

## POLICY PAPER

# Applicability of standards for the provision of social services by CSOs in Montenegro

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## 1. Introduction

The social protection system founded by the Law on social and child protection<sup>1</sup> has a totally different system approach in relation to the previous legislation. It is based on a different paradigm in which social protection is, to a large extent, based on the social services which: need to meet to the fullest extent of the needs of beneficiary while respecting human rights and dignity; are equally accessible to all beneficiaries in the communities in which they live; give beneficiary a choice of social services and the providers of social services, whether it is a public, non-governmental or private sector and are provided continuously in the necessary duration. Service providers in accordance with this law, may be civil society organizations (CSOs), entrepreneurs, companies and individuals (Article 119).

The existence of possibility that different organizations provide social services, requires both, the necessary mechanisms for maintenance and improvement of quality system and regulatory mechanisms which enable the functioning of such a system. These mechanisms are; the standards of social services; the licensing of organizations which provide social services; the licensing of professionals who provide social services; the accreditation of training programs and programs of providing social protection.

The reform of the social protection system, after adjustment of all legislation must create the conditions for consistent enforcement in practice. It should be pointed out that the levels of involvement of CSOs in the sphere of providing of social services depends not only on the characteristics and quality of the sector itself, but rather the willingness and ability of the state to support these processes. It is necessary that a number of preconditions are met so that the CSOs would take their place in the sphere of social protection. The most important preconditions are: change in the financing of social protection and development of CSOs, the introduction of standards, accreditation and licensing for service providers, improving of the function of monitoring and evaluation, empowering beneficiaries, and providing continuing education.

Bearing in mind that the largest number of social services in Montenegro are provided by NGOs (82.9%)<sup>2</sup>, the understanding of the criteria and standards for social services and the assessment of the applicability of these standards in civil society organizations, is the first prerequisite in creating a **plurality of service providers** and functioning of such a system. This study will present the current situation in Montenegro with focus on legislative framework, the system of financing of the services, the licensing process and evaluation which will indicate what extent and in which way it is possible to standardize services in CSOs.

<sup>1</sup> Law on social and child protection, Official Gazette of the Republic of Montenegro No. 27/2013.

<sup>2</sup> Mapping of social services in Montenegro, Institut Alternativa 2013.

## 2. Situation analysis

### 2.1 Analysis of the legal framework

#### 2.1.1 International framework

As one of the members of the Council of Europe Montenegro is obliged to accept and take over all the rights and obligations arising from such membership. European Social Charter (revised) obliges the States Parties to “promote and provide services which, by using methods of social work, would contribute to the welfare and development of both individuals and groups in the to community, and to their adjustment to the social environment, to encourage the participations of individuals and voluntary or other organisations in the establishment and maintenance of such services”<sup>3</sup>.

Some of the key international documents that include social rights are: European Social Charter(1961) and Revised European Social Charter (1996); The Universal Declaration of Human Rights (1948); The Convention on the Rights of the Child, adopted by the UN General Assembly (1989); Millennium Development Goals (2002); The UN Convention on the Rights of Persons with Disabilities (2006); UN Convention on the Elimination of All Forms of Discrimination against Women (1979) and The Optional Protocol to this Convention; UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities; EU Recommendation on a coherent policy for people with disabilities; Council of Europe Convention on preventing and combating violence against women and domestic violence (Official Gazette of Montenegro - International Agreements, No. 4/2013) known as the Istanbul Convention.

#### 2.1.2 Laws and regulations

**Law on Social and Child Protection**<sup>4</sup> as social welfare services identified: assessment and planning carried out by the Centre for Social Work; support for living in a family; counselling/therapy and social-educational services; accommodation; urgent interventions and other services. Support services for living in a family comprise: daily stay, help in the house, living with support, daily centre, personal assistance, interpretation and translation into sign language and other support services in the community. Counselling/therapy and social-educational services include: counselling, therapy, mediation, SOS telephone and other services with the objective of overcoming crisis situation and improving family relations. Services of urgent interventions are provided for the purpose of ensuring safety in situations that endanger the life, health and development of beneficiaries and they shall be provided 24 hours a day<sup>5</sup>.

