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Support system for family members of children with disabilities

Information for refugees with disabilities and their families from the project **Empowerment Now** and the group **Now! Nicht Ohne das Wir**

What are my rights in Germany?

Many refugees with disabilities and their families face significant challenges when they arrive in Germany: How can they get support and help? They have many questions about the support system in Germany. They also want to know what rights they have to support and assistance. But often they cannot find information in their own language.

That's why there are now six brochures with information in nine languages. We inform you about your rights to support and the different types of support available. And we answer questions about the support system in Germany. "What information would I have wanted when I arrived in Germany?" This question was important to us when we wrote up the information.

You are not alone!

There are many counselling centres in Germany. You can get advice there. Always seek support!

Why should I go to a counselling centre?
Counselling centres can help you apply for support services or if your application is refused. After receiving advice, you will better understand your needs and options, and get the right support services.

Counselling centres
Supplementary Independent Participation Counselling Centre (Ergänzende unabhängige Teilhabeberatung, EUTB)

Migration Counselling Centres of Welfare Associations (Migrationsberatungsstellen der Wohlfahrtsverbände)

For questions about health care, medical rehabilitation and care, you can contact the Independent Patient Counselling Centre Germany (Unabhängige Patientenberatung Deutschland, UPD).

You can also contact disability associations, the Social Welfare Office (Sozialamt), the Employment Agency (Agentur für Arbeit) or the Integration Office (Integrationsamt). They are often close to you.

There are even more counselling services in many federal states. It's best to get information at your place of residence.

Support system for family members of children with disabilities

Families of children with disabilities receive state aid. State aid means that there are services offered by authorities, offices and institutions to support children with disabilities. These services are designed to enable the children to participate in society and to support the families, especially during the child's early years.

Some services are specifically designed for children with disabilities and their families. These include early intervention, aids and medical treatment, care and support services. Other services are available to all families – even if their child does not have a disability, such as free preventive child health check-ups ("check-ups for children") or child benefits.

This booklet gives you an overview of the rights you and your child have and the financial aid available. We also introduce you to the educational opportunities offered by schools for children with disabilities. Finally, we explain what legal guardianship is.

There are rights and state aid available to all people with disabilities: children and adults. We mainly show you state aid for children with disabilities and their families. However, we will also tell you about booklets where you can find out about aid and support for all people with disabilities. We also describe state aid that is available to all children, with or without disabilities.

Medical rehabilitation

Here you will find information about

- check-ups for children
- early intervention

Reminder: On the Arzt-Auskunft (Doctor search) website, you can use a filter to search for doctors. For example, you can search by speciality, language and accessible offices.

Check-ups for children

Check-ups for children are used for the early detection of illnesses and disabilities and for preventive care. During these examinations, paediatricians assess a child's physical and cognitive development. They can also detect chronic illnesses, developmental delays or disabilities at an early stage. During these check-ups, parents can discuss any questions or concerns they may have about their child's health.

A child has the first check-up after birth and the last one when they are five or six years old. There are a total of nine check-ups for children. They are compulsory in some states and not in others. Parents make the appointments for check-ups with their paediatrician.

The check-up is independent of residence status and health insurance membership. All children in Germany are entitled to free health care. If you are a member of a health insurer, the insurer will cover all check-ups for children. If you are receiving asylum applicant benefits, the Social Welfare Office will pay for these check-ups.

The check-ups are carried out at regular intervals because early detection and treatment are more likely to be successful. In addition, health insurers and the Social Welfare Office (Sozialamt) only cover the costs of the check-ups for children if the intervals are followed. So you have to keep to the intervals. On the German-language website of the Federal Centre for Health Education (Bundeszentrale für gesundheitliche Aufklärung), you can calculate when your child needs which check-up. All you have to do is enter your child's birthday in the "Date of birth" field.

Early intervention

Children with disabilities between the ages of zero and six can receive early intervention. The aim of early intervention is to support and encourage children with disabilities in their physical, emotional and social skills.

Early intervention also includes

- medical services for early detection (diagnostics),
- early intervention (various therapies),
- educational support services such as curative and special educational, psychological and social support.

The focus of support is based on the needs of the child. Early intervention services also include advice, guidance and support for parents. This is free of charge if the paediatrician has prescribed the treatment.

The paediatrician is usually the first point of contact. They can give you information about early intervention centres in your area and help you find one. You can also contact your local health office. Also on the website www.frühförderstellen.de, you can search for early intervention centres in the federal states.

