].

### **3. Foster care – selected assumptions and implementation practice**

Already in its preamble, the new Act underlines axiological foundations of this solution. The good of children, the good of the family and all its members are evident goals in the solutions in 5 areas which include:

- 1) the rules and forms of supporting the family which experiences difficulties in fulfilling its functions related to child care and upbringing;
- 2) the rules and forms of foster care and assistance in making foster children who are of age independent;
- 3) public administration tasks in the field of family support and the foster care system;
- 4) the rules of financing the systems of family support and foster care;
- 5) tasks in the field of adoption procedure.

The fact that the lawmakers emphasize support for families shows a proper – compatible with European guidelines – tendency in introduced changes. The appearance of new systemic solutions which play an ancillary role in respect of re-integration and prevention at the commune level (family assistant, supportive families, development

and increase in the number of day-support centres of different types) or institutional support for foster families proves that this reform counts on re-integration of natural families, broad prophylaxis and prevention through social work. The system of support for families and children, should, first of all, be oriented towards assistance in solving the family problems before family ties get disintegrated and circumstances leading to family separation occur.

Both the structure of the law on supporting the family and the foster care system as well as the solutions adopted in this legal act testify to the legislator's commitment to protecting family and respecting the rights of the child. Taking away a child from a natural family and placing him in foster care is treated as a last resort, taken only when there is a direct threat to the child's good. But even then, solutions are preferred to provide the child with opportunities to grow up in a family environment. The family forms of foster care are:

1. Foster family which is
  - a) related,
  - b) unrelated,
  - c) occupational, including professional, fulfilling the function of family emergency and professional specialist.
2. A family orphanage [Ustawa z 9 czerwca 2011, Art. 39].

The legislator emphasizes the importance of family forms of foster care, which are assumed to be a continuation of the natural family environment, hence their priority in caring for minors. The regulations of this Act show the legislator's conviction that institutional forms of foster care should be a final solution, used only in cases where it is not possible to place a child in family custody or its personal conditions speak for the application of this solution [Ustawa z 9 czerwca 2011, Art. 95].

Already at the stage of the Act preparation it was believed that prophylactic activities assisting the family in its proper functioning and children upbringing, counteracting the emergence of problems or allowing to solve them at an early stage are of great significance. When working with the family one must concentrate on improvement in the functioning of the whole family and not only on work with children. The basic forms of assistance for families include: social assistance, child upbringing counselling, crisis intervention, support group and family therapy (individual or group therapy). That much about assumptions and objectives. And what about their implementation in practice? To analyze the discrepancies in the assumptions and the practice of implementing this law, three aspects have been selected that, in the author's opinion, have the greatest impact on the lower than expected social effectiveness of the proposed solutions.

### **3.1. Multiplicity of forms – limited availability**

The Act on Family Support and Foster Care introduces many forms and institutions to support families. This broad range of instruments can be an effective and desired

form of compensatory support provided that it is available and comprehensive. However, the very essence of e.g. the counselling system which by nature is diversified and fulfils different functions and, what is more, in the present system assigned to different institutions in different aspects, causes that the quality of this service satisfies neither clients nor social workers' expectations. As researchers and experts emphasize on the basis of the analysis of sources and social workers' opinions "the very process of counselling is incomplete because it is restricted to providing information or advice and does not provide actual support. In this context it is worth remembering that in social policy social support is treated as a factor of superior rank as it guarantees that individuals receive such forms of assistance which let them retain their identity, decide about their own fate and overcome limitations" [Zaborowska, Zadroga 2016, p. 472].