Providers of social welfare services, according to Article 13 of this Law, are: institutions for social and child protection, which can be public or private. Support for living in a family; counselling/therapy and social-educational services and placement in an institution or shelter may be procured through public procurement procedure, public call for applications for funds or public - private partnership, if there is a need for them and if they can be provided more efficiently by other service providers (Article 72). According to this law provider of social welfare service can be an organisation, entrepreneur, business company and physical person (Article 119). The law defines the adoption of specific secondary legislation relevant to the development of social welfare services which regulate:

- » licensing and accreditation
- » collections of data - keeping records

<sup>3</sup> Revised European Charter (1996) Article 13.

<sup>4</sup> Official Gazette of the Republic of Montenegro No 27/2013.

<sup>5</sup> Law on social and child protection, Article 61-71.

- » criteria for determining the price of social and child welfare service
- » participation of beneficiaries in the cost of services

More detailed conditions for the provision and use of services, norms and the minimum standards are prescribed by the Ministry of Labour and Social Welfare through the rulebooks that define beneficiaries, standards, capacity necessary for the provision of services (structure of skilled workers and professionals in relation to the number of clients); management of financial, administrative and technical tasks, and the system for registering of the beneficiaries.

- » Rules on detailed conditions for the provision and use, norms and the minimum standards of accommodation services for adults and the elderly<sup>6</sup>
- » Rules on detailed conditions for the provision and use of services, norms and the minimum standards of accommodation in an institution and a small house community for children and young people<sup>7</sup>
- » Rules on detailed conditions for the provision and use, norms and the minimum standards of support services for living in a family
- » Rules on detailed conditions for the provision and use of norms and the minimum standards of accommodation services in a reception centre-shelter<sup>8</sup>
- » Rules on detailed conditions for the provision and use of family placement-foster care and family placement<sup>9</sup>
- » Rules on detailed conditions for the provision and use, norms and the minimum standards of counselling/therapy and social-educational services<sup>10</sup>
- » Rules on detailed conditions and standards of professional work in social and child protection<sup>11</sup>

### 2.1.3 Licensing

The procedure for issuance, renewal, suspension and revocation of a license of provider of social services and child protection is prescribed by Law on Social and Child Protection and it is conducted by the Ministry of Labour and Social Welfare. The license shall be issued for a period of six years to provider of social and child welfare protection who: 1. is registered in the Registry; 2. meets standards for the provision of service for which license issuance is sought, which refer to: the location and premises, equipment, number and type of professional personnel, evaluation, planning, and activities for the provision of a specific service of the social and child protection; 3. at least two years providing services of social and child protection. According to this law service provider may be granted limited business license which shall be issued for a period of three years and may be issued maximum two times. Ministry of Labour and Social Welfare adopted Rulebook on detailed conditions for the issuance, renewal, suspension and revocation of licenses for the performance of social and child protection.

### 2.1.4 The accreditation of the training program

Ministry of Labour and Social Welfare has adopted the *Rulebook on standards for the accreditation of training programs, ie programs of service provision, procedure for implementation of the accreditation program and the content and form of the certificates*. A decision on accreditation of the training programme shall be passed by the Institute for Social and Child Protection, which shall form a Programme Accreditation Commission. The

<sup>6</sup> Official Gazette of the Republic of Montenegro No. 43/2014.

<sup>7</sup> Official Gazette of the Republic of Montenegro No. 43/2014.

<sup>8</sup> Official Gazette of the Republic of Montenegro No. 26/2014.

<sup>9</sup> Official Gazette of the Republic of Montenegro No. 19/2014.

<sup>10</sup> Official Gazette of the Republic of Montenegro No. 33/2014.

<sup>11</sup> Official Gazette of the Republic of Montenegro No. 56/2013; Official Gazette of the Republic of Montenegro No. 14/2014

procedure of accreditation of the training programme shall be conducted by publishing a public invitation for accreditation on the website of the Institute for Social and Child Protection. Institute have a duty to keep records of applications for accreditation, accredited training programmes, and implemented training programmes and to issue the certificate on the basis of data submitted by the author of the accredited training programme.

