

Social services in Romania Behind free choice

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Introduction

Free choice, quality and equity are at the same time a question of resources and an ethics issue. Talking about *free choice*, it is true that we don't have yet a strong market of social services, at the same level of development, in all counties of the country. Even so, the providers are required to use the "free choice" tools, like evaluation of the beneficiary's opinion, the respect for self-determination. On the other hand we have to continue to finance the social services delivered by the private providers under competition conditions, because diversity and competition means high quality with minimum costs.

Talking about *quality*, it is true that there are still some social services providers which aren't able to meet the minimum specific quality standards, because of lack of resources (e.g. lack of specialists, in spite of the high number of graduates), even so, all the accredited social services providers are required to be committed to continuous improvement in order to meet social needs of the community, using available resources more effectively. We still have to promote social work and maybe more attractive salaries for social workers and for other social professions. We can already see progress with establishing a legal framework for social workers (2004, the law regarding the statute of social worker).

Although over a period of almost 20 years social work was forbidden, there is a remarkable history of social work in Romania, including the period between the two world wars¹. Therefore we cannot talk about starting from zero after revolution, because there is a history of social work, or of non-profit sector. It is noticeable that the *law regarding the not for profit juridical persons*, in force since 1924 wasn't ever abolished before 2000 when was replaced by a government ordinance. But unfortunately the situation in early 90ies, as regards to peoples attitude about their own life, and how frightened they were of making decisions, or to participate in taking community decisions etc, meant that the work of the social worker did not amount to much during this time; The profession did not simply bounce back to full potential after having served the communist regime. The social work professionals needed to re-group, and reconsider how best to build a participative system of social assistance in unprecedented circumstances. Ordinary people themselves needed to digest the roles of social workers, and how best the latter can help them (according to personal experiences from the first graduates – 1994).

Talking about *equity*, the mission of social services is in fact *equity* because this is the way to answer the needs of the individual, family or group, with a view to preventing and overcoming difficult situations, and social exclusion. All the accredited social services providers are required to adopt non-discriminatory and positive actions regarding beneficiaries, equal opportunities, equal treatment and equal participation, self-determination, autonomy and personal dignity. They

¹ According to the results of a census carried out by the Central Institute of Statistic in 1936, there were over 1100 charity establishments, (*Encyclopedia of Romania*, vol. I, 1938), many of them receiving subsidies from the state.

have also to promote positive images of beneficiaries. But, at the same time, it is important to increase the responsibility of each citizen to take control of his or her own future.

Short description

The packet of social services regulations (laws, government ordinances, government decisions and ministerial orders, approved during 2000-2006, elaborated with international technical assistance) established the legal instruments and the main steps in order to have a coherent, professional social services provision. Here are some main ideas:

- **Social services are committed to protect and promote the rights of the beneficiaries.** Providers operate services that are driven by the needs of the beneficiaries and involving them as active members of the service team and respect the individual's contribution by engaging them in self assessment and beneficiary feedback.
- **Accreditation of social services providers**
All social services providers should be accredited before starting to deliver specific services. This means that they have to meet the minimum general quality standards set.
- **The process of social services deliver**
Evaluation of the beneficiaries needs has to be done by social worker together with the beneficiary him/herself. Social services provider has to use qualified personnel, specialized tools.
- **Quality assurance**
Accredited social services providers have to follow at the same time the specific minimum quality standards established for some specialized services.
Each services provider has to run their own procedure of quality assurance. That means: having supervisor, using specialized tools (individualized action plan, evaluation of the beneficiary's opinion), review the description of the work.
The duty to inspect that the services delivered by both public and private providers measures up to the standards established for them is the responsibility of Social Inspection. Sanctions can be brought against providers. Procedures for their completion may be revised.
- **Financing of social services**
The public services providers are financed from the local budgets, as public services of local interest, but also, what is missing is covered from the state budget by transferred amounts.
The private social services provider which are mostly NGOs, are financed from their own resources, donators, etc, but also from state budget (by NGOs subsidies program, or by national interest program etc) or local budgets (the same subsidies program, or externalizations of public services etc).
In spite of the fact that the law on the award of public procurement contract doesn't require to be applied for the contract having as object the provision of social services, according to the law on social services, financing the social services delivered by the private providers must be done under competition conditions.

