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Senatsverwaltung für Bildung, Jugend und Familie ■ Bernhard-Weiß-Str. 6 ■ D-10178 Berlin

www.berlin.de/sen/bjf

To all parents of children in Berlin day-care centres (Kita)

22.01.2021

Information for parents on the closure of the day-care centres until 14.02.2021 and on the entitlement to emergency care

Dear Parents, Dear Sir or Madam,

Due to the continued high incidence of infection and the newly emerging variant of the Corona virus, the Berlin Senate decided on 20.01.2021 to close the day-care centres. The slow but steady increase in the use of emergency care has also made it necessary to lay down more far-reaching regulations with the aim of containing the pandemic.

The Senate Department for Education, Youth and Family Affairs is very aware of the implications for your personal situation. You and your children have already had to put up with considerable restrictions for several months now. Nevertheless, we ask you once again - in view of the ongoing exceptional situation in society as a whole - to look after your children at home as much as possible. In doing so, you will contribute to the important reduction of contacts and thus help to counteract the spread of the coronavirus.

In specific terms, the Berlin Senate has decided the following:

- To contain the Corona pandemic, the day-care centres will be closed, starting on 25.01.2021, for the period of the lockdown.
- From this time on, all day-care centres offer emergency care for the period of the lockdown.
- The average occupancy rate of the day-care centres must not exceed 50%.

Regulation of access to emergency care:

Emergency care can be made use of if

- **there is an exceptionally urgent need for care**

and at the same time

- **the professional activity of one of the parents (also in the home office) is included on the list of system-relevant areas of responsibility** (so called KRITIS list)

You can find the current version of this list at <https://www.berlin.de/sen/bif/corona/kita/>

In addition, children of single parents and children with disabilities should also be able to use emergency care. Here, an exceptionally urgent need for care is sufficient.

In detail:

An exceptionally urgent need for care can be work-related or private. It can be a need for a single day or an ongoing or regular need.

Please consult closely with your facility and check whether it is possible for you to look after your child at home, even only on some days. Please seek solutions in direct contact with your facility that take into account the goal of reducing contact in the sense of emergency care or limited use of the day care centre services.

Your facility is required to provide care for no more than an average of 50% of the children. It is possible that your facility does not currently have enough staff available. In order to meet the registered extraordinary need for care in this situation, your facility may approach you and, in consultation with you, look for alternative models of care, e.g. on a daily and/or weekly basis. We would appreciate your full support and understanding in this matter, if, with the start of the new regulations on 25.01.2021, some things are not yet in place.

For further questions that you cannot resolve with your day-care centre, you can also contact the Kita-Hotline of the Senate Department for Education, Youth and Family Affairs. You can reach this hotline on: 030 - 90227 6600 on all working days from 9 a.m. to 1 p.m.

Possibilities of compensation for parents without access to emergency care:

If you do not have access to emergency care due to the criteria described above, please note the following regulations.

1. The extended child sickness benefit according to § 45 Para. 2a SGB V

If you are not entitled to emergency care according to the above-mentioned criteria, you may be able to claim child sickness benefit (Kinderkrankengeld).

Since 05.01.2021, this can be claimed not only if your child is ill, but also if your child has to be cared for at home due to the pandemic. This can be the case, for example if

- Your day-care centre is closed,
- Your child has to be quarantined or
- You have to look after your child at home due to an authority recommendation.

At the same time, the maximum period of entitlement for statutory insured persons will increase from 10 to 20 working days per parent for 2021 and from 20 to 40 days for single parents. The application for child sickness benefit must be submitted to the respective health insurance provider. There you will also receive the corresponding application forms. The health insurance provider may also ask you to submit a certificate from your day-care centre. A sample certificate is enclosed with this letter.

We have asked the day-care centres to provide you with this certificate if necessary.

2. Claim for compensation according to § 56 1a IfSG

Furthermore, in certain cases you can receive compensation for loss of earnings according to § 56 paragraph 1a of the Infection Protection Act (IfSG). The conditions for this are, among others, that

- there is a temporary official closure of the day-care centre to prevent the spread of infections or transmissible diseases or that there is a ban on entering the premises under infection protection law.
- you have no other reasonable care option for your child
- care must be provided by the employed person during the period of closure, and
- this results in a loss of earnings.

Further information on this compensation claim can be found on the Internet at:

<https://www.berlin.de/sen/finanzen/service/entschaedigung/schulschliessung/artikel.935438.php>

Compensation under the IfSG cannot be received at the same time as the above-mentioned child sickness benefit. For closure-related care before 05.01.2021, no children's sickness benefit is payable according to § 45 of the German Social Code, Book V, but compensation according to § 56 Para. 1a IfSG is possible.

Meal expenses

In contrast to most federal states, no fees are charged in the day care sector in Berlin. As a rule, according to § 3 paragraph 5 of the Day Care Cost Sharing Act (Tagesbetreuungskostenbeteiligungsgesetz, TKBG), you only have to contribute to the costs of a meal included in the day-care services, amounting to 23 Euros per month.

The contribution to the cost of meals must also be paid during the regular closing days of the day-care centre or in times of illness of the child during which the day-care and meals cannot be taken advantage of. The same initially also applies in the context of the closure of the facilities or emergency operation that has now taken place. This obligation can only be waived in special cases, such as when the day-care centres are closed for a longer period of time.

However, this is not yet the case in January.

Therefore, for the time being, you are still obliged to pay your meal cost contribution. If there are changes due to future developments, we will inform you immediately.

This information for parents can be found on the website of the Senate Department for Education, Youth and Family Affairs at the following link (soon available in several languages):

<https://www.berlin.de/sen/bjf/coronavirus/aktuelles/schrittweise-oeffnung-kita-undkindertagespflege/>

Finally, we thank you for your support and patience in a situation that demands a lot from all involved. Stay healthy!

With kind regards

On behalf of

Holger Schulze

Head of the Department of Family and Early Childhood Education