However, in my opinion, without proper coordination, this wide range of entities providing services of specialist counselling as well as multiplicity of their forms do not guarantee the assumed support for families provided for in the Act. The lack of procedures which would enable making quick decisions to intervene ("here and now") is particularly painful. It is very important when the decision process concerns the fate of children in the context of their functioning in the family or out of it. This disadvantage is emphasized by social workers [Zaborowska 2017, p. 122]. From their observation, it follows that the lengthy process of arrangements and consultations between specialists and representatives of different institutions increases stress in children and has a negative effect on time, speed and efficiency of intervention. The desired model of counselling should embrace individual and comprehensive client support based on the companionship method [Wódz 2008, pp. 59–62] with the whole range of such activities as: active listening, understanding, monitoring of client's actions, permanent assistance. Provision of integrated counselling implemented according to the rule "one client – one counsellor" will guarantee personal involvement and time efficiency and will contribute to building ties and mutual trust [Zaborowska, Zadroga 2016, p. 473]. This innovative system does not only supplement the counselling process by actual client support, but also propounds placing it in one concrete place (but out of the social assistance centres so that this form of support would not bear the hallmarks of stigmatization). The advantage of this model of counselling is that it combines the solutions in this area with another element of the family support system introduced by the Act, namely the institution of family assistant.

### **3.2 Family assistant – desired occupation, unclear role in the system**

The establishment of the function of family assistant in Poland was determined by several factors. In the course of developing it was believed that prophylactic activities, helping the family in its proper functioning and children upbringing, counteracting arising problems or solving them at the early stage are of great importance. Previously implemented solutions and the work of already existing

services turned out to be insufficient because of limited possibilities of impact on the family [Krasiejko 2013, p. 18].

Another factor determining creating the profession of family assistant was the need to create a new social service which would intensively support the family in overcoming difficulties, and also in fulfilment of its child care and child upbringing functions at its place of residence. Despite high qualifications and clear definition of the role which social workers are to fulfil in the social assistance system, numerous duties to be performed as well as a high degree of bureaucracy in family support cause that social workers' activities still fail to activate their clients effectively. According to M. Świdarska [2013, p. 32], one of the reasons for implementing new solutions was negative assessment of the child and family care provision as well as the occurrence of unfavourable phenomena, such as: growing figures of the children placed out-of-family, concentration of activities exclusively on the child as well as too strong a tendency to place the child out-of-family. Removal of the child from the family actually does not solve the problem. Pursuant to the Act "assistance provided to the child in the family is put before assistance provided out-of-family" [Świdarska 2013, p. 33] and the main task of the family assistant is "to prevent the removal of children from the family and to undertake activities aiming at solving the crisis in the family" [Wyrwich-Hejduk 2012, p. 240].

Family assistantship has become a chance to undertake activities focused on the family which in an effective way would reduce the number of children placed in foster care (initially it was the main objective of the family assistantship project).

We cannot omit the role of economic aspect, i.e. reducing the number of foster children staying in the care and education institutions. When the institution of family assistantship was introduced to the social assistance system, some benefits of preventive work with the family were noticed. It was appreciated that family assistantship is not only about prevention but also about intervention which apart from implementing many beneficial activities is involved also in activities related to reintegration of the family.

The family assistant performs social and educational activities with elements of therapy at the place of family residence and at the place indicated by the family. Among the family assistant's tasks, a special role is attributed to teaching and informative, emotional, instrumental and sometimes material support in different everyday activities. Thus, assistantship is a job of specific character. The job is based on partnership, companionship and service and is completely different from the bureaucratic and arbitrary style of social services.

Among the tasks and activities of the family assistant there are: information and psychological support, whereas intervention is reserved for exceptional cases only and monitoring is limited in scope.

So much about assumptions. And what about practice? As the research indicates in practice the family assistant's role, tasks and methods of work are not understood in one way. Instead, there is a long list of functions assigned to him/her: from entering

into close, friendly, personal relations and fulfilling the role of parents, accompanying family members in the development of their parental and life skills, to imposing tasks, checking their performance and controlling. In other words, from replacement and support to enforcement [Krasiejko 2015, p. 5].

Expecting the family assistant to force the clients to almost immediate acting, pressure to solve the family problems quickly so that they would bring about immediately visible effects, especially in the situation when the family assistant is introduced to the family when other services do not see any chance for change in the family, causes that such an approach has, to a large extent, a negative impact on understanding the role of the family assistant as a specialist working mainly with the use of such instruments as support, accompaniment or psychological assistance, but with reduced possibilities of intervention and monitoring activities.