1. The most important challenges within the field of social services

The Romanian social assistance system was set up as a result of a long reform process and is covering both social benefits (covered from the state budget) and social services (covered as a regular basis from local budgets). The most important element of reform of the national system of social assistance is to emergence of the responsibility of the local public administration authorities in order to both identify the community problems and develop effective social protection strategies for children, families, elderly, disabled people, as well as for any person in need. Annual local budgets must include provision for the development and delivery of social services.

There are over 2000 social services providers², whose accreditation is based on their capacity to follow the minimum quality standards of social services. Over 50% of these are private providers, but many of these have small or medium capacity and sustainability in providing services. Of course, it is true that there are few providers who serve almost the whole country effectively and whose experience is invaluable.

- It is important therefore, to recognise the vital role of both non-profit making providers and voluntary workers in delivering an efficient social services system. Balancing and sustaining the activities of both NGOs and volunteers is an important challenge for this government.

Although public providers represent only 50% of all accredited social service providers, they represent a large number of centres and users³. But the system of social services has to be improved, specially to develop a real network of social services for elderly people.

- It is important to sustain public providers - almost 90% of them are directly co-ordinated and financed by the local public administration authorities – thus allowing them to meet specific quality standards for specialised social services⁴, to manage and provide social services, placing them in local care strategies, using individualised service plans, qualified personnel.
- It is imperative that we continue with the implementation of action plans that will meet the goals of national strategies identified by Government regarding social services development 2005-2013, as well as the protection of specific categories - persons with disabilities, young people who leave the child protection system, victims of family violence etc.

Demographic shifts⁵ over the last decade or so have led to a decrease in the younger population – ages 0-14 – and an increase in the percentage of the elderly population aged 65 or over. Data indicate a decrease of 8.3% in the youth demographic during 1990-2007 (23.7% in 1990 and 15.4% in 2007, respectively); as well as a growth by 4.6% (10.3% in 1990 and 14.95% in 2007) in the elderly population of 65 years or over. The potentially active population – ages 15-64 – which provides Romania's labour force – oscillated between 66.0% in 1990 and 69.8% in 2007. The economic dependence ratio of inactive people aged over 65 as compared with economically active adults – aged 20-59 years – was 34%. This trend is likely increase dramatically over the decades to come.

² National Social Services Register, http://sas.mmssf.ro/servicii_furnizori.php;

³ There are 50 types of centres classified in Social Services Nomenclature (GD no.538/2005, reviewed);

⁴ Regulated by order of the ministry;

⁵ Strategic national report regarding social protection and social inclusion (2008-2010), Bucharest, September 2008, MoLFSP.

- It is an important approach to promote a healthy lifestyle; maintain high levels of education and promote a healthy working environment as well as encouraging the active participation of people in all aspects of society. The issue of our ageing population has become a priority for public policy and public organisations. In Romania the recognised religions could be also accredited as social services providers⁶ which means large resources of voluntary and on the other hand it is known that religions promote a healthy lifestyle. Beside almost 25% of the total number of associations and foundations which receives subsidies from the state budget are founded by the religions.

Initiatives that we are planning to meet these challenges

There are 76 public hostels for elderly people, expenses being financed from the local budgets, with little over 6.000 beds and there are 38 NGOs hostels which provide services for about 1.300 elderly persons⁷, their expenses being covered from the NGOs' budget. As it regards the private hostels, 27 of them received subsidies form the state budget to cover some monthly expenditure.

In last few years the number of public hostels for elderly people increased - from 19 (2004) to 76 (2008), sustained from the state budget (ex. in 2008, there were allocated from the state budget 18.595.668 Rol. / 4.324.574 Euro, in order to renovate 54 social assistance units for elderly and disabled persons: hostels, day centers, socio-medical units, nursing homes), but also through projects with international financing. But there still is a long waiting list of elderly people entitled to receive home and residential care services.

- One of the Government's main aims⁸ for the next period is to establish a social insurance scheme for dependent elderly persons, to ensure provision of free legal advice and care services for elderly.

The Ministry of Labour, Family and Social Protection has in view to improve the legislation concerning the protection of elderly people's rights within a framework covering:

- Social security and social assistance benefits
- Social services and long-term care services
- Promoting an active and healthy life
- Housing
- Participation and involvement
- Respect, dignity and judicial protection measures
- Prevention of abuse and neglect
- Financial sustainability of care services networks
- The implementation of the above framework will mean increasing of responsibility of each citizen which is empowered to take control of his or her own future (taking into account dependency issues), thereby increasing free choice etc.