Am I entitled to all early intervention services?
Yes, if you belong to one of these groups:

- recognised refugees
- persons entitled to asylum and subsidiary protection
- persons with a residence permit (Aufenthaltserlaubnis) in accordance with Section 24 of the Residence Act (Aufenthaltsgesetz) who are covered by statutory health insurance

Who is eligible for early intervention services? Asylum applicants and people with a tolerance permit (Duldung) who have been living in Germany for more than 36 months. However, the services are a so-called discretionary service (Ermessensleistung), i.e., they must be approved by the Social Welfare Office (Sozialamt).

Reminder

“Discretionary service” means that there is no legal entitlement to a service. The Social Welfare Office decides whether to grant the benefit. You must apply for a discretionary service and explain why you need it.

Persons in the asylum process are not entitled to early intervention services during the first 36 months of their stay in Germany. However, the Social Welfare Office may approve services if a child needs early intervention to ensure that their health and needs are met. Parents must apply to the Social Welfare Office.

Who pays for early intervention?
Which payer is responsible depends on your child’s disability and your residence status. Payers can be:

- Health insurance companies (Krankenkassen) and payers of integration assistance (Träger der Eingliederungshilfe) :
  - for recognised refugees
  - persons entitled to asylum and subsidiary protection
  - persons with a residence permit under Section 24 of the Residence Act who are legally insured
- Social Welfare Office (Sozialamt):
  - for asylum applicants and persons with a tolerance permit (Duldung)
- Youth Welfare Office (Jugendamt):
  - for children with a mental disability

You can find more information in our booklet Health, rehabilitation and care assistance. The booklet covers access to medical services, such as free medical care and language interpretation during medical treatment.

Further information on aids and medical treatment can be found in our booklet Support system for people with disabilities.

Reminder

Even if you and your child are in the asylum process and receive benefits under the Asylum Seekers Benefits Act (Asylbewerberleistungsgesetz), your child has the right to medical care. If the Social Welfare Office refuses to provide services for the care and development of your child, you should contact a counselling centre in your area for support. You can refer to Article 6 of the Asylum Seekers Benefits Act, which concerns the right of children to adequate medical care. The law explicitly states: The competent authority may provide services to meet the special needs of children. The right to social participation of children with disabilities and the right to health are also enshrined in Articles 23 and 24 of the UN Convention on the Rights of the Child. So you can count on it.

Services and financial support for family members

In Germany there are several forms of support that family members can access when caring for a child with disabilities. These include:

- financial support (care assistance and child benefits)
- parental recuperation (Elternkur)
- Family Support Service (Familienunterstützender Dienst)

Care assistance

If you are unable to pay for your child's care yourself, you can apply to the Social Welfare Office for care assistance.

Before you can get state aid for the care of your child, a doctor must assess your child's need for care and determine the care level required. The higher your child's care level, the higher your entitlement to care services. You can find more information on this in our booklet Health, rehabilitation and care rehabilitation and care.

Recuperation (Kur) for parents

Looking after a child in need of care takes a lot of energy – both physical and mental. Only people who are healthy themselves can look after a child for a long time. For this reason, relatives who are covered by statutory health insurance are entitled to a so-called parental recuperation (Elternkur).

They can take the recuperation at certain intervals. They can go alone or with the child. The aim of the recuperation is to

- strengthen the health of family members,
- give family members tips on how they can organise their daily care so that it is less stressful.

The recuperation takes place in facilities specialised in the needs of care-giving family members and their children.

A recuperation gives you and your child a break, medical care and therapies. It usually lasts three weeks and can be extended if necessary. At the start of your recuperation, you will be given a treatment plan tailored to your needs. The plan may include, for example:

- medical treatments
- physiotherapy
- individual and group psychological counselling
- movement and relaxation exercises
- nutritional counselling

What are the eligibility requirements for parental recuperation?

You must belong to one of the following groups:

- recognised refugees
- persons entitled to asylum and subsidiary protection
- persons with a residence permit in accordance with Section 24 of the Residence Act who are covered by statutory health insurance

In addition, it is necessary that

- your child has a care level (Pflegegrad),
- you have been caring for your child for at least six months,
- the recuperation is necessary for medical reasons,
- and there is a doctor’s prescription.