Author of the programme shall be entitled to apply training programme for accreditation, and if the programme is a joint authorship, the right to apply for accreditation shall have all co-authors. The training programme shall be accredited for a period of five years. Author of the accredited training programme shall have the right and duty to: immediately implement training programme in the manner specified by the programme or to entrust implementation of the accredited programme to another person; deliver a list of persons who have successfully completed training to the Institute for Social and Child Protection; properly keep records on the implementation of accredited training programmes, including information about the time and place of implementation, individuals who have completed the training, etc.; make the act on accreditation of training programmes available to any interested person; inform potential users and the public about accreditation of training programmes; enable control of the quality of implementation of the accredited training programme; after the expiration of accreditation of training programmes, i.e. after their deletion from the Registry of Accredited Training Programmes, cancel implementation of the programme, and if the implementation was in progress at the time of expiration of accreditation, complete implementation of the training programme.

### 2.1.5 Financing

According to Article 156 of the *Law of social and child protection the funds for the material benefits and social and child protection services* shall be provided from the state budget, municipal budgets, donations, games of chance and other sources in accordance with the law. Funds referred to in paragraph 1 of the Article 156 shall be used to finance: 1) social and child protection services for which there is need in municipality; 2) innovative services and services of social and child protection of particular importance for the state. The amount of funds for the services referred to in paragraph 1 of this Article, criteria for their allocation by individual municipalities, criteria for participation of local self-governments and dynamics of the transfer of funds shall be determined by the competent state administration body

Ministry of Labour and Social Welfare adopted the *Rulebook on the amount of funds for development or financing of social services and child protection and the criteria for their allocation*<sup>12</sup>, which defines the criteria for allocation of funds of the local governments, the criteria for the participation of local governments and the dynamics of the transfer of funds.

For the purpose of developing and financing the social and child protection services in accordance with the Law funds shall be used to finance social and child protection services for which there is need in municipality and innovative services and services of social and child protection of particular importance for the state. Criteria for the allocation of social and child protection service for which there is need in municipality are: 1) service which Local plan has identified as priority; 2) need for provision of certain services; 3) participation of municipalities in the financing of services; 4) sustainability Plan of services; 5) defined target groups and number of beneficiaries; 6) the number of employees who will provide services; 7) plan of monitoring and assessing of efficiency of the services and 8) funds required for service implementation.

<sup>12</sup> No. 56-626/2015-2 Podgorica: 24th July 2015



## 2.2 Analysis of the institutional framework

The system of social protection is managed by the Ministry of Labour and Social Welfare. Within this Ministry for social services is in charge the Directorate of social welfare and child protection within which there are three departments:

**Directorate for social and child protection and control** performs tasks related to: cooperation with local authorities and NGOs; exercising the right to basic material support; placement in another family; assistance in the education of children and youth with special needs; conducting of procedures on eligibility for the performance of activities of public and private institutions in this area; activities in the field of analytics, planning, and reports on financial flows in the area of social and child protection.

**Directorate for the protection of groups in risk** monitors the situation in the field of protection of children without parental care and abused and neglected children, PWD and children with special needs, children with behavioral disorders, the elderly, refugees and displaced persons and the RAE; child trafficking and human trafficking; addictions; keep records of potential adoptive parents and children eligible for adoption; performs programming and monitoring of priority / measure which is linked to social inclusion, co-operate with civil society organizations and local authorities.

**Directorate of the development of services** performs tasks related to: monitoring of services; conducting of the financial analysis and drafting of the financial investment proposal in this area; the participation in informing of service providers and local governments; analysis of annual needs of local communities; analysis of existing capacity and the need for the introduction of new services in order to identify need for introduction of new services and others.

All three directorate prepare regulations and other acts in this area: analysis, information, reports and expert opinions on the situation and implementation of these regulations.

Since 2015 began with work **The Institute for Social and Child Protection** which role is development, counselling, research and other professional activities in social and child protection. Within its jurisdiction monitors the quality of professional work and services in institutions; provides professional supervisory support; performs licensing of professional workers and issues operating license; performs professional and organizational activities in the procedure of the program accreditation; coordinates the development of service standards and proposes to the competent state administration body improvement of the existing and introduction of new standards; organizes vocational training for professional workers and professional associates.

