



## Operating subsidies for educational measures imposed on minors and young adults

### Evaluation of the Confederation's role

#### Key facts

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Although the enforcement of sentences and measures falls under the remit of the cantons, the Federal Office of Justice allocates operating subsidies of some CHF 70 million a year to 174 residential educational facilities for children, adolescents and young adults. These centres host minors and young adults who have been remanded into care or custody in the interests of their protection, socialisation and, in the case of criminal measures, averting the risk of reoffending.

Conditions for such allocation have been laid down by the Confederation. These take the form of standards to be met with a view to improving quality and preventing unequal treatment resulting from federal structures. For example, a minimum quota of teaching staff with a recognised qualification is required, as well as the existence of a written pedagogical concept and internal policy document. The Confederation also requires that when planning, the cantons prove the necessity for such facilities in order to prevent the creation of places not suited to the needs or even duplication.

The Swiss Federal Audit Office looked at the standards and planning of requirements and examined the role of the Confederation in improving quality and guaranteeing equal treatment. This entailed document analysis, conducting semi-structured interviews and a questionnaire survey among non-subsidised facilities ; in addition, four focus groups were conducted with representatives of cantons and facilities subsidised by the Federal Office of Justice. The study was rounded off with a comparison with practices observed in the Netherlands and Norway.

#### **On the whole, quality standards found to be appreciated and useful**

The quality standards drawn up by the Federal Office of Justice can be used to assess the quality of care. Overall, these standards are appreciated by the subsidised facilities and the cantons and found to be useful in contributing to the quality, professionalisation and resilience of the residential facilities in dealing with the complex problems faced by minors and young adults placed there. In fact, their usefulness goes beyond the 174 subsidised facilities, as some cantons or relevant authorities apply similar quality criteria when granting operating licences. Two conditions are called into question by certain cantons and facilities, however.

#### **A structured and participatory process for the revision of quality standards**

The standards were originally drafted in 1989, and the last major revision was between the years 2002 and 2004. The process has been structured, and the main stakeholders were consulted on several occasions. The Federal Office of Justice has ensured that its standards are based on scientific knowledge and has compared them with other standards and recommendations.

#### **Legal criteria being applied**

All of the subsidised facilities meet the legal criteria set out in the quality standards. Application varies somewhat for the more qualitative evaluation criteria. While the goal is to achieve uniform application of the quality standards throughout Switzerland, some facilities are clearly ahead of the

others. The Federal Office of Justice sets development targets for the various facilities to encourage them to challenge themselves and optimise the quality of care.

### **Examination process appreciated but may cause duplication**

The examination process conducted by the Federal Office of Justice for granting a subsidy is transparent. This at least ensures consistency, even if certain aspects undergo a more qualitative evaluation. On the whole, the process is appreciated by the subsidised facilities and the cantons. A risk of duplication was noted between the examinations carried out by the Federal Office of Justice and those of the cantons also subsidising such facilities. Also, there is a lack of clarity in the allocation of responsibilities between the Confederation and the cantons for the monitoring and control of subsidised facilities.

### **Knowledge transfer exists but is not sufficiently standardised**

The Federal Office of Justice supports the efforts undertaken by the Confederation and the cantons to ensure equal treatment and quality development by compiling a knowledge base of new findings and encouraging innovative care practices. In addition to this general information transfer, it also engages in individual dialogue on quality and planning issues, on a case-by-case basis, with the cantons and subsidised facilities. While the latter find such dialogue to be useful, they would appreciate a more standardised knowledge transfer in the future, such as in Norway and the Netherlands, for example.

### **Situation unsatisfactory in needs planning**

There is no ideal planning, according to the criteria based on scientific knowledge. In around half of the cantons, only the data on residential facilities subsidised by the Confederation were included and not all live-in facilities or even foster care. Day programmes were covered in just a few lines in the reports, if at all. Each canton has a different approach to planning, with some more developed than others. For all cantons, however, it should be noted that the reports do not reflect their entire work. For example, some have conducted surveys with the placement services or organise interdisciplinary regional platforms. Some cantons, aware of their optimisation potential, have recently taken steps to revise and improve their planning.

The Federal Office of Justice does not analyse the data submitted by the cantons, mainly on account of such data being incomparable or incomplete. The Swiss Federal Audit Office found that the objectives in terms of content and appraisal of needs have not yet been met, even though planning has been a requirement since the late 1980s. In retrospect, however, there has been an improvement - albeit modest - over the past 25 years in the number of cantonal plans submitted and their content. Significant progress has still to be made. The Federal Office of Justice and the majority of cantons are convinced of the need and the usefulness of such planning. For the sake of comparison, planning is more developed in Norway and the Netherlands, where the modelling and analyses for managing the associated services and funding are based on centralised data.

### **Optimisation potential and recommendation**

The study by the Swiss Federal Audit Office concludes that the Federal Office of Justice does generate added value through its allocation of subsidies and distribution of information. The potential for optimisation has been identified, however, and three recommendations have been drawn up for the attention of the Federal Office of Justice. These seek to clarify the allocation of responsibilities between the cantons and the Confederation and bring improvements in needs planning as well as

information exchange. The Federal Office of Justice has already started to reflect on how best to achieve this. The Office agrees to the recommendations and intends to have them implemented by late 2014. The response can be found at the end of the report (Annex 7).

**Original text in French**