

## 4.2 Administration and governance

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### Governance

#### Main actors

##### *Public authorities*

- Federal level (Bund)

The supreme federal authority in the field of youth policy, child and youth services, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth ([Bundesministerium für Familie, Senioren, Frauen und Jugend](#), BMFSFJ) has the power to make suggestions in order to assist child and youth services in evolving further. Specifically, it influences certain areas within child and youth services by organising expert events, producing publications on specific issues, publishing expert opinions, and responding to parliamentary questions. In each parliamentary term, the Ministry requests experts to submit reports on the situation faced by young people and on child and youth services, known as child and youth reports (Kinder- und Jugendberichte).

The Federal Youth Advisory Board ([Bundesjugendkuratorium](#)) is an expert body that advises the Ministry on all relevant youth policy issues, for instance by publishing expert opinions. For various areas within the child and youth services field, working groups have been set up at the federal level with which the Ministry cooperates. Under the federal government's Child and Youth Plan ([Kinder- und Jugendplan des Bundes](#)), funding is provided for the nationwide child and youth services infrastructure (especially associations and specialist organisations), model projects are supported, and international youth exchanges and volunteering schemes are promoted.

## - Regional level (Bundesländer)

Each of the 16 federal states in Germany have as their supreme youth authority a ministry that is responsible for all matters relating to youth policy (acts to implement the Child and Youth Services Act, regional child and youth plans to support child and youth services). For instance, Brandenburg has the Ministry of Education, Youth and Sports ([Ministerium für Bildung, Jugend und Sport](#)), North Rhine-Westphalia has the Ministry of Children, Family Affairs, Refugees and Integration ([Ministerium für Kinder, Familie, Flüchtlinge und Integration](#)), and Bavaria has the State Ministry for Family, Labour and Social Affairs ([Staatsministerium für Familie, Arbeit und Soziales](#)).

At the regional level (Länder), there are 17 state youth offices ([Landesjugendämter](#)) (North Rhine-Westphalia has two) which function as state-wide authorities for child and youth services. These youth offices ([Jugendämter](#)) fulfil the responsibilities outlined in SGB VIII. They support the local child and youth services authorities (local youth offices and/or independent organisations) and represent the interests of children, adolescents and their families. Specifically, they work towards creating and maintaining environments that benefit children and families. Among all the child and youth services organisations, the state youth offices function as intermediaries between local public-sector organisations, independent organisations and the supreme youth authorities of the state. The state youth offices are divided into two parts, the administrative section (Verwaltung) and state youth welfare committee (Landesjugendhilfeausschuss). They work together in fulfilling their responsibilities. The tasks of the state youth offices are explicitly mentioned in Section 85(2) of SGB VIII.

## - Local level (Kommunen)

The [youth office \(Jugendamt\)](#) carries overall responsibility for local child and youth services. This includes an obligation to draw up medium-term youth welfare plans and providing funding for activities designed for children, adolescents and families in city districts, towns and villages.

Around 600 municipalities and districts across Germany run their own youth office. These support parents and guardians in raising, caring for and educating children and adolescents. In doing so, they run preventive support programmes for families that help to create a positive environment for families. Their tasks comprise, inter alia, organising high-quality childcare, providing advice on raising children, providing child protection services, offering activities for young people and creating a child- and family-friendly environment. Anyone can approach the youth office for assistance, especially children and adolescents, if they have a problem or are in an emergency situation.

Besides the public-sector child and youth services organisations, under Section 74 of SGB VIII funding is also available to independent child and youth services organisations ([Freie Träger](#)) if the organisation in question, inter alia, meets the professional requirements of the planned activity, complies with quality development and assurance principles and standards in accordance with Section 79a, is a non-profit organisation, and provides services that are in line with Germany's Basic Law (Grundgesetz).

The aims and measures of the child and youth services community in Germany – which includes the social integration of children and adolescents – are designed and implemented by public-sector and independent child and youth services organisations. Under Section 78 of SGB VIII, public-sector child and youth services organisations cooperate in so-called working groups (Arbeitsgemeinschaften) with recognised independent child and youth services organisations and any organisations that run funded activities. The working groups are designed to ensure that the planned measures are well coordinated and complement each other.

## *Independent child and youth services organisations*

Independent child and youth services organisations include youth associations, groups and other youth work providers, amongst others. They mostly specialise in youth work, such as youth work organisations (section 11 SGB VIII), youth associations (section 12 SGB VIII) and youth social work organisations (section 13 SGB VIII); they may also be providers of educational child and youth protection (section 14 SGB VIII) or organisations that specialise in protecting children and young people or in providing assistance to children, adolescents and families (e.g., family counselling services, girls' services, boys' services, socio-educational family assistance, drug addiction counselling, multi-generational housing, etc.). Other recognised independent child and youth services providers include the churches, religious communities under public law, and independent federal associations for social welfare.

The functions defined in SGB VIII are generally fulfilled by public-sector child and youth services organisations, while the services are normally provided by their independent counterparts. Under section 76 SGB VIII public-sector child and youth services organisations may transfer some of their functions to recognised independent providers of child and youth services, although they remain ultimately responsible.

The elimination of disadvantages and the social integration of children and young people is enshrined in the law and in the functions to be exercised by all providers of child and youth services no matter what their status.

### **General distribution of responsibilities**

Section 1 of the Social Code Book VIII ([Sozialgesetzbuch, SGB VIII](#)) - Children and youth services states that all young people are entitled to be supported in their development and to be raised to become an independent, socially competent individuals. Besides parental responsibility this section also emphasizes the **responsibility of the state by obliging child and youth services to support young people** so they can develop as individuals and as members of society. Child and youth services ([Kinder- und Jugendhilfe](#)) should also help to prevent or eliminate disadvantages. SGB VIII is the federal legislative framework for the activities of the federal government, the federal states, municipalities and districts and for child and youth services.