You may be eligible for a recuperation if, for example, you have the following conditions:

- persistent fatigue or exhaustion
- heart and stomach complaints
- sleeping disorders
- back and joint pain
- anxiety disorders or depression

How do I apply for parental recuperation?

You apply for recuperation through your health insurer. If your health insurer approves the recuperation, it will cover the costs.

It will also pay for any children accompanying you. You make a co-payment of €10 per day. Children do not have to make a co-payment. Families with a low income may be exempt from making the co-payment.

If the health insurer does not approve your application, do not be discouraged. You can appeal with the help of a counselling centre.

Child benefits (Kindergeld)

Child benefits are the government's way of helping parents look after their children. The amount of child benefits is €250 per month for each child. Most parents receive child benefits until their children reach the age of 18. There is no age limit for disabled children. You can therefore also claim child benefits for your child after their 18th birthday. However, your child must have a physical or cognitive impairment and be unable to support itself.

In exceptional cases, older children without disabilities can also get child benefits if, for example, they are still in school, registered as unemployed or looking for work, in vocational training, studying or doing a recognised voluntary service.

These are the conditions for child benefits for adults with disabilities:

- Your disability must be proven, for example by the mark "H" (helpless) on your severely disabled person's disability card.
- The disability arose before the 25th birthday.

If your child is over 25, you will need to provide proof of when the disability occurred.

- Because of their disability, a young person has too little money to cover their cost of living on their own. The cost of living includes all the things a person needs to live, such as food, clothing, health, housing and leisure. The cost of living is made up of general living expenses and additional disability-related needs. The general cost of living in 2024 is €11,604 per year. Disability-related additional needs vary depending on the individual impairment.

How do I get child benefits?

You apply for child benefits at your local Family Benefits Office (Familienkasse) at the Federal Employment Agency (Bundesagentur für Arbeit). You can apply online or by post.

Can I get child benefits?

Yes, if you belong to one of these groups:

- recognised refugees, persons entitled to asylum and beneficiaries of subsidiary protection
- persons with a residence permit according to Section 24 of the Residence Act
- persons with a work tolerance permit (Beschäftigungsduldung)

Family Support Service (Familienunterstützender Dienst)

The Family Support Service (Familienunterstützender Dienst “FuD”, sometimes “Family Relief Service”, FeD) supports families caring for a child, young person or adult with a disability. The staff relieve parents and siblings from the care or provide transport services. They also support and accompany people with disabilities in their interests, for example in their leisure activities. And they encourage their independence. The Family Support Service is usually provided by social welfare organisations or other organisations that support people with disabilities.

Services provided by the Family Support Service include:

- leisure time: for example, walks or visits to the cinema, concerts and museums
- independence training: for example, cooking, showering, dressing
- body care: help with washing and brushing teeth
- accompaniment: for example, to the doctor, therapist or authorities
- transport services: e.g., to school, to the cinema, to the doctor
- advice and support for parents with applications

- contact with other parents and children and young people with disabilities
- contact with other services and counselling centres

The support is tailored to the needs of the families. Families discuss with the Family Support Service what and how much support they want.

Am I eligible for support provided by the Family Support Service?
Yes, if you belong to one of these groups:

- recognised refugees
- persons entitled to asylum and subsidiary protection
- persons with a residence permit in accordance with Sec. 24 of the Residence Act who have statutory health insurance

These persons are entitled to participation benefits in the integration assistance. They are therefore also entitled to support provided by the Family Support Service.

Asylum applicants and persons with a tolerance permit (Duldung) who have been living in Germany for more than 36 months can receive support provided by the Family Support Service. However, this is a so-called discretionary service that must be authorized by the Social Welfare Office (Sozialamt).

Persons in the asylum process are not entitled to participation benefits in integration assistance during the first 36 months of their stay in Germany. Therefore, they do not receive support from the Family Support Service. However, if your child needs support to ensure their health and to meet their special needs, the Social Welfare Office may approve the Family Support Service. You apply for this through the Social Welfare Office.

Who pays for the Family Support Service?
The responsible payer depends on your disability and residence status. Payers can be:

- Payers for integration assistance (Träger der Eingliederungshilfe)
- Social Welfare Office (Sozialamt)
- Youth Welfare Office (Jugendamt)

You may have to pay part of the Family Support Service costs

Support and education for children with disabilities

Children with disabilities have the right to attend daycare centres and school alongside children without disabilities. There are more and more inclusive daycare centres and schools where children with and without disabilities learn together. However, there are also special-needs kindergartens and special-needs schools for children with disabilities that cannot be attended by children without disabilities.