⁶ Government Ordinance regarding social services no.68/2003; Law no.489/2006 regarding the religious freedom and the general regime of religions (art.10 (7))

⁷ Trimestral statistic bulletin in the field of labour and social protection, no.4 (64)/2008

⁸ Government's Program 2009-2012

2. Public subsidies for NGOs

Since 1998 NGOs receive annual subsidies from the state budget, under competition conditions, to provide social services.

Total budget for this programme for 2009 is amount 4.650.000 Euro.

Since this year, the monthly amount per beneficiary is about 250 lei (almost 60 euro) for residential centre care; 175 lei (40 euro) for day care centre; 120 lei (28 euro) for domiciliary care and 90 lei (20 euro) for social canteen or meals-on-wheels.

This programme covers the costs of care services for over 8000 elderly people amounting to about 44% of the total budget for this programme, shared in this way:

- 27 residential centre which provide services for over 1000 people;
- 16 day care centre which provide services for almost 900 people;
- 72 home care units which provide services for over 6.000 people;
- 3 social canteen and meals-on-wheels which provide services for 130 people.

There are also local public authorities who grant subsidies to the NGOs form local budget for social services. But we can see an insufficient interest at local level to granted subsidies to the NGOs, in spite of that the local public administration authorities are required to develop and deliver, whether directly or in association with NGOs, religions or other private providers, social services for elderly people. Most home care services continue to be provided by the NGO's or by family members. As a consequence, during the period 2006-2008, the development of a national programme which targets the development of formalised domiciliary care for the elderly by supporting the training and payment of formal carers has been implemented. The amount expended for this programme was approximately 3.401.522 lei (809.886 Euro), just half from the entire allocated funds.

- It is true that the working conditions in this filed are very demanding and job satisfaction is below that of other sector event other social services; by the other hand the capacity of the local public administration authorities to continue to deliver the established services needs to be improved.

3. Vouchers or personal budgets in social services

Romanian doesn't have much experience with regard to innovative instruments encompassing the financing of the service provision via the users like vouchers or personal budgets. E.g. the nursery vouchers are stipulated by the law since 2006, but there is not available collected information regarding the use of these kinds of instruments. Childcare vouchers are granted at the request of one of the parents, or optionally of the legal guardian to whom the child was entrusted for raising and education or in foster care. The monthly value of childcare vouchers is currently (since 2009) 350 lei (almost 82 Euro) indexed every semester. The value of childcare vouchers is deductible and fully exempt from social taxes and charges related to wage costs, for the employer as well as for the employee.

The main reason to establish this measure was to encourage young parents to return to work sooner than the 2 or 3 years parental leave to which they are entitled, to assure professional care

for all children, to sustain sudden change of the existent day care centre and the establishment of the new others, create a balance between family and professional life.

Using the nursery vouchers parents can have both family and career, too; continuing the career and ensuring the best care for their baby; here are some advantages:

- diminishing the loss of competencies and experiences capital of valuable employees;
- supplementing their income by 350 lei per month (80 euro) – this amount is completely tax exempt;
- their child is provided with the best possible care, by professional staff, in state-owned or private nurseries;
- avoiding professional depreciation by returning to work before their competencies and professional knowledge are eroded.

We also can find some advantages for employers too:

- saving time and money required by the training of temporary personnel;
- enjoying significant fiscal facilities for the value of childcare vouchers as they are deductible and exempt from taxes.

As well as, elderly people in need of care are receiving facilities for transport and cultural events, subsidised tickets (vouchers) for medical cure.

4. Ensuring the quality of the services provided

Firstly, all service providers should be accredited⁹ before starting to deliver specific services. This means the service provider has met the minimum general quality standards set. These are defined by nine principles of excellence:

1. Leadership
2. Rights
3. Ethics
4. Comprehensiveness
5. Person-centred care
6. Participation
7. Partnership
8. Result-orientated
9. Continuous Improvement

In order to be accredited it is not necessary to reach all 25 points (which means the highest level) established for each principle but only 12 of them.

The general conditions of management and delivery of social services are applicable to all social service providers: fitting in the local strategies, evaluation, using the individualized plan of services, qualified personnel and minimum personnel structure, using tools to assess the beneficiary satisfaction level, etc. As well as 'Services Delivery' contract must be used by the service provider and signed by the beneficiary. In this contract, the beneficiary's rights and obligations are stipulated together with the main steps necessary to achieve the objectives of the individualised action plan.

