

DEINSTITUTIONALISATION OF THE SOCIAL SERVICES IN BULGARIA FROM THE PERSPECTIVE OF NORMATIVE SECURITY

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ABSTRACT: PRIORITY OF GOVERNMENT POLICY IS DEINSTITUTIONALISATION OF SOCIAL SERVICES IN BULGARIA. WHILE IN BULGARIA TO TALK ABOUT DEINSTITUTIONALIZATION SINCE THE EARLY 90S AND THE LAW ON THE PROTECTION OF THE CHILD WAS ADOPTED IN 2000, THE SCANDAL UNTIL MOGILINO 2007 THERE IS NO SYSTEMATIC AND SYNCHRONIZED MEASURES IN THIS DIRECTION. AFTER THAT IT IS FORMULATED A NORMATIVE DOCUMENT REFERRED TO IN THE REPORT, WHICH REPRESENT NATIONAL VISION FOR DEINSTITUTIONALISATION OF SOCIAL SERVICES.

KEY WORDS: INSTITUTION, DEINSTITUTIONALISATION, CHILDREN AT RISK, STRATEGY, OPERATIONAL PLAN, NATIONAL PLAN, POLICIES FOR DISADVANTAGED CHILDREN, TYPES OF INSTITUTIONS, POLICIES FOR DEINSTITUTIONALIZATION

THE social institutions in Bulgaria are a boarding-house-like houses where people are separated from their home surroundings. The Bulgarian government defines three types of institutions- institutions for children, institution for elderly people and institutions for elderly people with disabilities.

IN the past most of the institutions were set in small and remote areas. The inhabitants numbered up to 100 people [3],[4].

ALTHOUGH deinstitutionalisation was a topic already in the 90th century and the Children's Rights Law was enforced already in the year 2000, until the scandal in the orphanage in Mogilino in 2007, no systematic and synchronized measures were taken in this direction.

IN the Maslow pyramid of needs five types of human necessities have been defined. According to Bulgarian experts' researches and to researches from experts from around Europe, for years the institutions have been satisfying only the needs described in the first two levels of the pyramid. That's why the institutionalized children grow up lacking a sense of belonging to the society, with a low self-esteem and no need for self-improvement. As all specialists point out, it is of a crucial importance to teach those children some practical skills and to ability to be self-dependent.

IN Bulgaria the term "orphanage syndrome" exists. It defines certain deficiencies, to which the institutions often accustom their wards. This syndrome is described as the expectance of getting everything in life done for you, with no efforts on your part. People

with this syndrome have the inner need to be liked by all means, expectations of getting things from others and a feeling of non-punishability.

IN Bulgaria the term deinstitutionalisation is defined as “a process, where the institutional cares are substituted with social cares in a domestic or a domestic-like environment” [3, c.23].

THE term deinstitutionalisation has both a narrow and a broad meaning. The narrow meaning defines the decrease of the number of people living in institutions by bringing them back to a domestic environment or to an environment close to the domestic one, developed as a service-net in society. In a broader sense the deinstitutionalisation is a process, in which the interest in the client’s wellbeing becomes central and the system puts its own interest (or multiple often opposing interests) aside.

THERE is a great difference between the two meanings. While in the first case we talk about an institutional change, in the second one a change in the society’s values is needed. Naturally, the first case has a much easier implementation. In spite of all governmental, normative, financial and personnel issues, this process is irreversible and doing well.

AS every change in values, deinstitutionalising in a broad sense will take longer and be more arduous to execute. It also faces the barriers in many parts of the society, including politicians and governmental leaders.

IN reality the process of deinstitutionalisation in the country started in the year 2000 and was strongly influenced by Bulgaria’s advancing preparations to enter the European Union. The lawful framework of the social services in Bulgaria is defined by the Law for Social Support, enforced in 1998. [1]. It regulates the authorities controlling the services, the means of financing, the suppliers and their provision. According to this law, social services in an institution are only granted after all the possible means to render the services within the society have been tried.

THE creation and development of social services in society as a core of the deinstitutionalisation is based on the accepted regional and municipal Social Service Strategies.

THESE strategies have a 5-year span and include:

1. Analyzing the needs of social services on a regional and municipal level according to the following indicates:
 - a) Types of social services;
 - b) Quality of the social services;
 - c) Target groups;
 - d) Financial resources the municipalities have to support the social services;
 - e) Capacity to render social services;
 - f) Interaction with other educational services, health services, employment services, etc.
 - g) Accessibility and sustainability of the social services;
 - h) Community participation, social agents’ participation and client’s participation in the development of the social services;
 - i) Other factors influencing the development of the social services.
2. Describing challenges, strategically goals and activities in social services.
3. Type and number of the social services, rendered in specialized institutions, which are to be closed down.
4. Resource securitization;

5. Results and performance indicator;
6. Methods for participation in the strategic activities on the part of the community, the social agents and the clients.
7. Methods for reoccurring examinations and strategy actualizations;
8. Controlling authorities as far as implementation, coordination and oversight are concerned.