## 2.3 Policies

### 2.3.1 Policies at national level

*Strategy of development of social and child protection* in Montenegro 2013-2017 is developed through the following 5 strategic directions:

1. Definition of development of social and child protection policy associated with other systems and sectors in society and harmonized with international regulations and standards aimed at preventing social problems;
2. Decentralization of social and child protection system;
3. Participation of citizens and recipients in deciding on ways and means to meet the needs;
4. More efficient financial benefits in social and child protection;
5. Providing quality services in social and child protection.

Decentralization implies the involvement of other stakeholders, in addition to the state in the provision of services: non-governmental organizations, the private sector and citizens. The strategy, among other things puts the focus on the issue of the quality of services in the social and child protection and strengthening of the professional capacity of service providers, including continuing education; creation and accreditation of training programs; licensing and accreditation of service providers; the introduction of ethical principles and drafting a code of practice and professional conduct; introduction of a system of evaluation, supervision and monitoring of the effects of measures taken; the introduction of an independent system of supervision and control of professional work.

Area of social services is defined through a whole set of strategies that have focus on vulnerable groups of society:

- » Strategy for the integration of persons with disabilities (PWD) in Montenegro (2008-2016);
- » Strategy for the development of social protection system of the elderly (2013-2017);
- » Strategy of Montenegro for the prevention of drug abuse (2013-2020);
- » Strategy for development of foster care in Montenegro with action plan (2012-2016);
- » Strategy for the protection from domestic violence (2016-2020).<sup>13</sup>

### 2.3.2 Policies at local level

Local plans of social inclusion - the development of social services, were adopted in 15 municipalities (Bar, Bijelo Polje, Nikšić, Plužine, Šavnik, Mojkovac, capital city Podgorica, Cetinje, Pljevlja, Plav, Berane, Kolašin, Tivat, Budva and Ulcinj). Local plans of development of social services in Rozaje, Andrijevica, Kotor, Danilovgrad, Herceg Novi and Žabljak are in progress.

Priority target groups in most municipalities are: children; persons with disabilities; the elderly; victims of violence; young people at risk and their families; financially vulnerable groups; more difficult employable person; single parents and homeless in a small part of the municipality.

Identified necessary services:

- » Assessment and planning;
- » Support for the life in the family (daily centre, daily stay, living with support, help in the house, personal assistance, interpretation and translation into "sign" language, services of rest and recreation, services in nurseries and kindergartens for children from families who have experienced violence, beneficiaries of material assistance, counselling office for marriage and family, institute of a confident person, mediation for individuals and families in crisis);
- » Counselling-therapy and social-educational service (SOS telephone; free legal counselling, self-support groups, SOS telephone services, psycho-social support, counselling);
- » Accommodation (family placement – fostering, shelters, services of occasional and standard placement, shelters for victims of domestic violence, shelters for victims of violence based on sexual orientation, center for accommodation, rehabilitation center za smještaj, rehabilitaciju and re-socialization of female addicts on psychoactive substances, placement- shelter for single teenage mothers).

<sup>13</sup> Podgorica, December 2015

## 3. Problem analysis

### 3.1 Background

According to research of the Institute Alternativa 2013 citizens of Montenegro had on disposal 284 services provided by 175 providers. Mostly are available socio-educational and counseling therapeutic services (58.8%), and least services of accommodation in shelter (2.8%). All types of services are mainly provided by NGOs (80.2%). Municipal Red Cross organizations provide 13.3% of service, public institutions 5.6% of services. Research shows that CSOs who provide social services for different target groups receive over 80% of funds from foreign sources, which seriously threatens the sustainability of their program.

Law on social and child protection organizations<sup>14</sup> enable organisations, businesses sector and individuals to provide social services if they meet the requirements for this activity and obtain a license, which must inevitably lead to significant changes in the funding of social services especially when the providers of social services are organisations of civil society.

### 3.2 Benefits of inclusion of the NGO sector in the sphere of providing social services

Benefits of involvement of CSOs in the sphere of providing social services are economic efficiency, the introduction of competition, which will provide a wider range of services, and improve the quality of services focused to the needs of users

Economic efficiency can be explained by lower costs, and therefore by cheaper services provided by the CSOs in relation to the government sector, which are primarily the result of the efforts of volunteers, lower administrative costs and the absence of the need to achieve profit. A significant contribution to the quality of services is the possibility of direct contact with users, sensibility in relation to users, innovation, and good knowledge of potential target groups in the local community in which they are active. CSOs in Montenegro have developed their expertise, gained significant experience and knowledge necessary for the provision of social services; generally they are better organized and have the flexibility and efficiency which institutions of the system do not have.