Children with disabilities should have the same opportunities as children without disabilities. Here is an overview of the different support and education options available:

Daycare centres

From the age of three, a child has a legal right to a place in a daycare centre. Every child has the right to attend a daycare centre, regardless of whether the parents work or not. There are different types of daycare centres for children with disabilities, such as:

- inclusive daycare centres and kindergartens
- individual integration in daycare centres
- special-needs daycare centres and development kindergartens

Inclusive daycare centres and kindergartens

Children with and without disabilities play and learn together. Each child receives the support they need. In inclusive daycare centres, there are more care providers to look after the children: One person looks after five children. This allows more time for each child.

Inclusive kindergartens have specialists in early intervention, such as speech therapy, physiotherapy and occupational therapy. In some states, daycare places are free of charge; in others, they are partly free of charge; and in some states, parents pay a contribution, which is also paid by parents of non-disabled children. The amount depends on the parents’ income.

Individual integration in daycare centres

Individual integration means that only a few children with disabilities are admitted to daycare centres and cared for together with non-disabled children. Parents apply to the daycare centre for a so-called individual integration measure. A doctor must first assess the child’s needs.

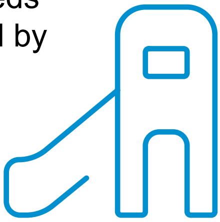
In addition, the payer of the service, e.g., the Youth Welfare Office or the Social Welfare Office, must agree to cover the costs. Parents, educators, the payer, the child’s doctor and the therapist draw up an individual participation plan for the child. This ensures that appropriate support is tailored to the child’s needs.

Special-needs daycare centres and development kindergartens

Only children with disabilities attend special-needs daycare centres. The groups are small, with eight to twelve children. This allows for intensive support.

Early intervention is an important part of special-needs daycare centres. Children receive educational and therapeutic support and are encouraged in their development through special offers. Some special-needs daycare centres are specialised, i.e., they have a pedagogical focus; e.g., a daycare centre may only take children with learning difficulties. These daycare centres are also called “development kindergartens”. The costs of special-needs daycare centres and development kindergartens are covered by the Social Welfare Office or the Youth Welfare Office.

Parents of children with disabilities have the right to decide whether their child should attend an inclusive daycare centre or a development daycare centre.



School

School is compulsory for all children in Germany from the age of six. Most schools are public and free of charge.

There are several options for the education of children and young people with disabilities. Parents can choose between regular schools and special-needs schools. What is the difference between a **regular school** and **special-needs school**?

Special-needs school
Special-needs schools provide education for children with disabilities or special needs. They learn in smaller classes – usually 10 to 15 pupils per class. Schools or classes often specialise in specific support needs, such as learning difficulties or visual or hearing impairments. Teaching is tailored to the needs of the pupils. Teachers are qualified to work with disabled students.

Regular schools
Regular schools are open to all children, regardless of abilities, background, or needs. Regular schools include elementary schools, comprehensive schools, and different levels of secondary schools (*Hauptschule, Realschule* and *Gymnasium*). Classes are larger, often with more than 20 pupils. Class are tailored to pupils with different abilities.

Children with disabilities can also attend regular schools. This is done through individual case integration. In individual case integration or inclusion, only one child with a disability attends a class in a regular school.

There is often an educational assistant present.

Inclusive schools
In inclusive schools, children with and without disabilities learn together. In an inclusive class in a regular school, there are at least two children with disabilities and children without disabilities. The children with disabilities are often accompanied by a special-needs teacher. Children learn at an early age how to deal with diversity and differences and develop social skills.

School support for school life

Assistance
In regular schools, children with disabilities often need assistance because the support provided by the teaching staff may not be sufficient. Assistance does not impart learning content, but enables pupils with disabilities to participate in the classroom, for example by providing care, social and emotional support or assistance with communication.

Assistance is a service of integration assistance. Parents apply to payers of rehabilitation or youth welfare assistance. Which payer is responsible depends on the child's disability:

- The Social Welfare Office (Sozialamt) in the event of a physical or cognitive disability
- The Youth Welfare Office (Jugendamt) in the event of a mental disability
- The health insurer (Krankenkasse) in the event of a need for care

Several payers may be responsible. Contact a counselling centre; they will also help you with the application process.

Which type of school is best for my child?