In the **field of child and youth services**, the **federal and state governments** have the **power to make suggestions** (Anregungskompetenz) and the **power to provide support** (Förderungskompetenz).

### **Cross-sectorial cooperation**

#### *Structural cooperation with other authorities and public bodies*

In Germany, support for young people is shaped by what is known as sets of legislative provisions (Rechtskreise). The most prominent of these are the Social Code [Book II](#) (Basic security benefits for job seekers), [Book III](#) (Employment promotion) and [Book VIII](#) (Children and youth services).

Depending on the legislation in question, various ministries and subordinate authorities at the federal, state and local level are responsible and/or involved [e.g., the ministries for labour, economics, social affairs and youth; the Federal Employment Agency (Bundesagentur für Arbeit); or the state, district and municipal youth offices].

The independent organisations and bodies ([Freie Träger](#)) that provide child and youth and social welfare services are often thematically affiliated with the public-sector authorities since, as the law stipulates, they receive funding so they can provide their services. However, they usually work within the framework of various

sets of legal provisions that apply to young people. The funding they receive depends on the set of legal provisions (Rechtskreise) in question and the stakeholders that provide the services, a situation that can lead to the inadequate and discontinuous provision of support to young people with fewer opportunities. That being said, child and youth services providers are required by law to cooperate with other organisations and public-sector bodies.

#### *Cooperation with other authorities and public bodies*

Under Section 81 of the Social Code Book VIII ([SGB VIII](#)), public-sector child and youth services are obliged, within their remit, to cooperate with other organisations and public-sector institutions whose services impact on the situation of young people and their families, notably

1. social welfare providers as listed in Social Code Books II, III, IV, V, VI and X, and providers in accordance with the Federal War Victims Relief Act (Bundesversorgungsgesetz),
2. family and youth courts, public prosecutors' offices and law enforcement agencies,
3. schools and school administrations,
4. public-sector health service providers and authorities and other providers in the health field,
5. counselling services in accordance with sections 3 and 8 of the Act on Pregnancies in Conflict Situations (Schwangerschaftskonfliktgesetz) and addiction counselling services,
6. providers of protection against violence in close personal relationships,
7. Federal Employment Agency (Bundesagentur für Arbeit) offices,
8. vocational training organisations and providers,
9. police and regulatory authorities,
10. the labour inspectorate, and
11. providers of training for experts, vocational training providers, and research institutions.

Child and youth services in Germany are provided and implemented by the above-mentioned public-sector child and youth services providers in cooperation with independent child and youth services organisations.

The public-sector and independent providers cooperate, inter alia, in accordance with the applicable legislation. In accordance with Section 78 of the Social Code Book VIII ([SGB VIII](#)), public-sector child and youth services providers should seek to form Arbeitsgemeinschaften (working groups) together with recognised independent child and youth services providers and organisations implementing publicly funded activities. The working groups are designed to ensure that the planned measures are well coordinated and complement each other.

There is also cooperation under the [local youth service committee](#) (kommunaler Jugendhilfeausschuss) and the [state child and youth service committee](#) (Landesjugendhilfeausschuss).

Youth employment agencies ([Jugendberufsagenturen](#)) are a relatively new type of organisation. They are designed to offer all the services listed in the Social Code Books II, III and VIII (SGB II, III and VIII) (see below) for young people under the age of 25. That is why three main institutions work together in this area: the Employment Agencies (Agenturen für Arbeit), the Job Centres (Jobcenter) and youth services organisations. The cooperation models vary from region to region. Many youth employment agencies serve young people with particular needs. They take a particularly broad approach in metropolitan areas such as [Berlin](#), [Bremen/Bremerhaven](#) and [Hamburg](#). [Further information on youth employment agencies](#)

In 2010, the federal and state (Länder) governments began to [cooperate on implementing the EU Youth Strategy](#). In 2011, the states adopted joint resolutions detailing their respective objectives and programmes. In line with these, the EU Youth Strategy in Germany (until the end of 2018) is to support young people's social integration by the following means:

- the integration of socially disadvantaged young people in the mainstream system for education, training and labour by opening up new areas of learning and competence acquisition for young people and experts,
- the effective participation of young people by identifying new target groups and implementing new formats,
- the scaling-up and recognition of informal and non-formal education while maintaining the traditional standards and concepts of the youth work field.

#### *Other policy areas*

Besides child and youth services, educational policy (the formal education system) and labour market and social policy are responsible for ensuring the social integration of children and young people.

Responsibilities for educational policy are divided between the federation (Bund) and the federal states (Länder). At federal level, the Federal Ministry for Education and Research ([Bundesministerium für Bildung und Forschung](#)) is in charge of educational policy, mainly for vocational training. The 16 state education ministries are in charge of educational policy (school and higher education) or college-based education as part of vocational training.

Labour market and social policy are developed according to the Social Code. The Social Code defines the right to training and employment promotion (Ausbildungs- und Arbeitsförderung), to the basic income support for job seekers ([Grundsicherung für Arbeitsuchende](#)), the services of the statutory health insurance (gesetzliche Krankenversicherung) and social long-term care insurance (soziale Pflegeversicherung), provision in case of health damages, housing benefit ([Wohngeld](#)), social welfare benefit ([Sozialhilfe](#)), rehabilitation and inclusion benefit for disabled persons as well as child benefit ([Kindergeld](#)), supplementary child allowance ([Kinderzuschlag](#)), advance payment of maintenance ([Unterhaltsvorschuss](#)), provisions for education and participation ([Bildung und Teilhabe](#)), parental benefit ([Elterngeld](#)) and child care subsidy (Betreuungsgeld).