EVERY year an annual plan concerning the development of the social services is passed on a municipal level. This plan is consigned to the executive director of the Agency for Social Support. He is the one that makes a decision regarding the opening, reshaping and capacity of the social services, as long as these social activities are delegated by the government and correspond to the social services standards and criteria. He is also permitted to shut down certain social services that have been delegated by the government. This decision can only be taken, if it is preceded by a decision from the city council. In case of discontinuance of a social activity for children, a standpoint from the head of the Agency for child protection must be demanded.

THE city mayor can assign the social services management to a legal entity registered in the Agency for Social Support after throwing the post open for competition. If the services concern children, the legal entity must also be registered in the State Agency for Child Protection.

THE social agents work draw up a personal plan after assessing the needs of every social client. If the client is subject to a specialized institutionalization, procedures towards his/her deinstitutionalisation and reentering the society are included in the plan. The law also regulates the standards for both rendering the social services within the society and for the specialized institutions.

THE matter of deinstitutionalisation is central as far as the children are concerned. The process of childcare deinstitutionalisation in Bulgaria has in fact started already in the year 2000 after passing the Law for Child Protection [2]. This law is the fundamental specialized law in the Bulgarian law enforcement, which regulates the government policy towards jeopardized children. According to this law the specialized institutions are "boardinghouses where children are brought up and educated. There they are permanently separated from their domesticity" [4]. The institutions for children are of different size, have different labor arrangements and situation. What they have in common is, that all the children living there are separated from their family and relatives.

THE philosophy behind the law is based on the understanding that the family is the best environment for raising a child. On this account, the law appoints the transfer of the child out of the family only after a court order. Admitting the child in an institution is accepted only after all other protection measures have been proven ineffective.

ACCORDING to the law, a child can be placed out of the family only if:

- the parents have passed away;
- the parents are unknown;
- the parents have been denied parental rights or their parental rights have been limited ;
- the parents or the guardians are neglecting the child for any length of time or aren't in a position to take care of the child.

THE child is also led away from the family, if it has been a victim of domestic violence and there is a serious danger of permanently harming his/her physical, psychical, moral, intellectual and social development.

PUTTING the child outside the family is a measure only taking only after all other means for protection within the family have been explored. Exceptions from this rule are only allowed in the cases, where the child has to be taken out from the family as a matter of urgency [2].

WITH the change in the Law for social support in the year 2002, the Agency for social support was established. It enacts the government policy in the field of social support. Furthermore, territorial sections of the Agency for social support have been founded. These are regional departments for social support in the administrative centers of the district and the "Social Support" departments. In the "Social Support" departments, "Child Protection" sections have been founded.

IN the year 2003 Bulgaria has enacted considerable changes in the Law for Child Protection. Important normative acts have been passed. The most important deeds for the process of deinstitutionalisation are the Decree for child abandonment and institutionalization prevention and the Decree for application conditions, selection and approbation of foster families and the children's accommodation there.

IN 2003 the first decree originating the process of deinstitutionalisation was passed. This was the Plan for decreasing the number of children accommodated in specialized institution between the years 2003 and 2005 [11]. The plan implementation brought the first considerable decrease in the number of the institutionalized children. While executing the plan in May 2004 an assessment of the specialized institutions in the country was made. These were:

- homes for raising and educating children, deprived from parental care;
- homes for medical and social children care;
- homes for mentally disabled children and young people;

THE assessment was followed by specific conclusions and recommendations. The analysis of this assessment laid the foundations for the elaboration of a mechanism, which is meant to close, reform and restructure the specialized children institutions. Thus, the decision for the reformation of 118, the restructure of 20 and the closure of 6 specialized institutions was made.

IN 2006 a second assessment of the specialized institutions was made. A progress with the implementation of the quality standards for children service rendering was noticeable. The most significant progress was reported in some of the criteria related to the individualization of the children care, including satisfying their cultural, religious, linguistic and ethnical needs and the creation of opportunities for the children's social integration and adaptation. Permanent multidisciplinary teams are formed including experts from different fields to work with the children. Substantial efforts are made to qualify the personnel. 2008

IN 2008 the National Assembly passed the National children strategy 2008-2018 [6]. One of the main purposes of the strategy is to guarantee every child the right to live in a domestic environment. The priorities of the strategy are the "decrease of the child poverty and creating conditions for social integration of the children". This includes:

- Monitoring whether the children's rights are respected and the quality standards of the child services are maintained;
- Monitoring the reforming processes in the care and protection of children, brought up in specialized institutions;

- Elaborating means for supporting the responsible parenthood and for supporting the parents, when there is a risk for the child to be abandoned;
- Developing the social services for children in society; etc.

EVERY year the Council of Ministers passes a National Plan for Child Protection, which includes specific measures of how to reach the above mentioned aims.

THE National Plan for Reforming Action in the institutional childcare in Bulgaria 2008-2011[8] has been elaborated with the purposes of accelerating the deinstitutionalisation process on one hand, and of clearly defining the responsibilities on the other. It has been enacted by the Government of Bulgaria. It aims at the effective execution of the Bulgarian's government policies that are meant to improve the wellbeing of the children. Its purpose is also to prolong the reform for transforming the classical type of institutional care into raising the children in a domestic environment and to develop a net of services, offered at national, regional and local level. The plan includes measures for the consolidation of the capacity of the local authorities and the social services contractors; for the development of a basic services package at a local level; for the development of a service net supporting the parents; for working out the foster care services; for changing the institutional care to a care within a domestic environment; for increasing the professional capacities and optimizing the human resources; etc.