Choosing between a special-needs school and a regular school can be difficult for parents. Take your time when making this important decision. Advice from kindergarten educators or school staff can be helpful. The focus should be on the child's wellbeing, needs, abilities and interests. What are your child's strengths and interests? Which school will best appeal to them? What type of school will help the child develop and build confidence?

Transport services

Transport services are available for children with disabilities to take them to school. Transport is free if the child meets certain criteria, such as if the child has a severe walking disability (marked with aG) and cannot use public transport. Local welfare organisations often provide transport services. The integration assistance covers transport to and from school.

Does my child qualify for school assistance or transport services?

Yes, if they belong to one of these groups:

- recognised refugees
- persons entitled to asylum and subsidiary protection
- persons with a residence permit according to Section 24 of the Residence Act

These people are entitled to integration assistance (Eingliederungshilfe) and therefore to assistance and transport services.

Asylum applicants and people with a tolerance permit (Duldung) who have been living in Germany for more than 36 months may receive support from an assistance or transport service.

However, this is again a discretionary service that must be approved by the Social Welfare Office.

During the first 36 months of their stay, people in the asylum process are not entitled to participation benefits of the integration assistance. This means that they are not entitled to the support of an assistance or transport service. However, if a child needs support to ensure their health and to meet their special needs, the Social Welfare Office can authorise an assistance or transport service.

This is based on Article 6 of the Asylum Seekers Benefits Act and Articles 23 and 24 of the UN Convention on the Rights of the Child. The application must be submitted to the Social Welfare Office.

Guardianship for children with disabilities

At the age of 18, children become adults. This is when the authority of parents or family members ends. Each person is responsible for their own life. Adults have to make decisions and manage their legal affairs. And people with disabilities have the right to the same legal capacity as people without disabilities. This means having rights and responsibilities (legal capacity) and being able to exercise these rights and responsibilities through their own actions (agency). Those who have limited or no capacity to manage their affairs can be supported by legal guardianship. The main role of a guardian is to support a person so that they can make and carry out decisions for themselves.

How do I get a guardianship for my child?
As a family member, you apply to the local district court at least six months before your child's 18th birthday. The court will decide whether your child needs guardianship and, if so, in what areas.

Who can be a guardian?
A family member, someone from the guardianship authority, a volunteer member of a guardianship association, a professional guardian or a lawyer can be your child's guardian.

You can find counselling associations in your area via the address search of the Family Guide. Enter "guardianship associations" and your postcode in the search box. These associations can give you advice on guardianship law.

Information for refugees with disabilities and their relatives is a series that has published on:

The first steps after arrival in Germany – Information on the most important points of contact after arriving in Germany

The support system for people with disabilities – Information on participation benefits, social benefits versus participation benefits, application for aids, recognition of a disability

Health, rehabilitation and care – Interesting facts about entitlement to medical care, rehabilitation and nursing care and about the health insurance system

Support system for family members of children with disabilities – Information on the right to education, care and support

Social participation and language courses – Which services strengthen your participation in life in Germany? Information on integration courses, accessible accommodation and support

Applying for and getting benefits – Everything you need to know about the main state benefits and how to apply for them

Who are “we”?

We are the “Empowerment Now” project of the organisation Handicap International and the self-advocates of “NOW! Nicht Ohne das Wir“. We are committed to improving access to information for refugees with disabilities and their families. The members of the group “NOW! Nicht Ohne das Wir” have experienced how difficult it is to get support and help in Germany. That’s why they want to share their knowledge. Also with you.

About the group

NOW! Nicht Ohne das Wir:

“NOW! Nicht Ohne das Wir” is the self-advocacy of refugees with disabilities. We are refugees ourselves and we have disabilities. Since our arrival in Germany, we have been confronted with barriers. But in our group we find understanding and solidarity. We support each other and work together for an inclusive society.

We work for a better life for refugees with disabilities and their families in Germany. The self-advocacy group “NOW! Nicht Ohne das Wir” is supported by Handicap International as part of the “Empowerment Now” project.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About the “Empowerment Now” project

With “Empowerment Now”, Handicap International supports the self-advocacy of refugees with disabilities and their families. Together with the group “NOW! Nicht Ohne das Wir”, we advocate for the rights and interests of refugees with disabilities. We are committed to systematically addressing the concerns of refugees with disabilities – from accommodation, to access to accessible language courses, to inclusion in the labour market.

The “Empowerment Now” project is funded by:

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