

## Summary of Report No. AJB-1463/2021

On 18 February 2021, the Commissioner for Fundamental Rights acting in his capacity as National Preventive Mechanism (hereinafter: NPM) and his staff visited the Ferenc II Rákóczi Children's Home of Somogy County (hereinafter: Children's Home). Besides the general aspects of inspection, the aim of the visit was to monitor the measures taken to prevent the spread of the Covid-19 infection.

In consideration of the state of danger declared by Gov. Decree No. 27/2021 (29 January), the Commissioner for Fundamental Rights announced his visit in advance in order to reduce the risk of infection. The members of the visiting group wore protective clothing, masks and rubber gloves during the visit.

The Children's Home with a holding capacity of 38 persons provides full-range care for children with average, unique, special and dual needs, and there are 10 more places reserved for young adults living in post-care. At the time of the visit, the utilization rate was nearly 60%: there were 24 children living in the buildings surrounded by giant trees and a spacious park. There was no waiting list; the institution could admit children in need of special care immediately.

The visiting group examined the circumstances of accommodation. The spacious living space was decorated with the children's age-appropriate works, and their personal objects and pictures. The visiting group arrived in a clean environment. Due to the risk posed by the pandemic, cleaning and disinfection were performed with greater frequency than before: the floor was washed with disinfectants every day, and special attention was paid to the disinfection of door handles. At the same time, it was evident that some of the rooms could do with a fresh coat of paint, and some pieces of furniture also needed to be replaced. Traces of vandalism were visible in the physical environment. Every now and then, the children's aggression was targeted at their peers. The NPM expressed his worry about the fact that despite all their efforts, the staff had not been able to put an end to peer aggression, and they could not prevent smoking, either.

The NPM found that the number of children leaving the facility without permission was high, and he voiced his concern that the children were exposed to danger because of that, and that they were not getting the therapies required for their development and the settling of their situation. The NPM also pointed out that the Children's Home did not comply with the minimum number of staff defined in Decree No. 15/1998 (30 April) of the Ministry of Welfare, and not all staff members satisfied the qualification requirements prescribed by the above Decree, as several members of the staff in charge of the special groups had not attended the special preparatory course.

By the time of the visit, the most essential devices for joining digital education were already available in the Children's Home. The digital transition required the development of the network and the purchase of laptops. The pupils received on-site help in their school work from their carers as well from the special education teacher. The carers noticed a positive change in the children's academic results, which they put down to the digital education introduced during the pandemic. Their experience showed that in the context of non-classroom learning, it was easier to take into consideration the momentary condition and differing individual abilities of children with adaptation problems.

The Children's Home had a sufficient quantity of disinfectants and detergents, and a large number of masks were also available. Within the groups, it was possible to isolate one or two children who needed to be separated from the others for health reasons; in case of a more extensive infection, the institution plans to transform an activity room into a sick bay. Up until the time of the visit, there had been no case of Covid-19 infection among the children.

Neither the children in care, nor their parents made complaints about the restrictive measures introduced during the pandemic.