P. Sałustowicz, when evaluating the systemic role of family assistants, underlined that justification for maintaining this profession should result from both the scope of activities and financial effectiveness. If, instead of activities in the field of support and prevention, the family assistant becomes an instrument of discipline, control and repression and if the period of the assistant's work is too short and intermittent, then investment in the assistantship does not make much sense because it will be ineffective and public funds will be simply wasted [Sałustowicz 2015]. This statement is too far-reaching. Even in the current imperfect shape, family assistants are a strong foundation for supporting families. The values preferred by family assistants [Czechowska-Bieluga, Domaradzka 2017, 1pp. 13–122] mean that even if their work is underestimated and the systemic role is undefined, they not only prevent the deepening of family dysfunctions and placement of children in foster care, but also carry out resocializing and caring activities for families [Kaczmarek 2014, pp. 33–35].

Thus, we may say that in the present legal and systemic (institutional) form of the profession as it is defined in the aforementioned Act – there are so many question marks that its basic mission – accompanying the family in its difficulties and teaching via development of trust – gets lost. Raising the level of competence of family assistants [Parysewicz 2017, pp. 175–189] and clearly clarifying their role in the support system makes them have a chance to become the main subject of supporting families experiencing educational difficulties.

### **3.3. System co-ordination – lack of a model or lack of will?**

The Act on family support and the foster care system, which has been in force since 2012, in fact was to crown the changes in the family and child care and be an effective solution in the foster care system taking into account both international standards [Szczepaniak 2007a, pp. 246–263] and the principle] of subsidiarity [Szczepaniak 2007b, pp. 243–261, 2010, pp. 31–52]. However, as practice proved, the situation has not improved significantly.

The key element of the effective support system, i.e. division of responsibilities between communes and counties in the field of family support and foster care, has not changed much. However, the types of family support services and the structure of institutions which provide these services have changed. The commune duties include: providing comprehensive support to families experiencing difficulties in fulfilling their child care and child upbringing functions. The list of support instruments provided for in the Act is broad and includes diagnosis of the family situation and family environment together with indication of the sources of the crisis in the family, strengthening the family role and its functions, development of skills in the field of care and upbringing; teaching the family, assistance in integration, preventing its marginalization and social degradation and eventually pursuing reintegration of the family. Institutional family support assumes the forms of the family assistant services and functioning of day support institutions and supportive families [Ustawa z 9 czerwca 2011, Art. 9].

It is the task of counties to provide foster care in the case when it is impossible to ensure care and upbringing by biological parents. The lawmaker defined both its objective (work with the family enabling return of the child to the family, or, when it is impossible, aiming at child adoption, and when child adoption is not possible – care and upbringing in the foster care milieu) as well as needs and tasks targeting the good of the child which must be implemented.

The forms of foster care have been modified. At present within foster family care we deal with related foster families, professional and non-professional foster families and family-type children's homes. Within the scope of institutional foster care the structure of institutions providing care and upbringing and run by the county has been expanded. They are institutions of interventional character, family character, socializing character, specialist-therapeutic character and combining specialist-therapeutic, socializing and interventional character. New types of such institutions have also been introduced at voivodeship level. They are regional institutions offering care and therapy, and interventional pre-adoption centres.

Introducing such a broad range of family support and foster care instruments and expanding the structure of supporting institutions, despite their compatibility with the dominating trend of changes in the EU countries, have many important drawbacks. The major one includes insufficient coordination of activities of different institutions operating at the local level. This results in fragmentation and inconsistency of activities within local social policy. Z. Kinowska and A. Kęska, basing on research that included foster carers, institutional representatives, organizers and coordinators of foster care, social workers, family assistants and representatives of non-governmental organizations, stated that the current division of functions between individual social actors operating in the custody system replacement is not optimal and generates conflicts [Kinowska, Kęska 2016, pp. 156–158]. Among the dominating areas that cause conflicts, the authors mention confusion of support with control, competition instead of cooperation, insufficient organizational and social support of foster families.

This is also confirmed by other authors. H. Drachal, analyzing the model solutions of the foster care system, points out that difficulties in obtaining foster families result from insufficient support for those already functioning families. A similar diagnosis can be found in the NIK report already cited [Drachal 2017, p. 8]. Also, M. Raław-Markowska, discussing new tendencies connected with foster care solutions, points to competition as a permanent element of the system: “processes related to commodification of care and deatistic trends (triggered in the public service structure, including increased competition) introduce a different type of relationships – relationships based on the exchange of equal values) not only between the administrators of the care service but also its contractors and beneficiaries” [Raław-Markowska 2013/2014, p. 36].