No matter what system institutions express doubts about the effectiveness of quality control in the work of NGOs, the real presupposition that this control will be bigger and more efficient compared with the state institutions for several reasons. First of all the state institutions are not inclined to control themselves, and the quality control by the service users is inadequate because state institutions hold monopoly. So, suspicious of Government regarding to CSOs will make quality of the control more rigorous, on the other hand, bearing on mind that those who provide social services have no longer monopoly and that they do not control themselves beneficiaries will more often complain on inappropriate quality.

The advantage of CSOs is definitely and their intense involvement in the implementation of campaigns, education of general and professional public, dissemination of information about users' rights and how to exercise these rights, the promotion of existing services, which increases the availability of services, empowering vulnerable groups and raising public awareness about social problems. CSOs often succeed to contribute to improving the situation of marginalized groups by providing services and for those to which the state institution can not reach.

<sup>14</sup> Official Gazette of the Republic of Montenegro No. 27/2013.



### 3.3 Weaknesses

Regardless of what that the NGO are the biggest social services providers in Montenegro, their work is based on the projects, what threatens the stability of service delivery. Mainly resources that are necessary for the functioning of services (space, utilities, etc.) come from foreign donors, and through projects that are not directly related to social services. Lack of resources creates economic uncertainty of engaged people and leads to the attrition of staff, who is trained to provide social service. This leads to aging of organizations and syndrome of exhaustion of members who are longtime engaged in this fields. CSOs service providers are mostly focused on its users, and in that process often neglect to build their own capacities, in terms of internal procedures, policies and appropriate management which could respond to the needs of future subcontracting with the government.

The authorities of the central government as well as units of local government with their social welfare institutions do not recognize civil society organizations as respectable partners in the provision of social services. They also do not have the capacity to identify opportunities for the development of professional and cost-effective social services at the local level with CSOs as one of the main actors. Local authorities have more confidence in the government sector, especially when it comes to users from vulnerable groups, such as persons with disabilities or children. The resistance occurs also in state agencies which provide similar services and who are opposed to the introduction of competition.

### 3.4 Challenges in the standardization of social services

Existence of possibility that different organizations providing social services, requires the necessary mechanisms for the maintenance and improvement of quality system, and regulatory mechanisms which facilitate the functioning of such a system. This mechanisms consists of: Standards of social care services; Licensing of organizations which provide social services; Licensing of skilled workers who provide services; Accreditation of training programs and programs of providing social protection. Department of Social and Child Protection, as the body responsible for this process, has not committed any accreditation of training programs, ie. Program to provide services, nor has committed none of licensing of skilled workers, so at this moment we can not talk about the examples of positive or negative practices.

The success of the inclusion of CSOs in the sphere of provision of social services does not depend only on the characteristics and quality of the non-governmental sector (their ability to define their services, to meet quality standards, to attract customers, to meet the requirements of reporting and monitoring), but primarily from the willingness and ability of state to support these processes.

Quality of services can not be achieved if there is no common understanding about what the standards are, why they are important and how they are applied in practice. However, civil society organizations were not sufficiently involved in social policy making, particularly in the preparation of key documents related to the standardization of social services, and consequently the results of these processes causing a high level of dissatisfaction among CSOs service providers. Montenegrin CSOs are convinced that without additional support they can not meet the future requirements of the licensing process.

Subcontracting for provided services as a dominant source of financing brings civil society organizations in a position to compete in the market, entering into competition with profit making companies. Among CSOs there are dilemmas whether and to what extent the licensing limit their flexibility in providing services, but also affect the autonomy of CSOs, in the representation of the interests of the most vulnerable groups.

Particularly disturbing is status of small local organizations that can easily be in a position to put out a useful and necessary services due to lack of funds needed to provide standards prescribed by law, licensed and accredited programs. This situation could endanger the purpose of social protection reform that should be oriented towards users.