⁹ According to the Government Ordinance regarding social services no.68/2003;

There are also specific quality standards defined and set out in ministerial orders, for almost each type of specialized services, including domiciliary and residential care for elderly people. But many of them need to be reviewed being more “of excellence” standards than minimum ones. In spite of that it is recognized that the regulations play an important role in learning and promoting good practice.

Since 2007, Social Inspection has the specific role of overseeing supervision, evaluation and conciliation of the entire national assistance system.

One of the priority objectives set within the 2009-2012 Government's program was the introduction of the guaranteed social minimum pension¹⁰. Therefore, more than 8,000 retired employees of the public system will benefit from a pension worth 300 RON as of April, 1st, 2009 increasing to 350 RON in October 2009. Instituting the guaranteed social minimum pension aims to improve the social protection system in accordance with nationally set priorities. It protects the most vulnerable people and buffers low-pension pensioners against the worst effects of the current economic crisis.

5. Sharing responsibility between the state and the local level authorities

The Ministry of Labour, Family and Social Protection is responsible for co-ordinating and developing the social assistance policy in accordance with the law set in force since 2006. This sets up the general framework of social benefits to be granted, together with social services to be delivered. The law set up as well as which are the authorities responsible for the development of policies and sector strategies, for the inspection of social services, so called “audit of practice”.

Social services system, as a component of social assistance system, is established and financed as a competence of the local public administration authorities, not only because the local autonomy principle – *means that the LPAA have the right and effective capacity also to solve and to manage, in the name and in the interest of the local collectivities that they represent, the public matters*¹¹, including social need, but also because of the main characteristics of the social services: there are services of county or local public interest, are often rooted in cultural traditions, the proximity between the service provider and the user is requested for the most of them, they have to be delivered in a personalized manner, adapted to the specific situations requested by the particularly needs of the users, and the main specific aim of them is social inclusion of the most vulnerable people. Based on their mission and complexity, the social services are divided in primary and specialized services.

The function of the primary social service is to identify, diagnose and assess; to provide information; carry out preventative actions and measures; and to insure the transfer and monitoring of the beneficiary to the care of specialised services when necessary. The responsibility for providing primary social services is that of the social assistance public service, established according to the law operated by the local public administration authorities - the most basic level of administrative organisation – at the level of commune, town and municipality. There

¹⁰ <http://www.gov.ro/>

¹¹ Law on local public administration, no.215/2001;

are over 670 social assistance public services registered in the National Social Services Electronic Register. Many of them are also accredited to deliver specialised services too.

The function of the specialised social service is to ensure adequate housing, care, recovery, rehabilitation, social and professional reintegration and support for the person facing a 'social needs' situation. The directorate for child protection and social assistance is responsible for specialised social services in the 42 counties and 6 districts making up the Bucharest Municipality. Each of these deliver specialized social services through the centres established.

Apart from the public providers established under local public administration authorities and financed by public funds, there are in the social services market, private providers including association, foundations and religious charities. As mentioned above, there are a large number of private providers with the necessary capacity to meet quality assured standards and carry out best practice at a local level.

In case the public social assistance service cannot offer the entire package of necessary services, it can conclude partnership conventions and social services contracts with the social services providers. The contract must comprise the services provided, their nature and costs, the rights and obligations of the parties, the duration and conditions, by respecting the quality standards established for each type of service, as well as the sanctions applied for poor quality social services. In many situations the social services are delivered in partnership between public and private providers using one of the many types of contracts: concession of public services, financing of private providers, etc.

The elderly person benefiting from residential care pays a contribution which cannot be higher than 60% of his/her total income. The deficit is paid by the family or by the local authority if the beneficiary has no relatives.

6. Conclusions

It is true that wellbeing means a wide possibility of choice. For everyone: for beneficiaries or users (clients, if we are talking about free choice) to ask for help, but in the same time to take control now of his/her own future, for the public authorities to find the proper, efficiently, and so called 'politically correct' way to deliver social services for citizens, for private social services providers, to promote good practices and excellence, and why not, for the economic operators to be sensitive about the employee's family problems. That is why we have to use proper tools and professional human resources in the entire process when delivering social services to people. *"Social work is therefore an investment in the future welfare of Europe"*¹².

¹² Recommendation Rec (2001)1 of the Committee of Ministers to member state on social workers (Adopted by the Committee of Ministers on 17 January 2001 at the 737th meeting of the Ministers' Deputies)