FROM 2003 until the end of 2008 23 specialized institutions offering social services for children have been shut down. From 2001 to 2008 the number of children in specialized institutions has decreased with 43%- from 12609 to 77276.

FROM 2003 the social services are decentralized and their management has been shifted from the state to the municipalities in the form of a state-delegated activities. The funding of those activities is determined according to the financial standards for social services.

IN 2010 the Council of Ministers adopted the strategy "Vision for the deinstitutionalisation of the children in the Republic of Bulgaria" [8]. This strategy is based on the "in the child's best interest" idea and is aimed at supporting the families and creating the best possible conditions for the children's growth and full potential development. It is expected that as a result of the execution of this strategic document, the number of the institutionalized children will decrease dramatically, eventually leading to their complete extinction. It is also anticipated that the accommodation of children from 0 to 3 years in institutions will be terminated after this reform. The measures planned are most of all directed at the regulation at entering the institution, through supporting the family and developing services preventing the abandonment. Such services are for instance services for risk prevention in the family, early intervention and child support, family planning services and family mediation services. The efforts will be focused on introducing the foster care on a national scale as a main alternative to institutionalization. Furthermore, the adoption growth will be encouraged. Another important set of the activities will be pointed at regulating the departure from the institution and decreasing the number of children that are being moved from one institution to another.

THE highest priority when implementing the strategy will be the deinstitutionalisation of disabled children, accommodated at nursing homes for children with mental disabilities and of children older than 3 years of age and subjected to medico-social cares. This target group should be the first to benefit from the strategy, for the level of care for those children is

the lowest and they are isolated from society to the greatest extend. A strategic plan of action has already been approved.

OFFERING social services within the society and thus supporting the families to prevent the institutionalization of the children, plays a central part in the process of deinstitutionalisation. This is the way to encourage the municipalities to create social services that correspond to the immediate needs of the community.

THE documents which determine the most important political decisions for the development of certain social groups in society and the care they require are as follows:

- Strategy for ensuring equal opportunities to disabled people 2008-2015 [13];
- Action plan for ensuring of equal chances for the disabled 2008 – 2009 [10],
- Strategy for decentralization and strategy implementation program 2006 – 2009 r. [12].

THESE documents, each to a to a different degree, define the philosophy for the development of the social services and the agreement reached for the irreversibility of the deinstitutionalisation processes.

REFERENCES

1. **LAW** ON SOCIAL ASSISTANCE, 1998 (IN BULGARIAN)
2. **LAW** ON CHILD PROTECTION, 2000 (IN BULGARIAN)
3. **ILIEVA, S., VESELINOVA, I. 2005:** MANAGEMENT OF SOCIO-EDUCATIONAL INSTITUTIONS IN BULGARIA, SOFIA (IN BULGARIAN)
4. **ILIEVA, S. 2009:** INTRODUCTION IN: INSTITUTIONS FOR CHILDREN, "FOR" OR "AGAINST" / STUDENT THOUGHTS / ESSAYS COLLECTION, UNIVERSITY PUBLISHER „KONSTANTIN BISHOP OF PRESLAV“, SHUMEN (IN BULGARIAN)
5. **KARAGIOZOV, I. 1996:** INTRODUCTION TO SOCIAL PEDAGOGY, VELIKO TURNOVO (IN BULGARIAN)
6. **NATIONAL STRATEGY** FOR THE CHILD, 2008-2018 (IN BULGARIAN)
7. **NATIONAL ACTION PLAN** FOR REFORM OF THE INSTITUTIONAL CARE FOR CHILDREN IN THE REPUBLIC OF BULGARIA, 2008-2011 (IN BULGARIAN)
8. **NATIONAL STRATEGY** "VISION FOR DEINSTITUTIONALIZATION OF CHILDREN IN BULGARIA", 2010 (IN BULGARIAN)
9. **PETROVA, K. 2001:** INSTITUTIONS FOR CHILDREN JOURNAL PUBLIC EDUCATION, ISSUE 4, SOFIA (IN BULGARIAN)
10. **ACTION PLAN** FOR EQUAL OPPORTUNITIES FOR PEOPLE WITH DISABILITIES, 2008-2009 (IN BULGARIAN)
11. **ACTION PLAN** FOR THE REDUCTION THE NUMBER OF CHILDREN PLACED IN INSTITUTIONS FOR 2003-2005 YEARS (IN BULGARIAN)
12. **DECENTRALIZATION STRATEGY** AND PROGRAM FOR IMPLEMENTING THE STRATEGY, 2006-2009 (IN BULGARIAN)
13. **STRATEGY** TO ENSURE EQUAL OPPORTUNITIES FOR PEOPLE WITH DISABILITIES, 2008-2015 (IN BULGARIAN)