However, the key dilemmas that lead to the concerns of CSOs are the fulfillment of standards in the management of human and technical resources, which inevitably leads to the question: *“To what extent the country which adopt the standards will participate in achieving these standards?”*

In order to provide the necessary quality Government of Montenegro adopted the *Rulebook on detailed conditions and standards for the exercise of professional occupations in the field of social and child protection* with a list of professional occupations and required qualifications. CSO representatives expressed concern that these upcoming standards for provision of services of social care will be unreasonably high, and that will be required diploma in the field of social work even for a basic role in providing services<sup>15</sup>. These requirements will jeopardize the functioning of a large number of services that are provided specifically for multiply discriminated groups, which are formed and led exactly by people who belonging to these groups.

Rulebooks prescribes that the service provider is obliged to provide adequate space, all necessary material conditions, support and empowerment of users, but are missing rulebooks which would additionally define the rules and principles of working with clients.

The standards that are set in a part of the space and material resources are extremely high<sup>16</sup>. Currently, there is no public institution that fulfills a minimum of these standards. When it comes to CSOs from three existing shelters for women and children victims of violence, only shelter led by SOS telephone Nikšić can be competitive in the market.

A particular concern is the lack of clear procedures / models for all levels of standardization. The relevant Ministry does not have guidelines with a description of the procedure, with a list of required documents, ie. sources of verification for each request individually, which creates confusion among the organizations who are planning the licensing and accreditation. Also, at the ministry level there is no an advisory body and at this moment ministry does not plan any training programs for CSOs, which initially leads to unequal treatment between providers from CSOs and service providers from the public sector who receive all the necessary logistics in accordance with all legislative changes.

With all of these uncertainties and concerns, and the need for infrastructure (premises, adequate equipment, vehicles, etc.). It is clear that the standardization of services represents a major challenge for CSOs.

### 3.5 Financing

The national government is the most responsible entity for social protection in Montenegro, and will require decentralization of fiscal decentralization. Additionally, there is no analysis of the potential costs of financing services in order to meet real needs. Regarding to technical capacity, further investments will be needed in order to ensure the social infrastructure necessary for provision of new and innovative services in accordance with the new legislation<sup>17</sup>. To what extent these guidelines will be related to CSOs remains to be seen.

In Article 156 of the *Law on Social and Child Protection*, stated that except from the state budget social services are financed and from municipal budgets. Besides the aforementioned, as sources of funding are listed donations and funds form lottery. Previous experiences show that the state is too much relies on donor funding, and there is strong resistance that the costs of the services which are provided by civil society organizations find on the

<sup>15</sup> UNDP The report on the assessment of the quality of social welfare services supported through the Project “Reform of the system of social and child care: strengthening social inclusion.” July 2014. <http://bit.ly/1foQIP8>

<sup>16</sup> Service provider of accommodation is obliged to provide: adequate housing (rooms for customers with a bathroom, living room, dining room, storage room for organizing work-occupational and other common facilities, reception with waiting room and toilet); material conditions; accommodation in accordance with the sex of user.

<sup>17</sup> UNDP, The report on the assessment of the quality of social welfare services supported through the Project “Reform of the system of social and child care: strengthening social inclusion”, July 2014.

budget of the relevant ministries. Frequently through the government strategies for the activities carried out by CSOs as a source of financing is mentioned funds from the lottery, which violates the rules of procedure of the Commission for allocation of funds and imposes the issue of the legality of such solutions. It also recognized the strong resistance of local governments in the financing of social services, with expressed opinion that the services should be primarily financed by the state.

It is an interesting a long-standing practice of the Municipality that by decisions on the allocation of resources (budget rebalance) identify / share on average 40% lower amount than the amount of funds allocated in decisions on the budget. In this practice, leaders are exactly largest municipality with the largest budgets at the same time such as the Capital City of Podgorica, Bar, Herceg Novi and etc. While smaller municipalities like Andrijevica, Kolašin, Kotor, Mojkovac by decisions about the allocation of funds to NGOs determined the same amount of funds for distribution of NGOs which is provided and with decisions on the budget<sup>18</sup>.