Worthy emphasizing is the systemic role of court and social probation officers and their influence on the group of minors especially in need of support. M. Osińska emphasizes differences in the approach of court and social curators in the methods of resocialization work. Court curators put emphasis on legal aspects, while social trustees prefer social work. The differences in the methods of socialization work – according to the author – are not conducive to achieving the intended social rehabilitation goals [Osińska 2016, pp. 111, 112].

According to the author, it is worth returning to the somewhat forgotten concept of M. Rymśa and M. Raław-Markowska [2005, pp. 6, 7], who already a decade ago proposed broad public consultations on the subject of two alternative co-ordination models. The first model assumes strengthening of the administrative pillar and simultaneous limitation of the family courts impact on the entire functioning of the system. In this variant, social assistance institutions would be strengthened and the position of social workers would be radically raised. The latter would be involved in mediation, prevention and educational activities which would protect cohesion and stability of families.

The sine qua non condition of implementation of this system is not only making the tools adequate to tasks available (finance, access to social infrastructure, the aforementioned system of specialist counselling as well as strengthening social workers’ competencies via the training system and supervision).

The second model put forward puts judges in the role of actual coordinators of local activities. At the same time it postulates strengthening of their relations with the local milieu. The latter model requires the family court judges to re-define their own roles as they would have to enter extra-court relations. This model also strengthens the position of social workers, who, as professionals, would support judges in their decisions, by suggesting the most optimal solutions to the family and child’s situation [Rymśa, Raław-Markowska 2005, pp. 6, 7].

These model solutions were already proposed at the stage of preparing the new Act. In spite of this, in the course of legislative work none of the variants has become the subject of broad discourse among those concerned. It is impossible not to get the impression that vague legislative and institutional solutions result from the fact that as

a matter of fact neither party (judicature and social services) is interested in assuming the role of coordinator or accepting related to it responsibility for all the changes and support of families experiencing difficulties in child care and upbringing.

#### 4. Conclusions

Both the model and the present form of the solutions in the field of family support and foster care coordination require broader knowledge of the complexity of problems related to compensatory support, establishing and maintaining cooperation between all participants of this process, clear definition of the roles, tasks and status of the parties and limiting discretion of decision-makers by implementing the service standards and systemic control of whether they are observed.

Analysis of selected legal and organizational solutions and the manner in which they are implemented revealed their unsatisfactory social effectiveness. In the authoress' opinion the biggest weakness of the present foster care system is the failure to use available instruments because of the lack of co-ordination mechanism, or even the lack of will to implement it.

It is even more incomprehensible because due to the thorough work of social policy specialists who conduct research in this area and also the system of reports, monitoring and control from public institutions [NIK 2014; GUS 2015] we have at our disposal not only well-diagnosed needs in the field of family support and foster care instruments but also recommendations allowing efficient elimination of systemic dysfunctions.

Lack of social discourse, avoidance of responsibility and marginal interest in implementing the model coordination mechanisms cause that there are still no solutions which, owing to the objectives put forward in the Act, will be more realistic.

It seems that due to the fundamental changes introduced by this Act, we are only a small step away from optimal system solutions. The first and in my opinion the key task is to create a coherent system of coordination with the key role of the judges as the persons responsible and supervising the whole process. The position of the judge will guarantee the implementation of adequate solutions for the well-being of the child, and will also eliminate disputes between the social workers and assistants.

It is also necessary to strengthen the role of family assistants and eliminate completely from their scope of functions conflicting functions such as support, trusts in opposition to control.

The foster care system also requires financial support. However, the effectiveness of funding will be visible when coordination issues are resolved.

The implementation of such model solutions requires the support of all participants through systematic and multi-faceted training. Without raising the level of competence, it will be difficult not only to cooperate with each other, but also mutually understand and communicate.

It is also worth considering the idea of supervision for all actors involved in this process in the form of workshops, which would allow not only sharing of mutual experiences, but also could be an opportunity to develop common solutions to emerging problems.

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