

New Social Services Act finally adopted in Bulgaria

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Description

At the beginning of March 2019, the Bulgarian Parliament finally adopted the Social Services Act, which introduces an entirely new philosophy and changes the legal framework for planning, providing, financing and monitoring social services. Its main aim is to improve access to social services and enhance efficiency, by mapping social services so as to regulate the need for such assistance on the ground.

At the beginning of March 2019, the Parliament finally adopted the new Social Services Act. The drafting process worked well, with a well-developed roadmap of how public consultation would take place, multiple stages of public discussions (thematic discussions, public discussion of the concept of law, etc.) - until submission of the law to the National Assembly. This process guaranteed that the new topics reflected in the law are the result of discussions with all stakeholders and that the various points of view were taken into account. Another strong point of the law is that it is based on successful models and pilot practices that were previously developed or adopted and carried out in Bulgaria through short- and long-term projects and programmes, with a view to upscaling these to national policies. This provides a good basis for improvements to the system.

The law enables social services to be provided to any person who needs support to prevent or overcome social exclusion, enforce their rights or improve their quality of life. The new regulations in the Social Services Act focus mainly on assistance services, defining their content and describing the functions of the assistant. The law also states that a right to assistance will be given to the elderly who cannot take care of themselves and to other people in need of assistance. Municipalities undertake to organise the provision of assistance in a way that allows for the complex provision of different types of social service in the home environment. The assistant helps the person who is

using the service to cope with everyday life – assists him/her in their home environment, or accompanies him/her to a hospital, or an institution.

For public services, there will be no targeting. Anyone who knows about a service can use it, and if they do not know about it, the municipality or the Agency for Social Support can inform them. Consultation services related to early childhood development are available, as is advice for future parents when they are not at risk. If prospective parents are minors, the service is specialised and targeted. There are also cases of free social services for all. These include help with parenting skills, early childhood development, early intervention relating to disabilities, starting in the maternity ward.

The Law establishes a new Agency for the Quality of Social Services at the Ministry of Labour and Social Policy, which should be operational as of 2020. The new structure will monitor how municipalities and private providers spend state funds. It will verify compliance with the rights of users of social services, monitor national performance and license all private providers of social services. It will create common standards for providers but, at the same time, will give them the freedom to develop their own practices and relationships between professionals, children and parents, since the system was previously highly restricted by methodological guidelines. The integrated approach provides for improved and facilitated access to the

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labour market and to social, health and education services. The new law will also improve the skills and wages of social service workers.

The National Map of Services, which should enter into force in 2021, is intended to be updated annually. It should provide information on available services and on the needs of target groups throughout the country, which should then guide decisions on funding as well as on opening/ closing of services on a national scale.

There are two extremely important deadlines in the Transitional and Final Provisions of the Act: the final closure of all medical and social care homes for children (by 2021) and of all homes for adults with disabilities (by 2035).

Outlook and commentary

In theory, the new law increases the funds available for delegated social services, i.e. services provided to citizens that the state delegates to municipalities and NGOs at local level. However, as a share of total delegated state spending, the amount has been slightly reduced: from 9.2% to 8.1%, according to data from the Institute of Market Economy. The total delegated costs have increased more than the increase in the cost of social services.

According to the Bulgarian Centre for Not-for-Profit Law (BCNL), several basic concepts in the new law create very high expectations of a real and irreversible reform that

will lead to better-quality services for direct recipients. As to positive trends triggered by the new legislation, BCNL emphasises the clear statement that only quality services will be developed and funded. All private providers will now be licensed, and even municipal services will have to meet the same high-quality standards; if the standards are not met, funding will be phased out. Currently there are municipal and private/NGO providers of services, but they are not licensed, just registered. Under the new law, private services for adults will be licensed and services for children and municipal services will be monitored by the new Agency for the Quality of Social Services. In addition, a crucial point in the new legislation is the focus on the individual needs of every person; this is something entirely new as a philosophy and a basis for further quality development of services.

At the same time, as the Institute for the Market Economy states, imbalances in the provision of services at local level still exist. It is unrealistic to target full territorial coverage of social services. It needs to be clarified whether imbalances are a problem or are a natural result of the imbalances in the search for such services locally. In summary, the new Social Services Act is based on principles, common objectives and rules that meet current requirements for the provision of such services in the community. This is an important step forward. More attention will now be needed to plan the scale of services and their prices, so as to achieve an adequate supply and quality of service for all citizens who need such services.

Further reading

Bulgarian Centre for Non-for-Profit Law (2019), "Have you read the NEW Social Services Act?", article:

<http://bcnl.org/en/news/did-you-read-the-new-social-services-act-.html> (in English)

Focus Agency (2019), "Parliament has finally adopted the Social Services Act", article:

<http://www.focus-news.net/news/2019/03/07/2631785/parlamentat-prie-okonchatelno-zakona-zasotsialnite-uslugi.html> (in Bulgarian)

Institute for Market Economy (2019), "The new law on social services: step forward, step away or back there?", article:

<https://ime.bg/bg/articles/noviy-at-zakon-za-socialnite-uslugi-napred-vstrani-ili-pak-tam/> (in Bulgarian)

National Network for Children (2019), "Parliament has finally adopted the Social Services Act", article:

<https://bit.ly/2HGqSsD> (in Bulgarian)

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