Ministry of Labour and Social Welfare adopted the *Rulebook on the amount of funds for development or financing of social services and child protection*<sup>19</sup> and the criteria for their allocation which defines the criteria for the allocation of funds by local governments, the criteria for the participation of local governments and the dynamics of the transfer of funds. Ministry of Labour and Social Welfare for this purpose for the period 2016 allocated 910,000 euros. To what extent will these funds be used to support social services provided by CSOs, of course depends on the level of understanding of the whole process of reforming social care, the degree of understanding of the importance of inclusion of CSOs as credible providers, as well as the sensibility of head of the local administration to the needs of citizens from vulnerable categories society. It should be noted that this Rulebook does not correspond to the decisions on the rights of social and child protection adopted by all Montenegrin local units, and which concern that the exclusively rights to a free meal at a soup kitchen, gift package for the newborn child; financial assistance in education; and free rest and recreation.

When we talk about institutional support necessary for service providers in CSOs, as a positive example at the local level, we can mention the provision and / or financing of space for the work of organizations which provide services to people with disability. When another field of activity concerned there are few examples of good practice, but it is important to note primarily due to the recognition model of support to service provider's organizations:

- a) SOS telephone for women and children victims of violence Nikšić, during the construction of shelters received land by the municipality Nikšić under favorable conditions and was acquitted of all utilities necessary for building.
- b) Women's Safe House received a house on the use from the Capital City of Podgorica and for users of services providing the ability to use food from "public kitchen".
- c) SOS telephone Ulcinj got office space for use by Municipality Ulcinj and was acquitted from part of the utility costs.
- d) Municipality of Pljevlja is currently the only municipality in Montenegro which since 2013 providing institutional costs for the service of shelter of NGO Bona fide, on the basis of the decision imposing that this NGOs is declared as organization of special interest for the community.

In the area of social welfare system reform in Montenegro carried out the project "Enhancing Social Inclusion" (2011-2014). Implemented by UNDP Montenegro in partnership with the Ministry of Labour and Social Welfare, Ministry of Education and UNICEF, through financial support from the Delegation of European Union to Montenegro. Project activities were aimed at the establishment of the Fund for social services, as well as

<sup>18</sup> Analysis of local government functioning in Montenegro, Ministry of Internal Affairs 2012.

<sup>19</sup> No. 56-626/2015-2 Podgorica, 24. July 2015.

support in the establishment of social services in the local community through the funding of projects through public competition. As a key result is planned transition of the Fund for social services in the “ownership” of the Ministry of Labour and Social Welfare. However, from the moment project completion, the competent ministry has not undertaken its role, nor in the budget of the ministry allocate financial resources for this fund. The existence of this fund would represent a systemic solution for the sustainability of services and respond to the needs of CSOs in the process of creating the conditions for the standardization of services. Bearing in mind that the Ministry of Labour and Social Welfare has already allocated funds for local governments to fund social services the question is whether the ministry give up the planned financing model and have decided for exclusively this one decentralized model.

### 3.6 The experiences of other countries

Most countries in transition began formulate and develop social services at the local level in the second half of the transition period. In the Czech Republic the provision of social services is mainly left to the new types of services such as personal assistants, home care, shelters for victims of domestic violence, support for independent living for people with disabilities, support for people who are drugs users, supported housing, daily centers. In Hungary today, almost a quarter of social protection services are provided by NGOs, which means that among the countries in the region Hungary is a country with the most widespread presence of the third sector in this sphere.

The development of social inclusion policy in Slovenia is conducted in accordance with the Lisbon Strategy<sup>20</sup> as well as in other EU member states. In implementing the principles of social inclusion the methodology used in the EU, which is applied in Slovenia, is known as the Open Method of Coordination (OMC). The aim of OMC is good governance, transparency and the involvement of all stakeholders in the planning, implementation and monitoring of implemented policy.<sup>21</sup> Financing is provided both from the state budget, and at the local levels. Funds for financing of NGOs in the period from 1996 to 2006 have increased by 10 times.<sup>22</sup>

Regarding to the process of standardization of services of importance is to give a brief overview of the current situation in Serbia, particularly bearing in mind that the model of social welfare reform that includes standardization of social protection services, practically from this country transferred to Montenegro. Unfortunately, at this stage are not taken into account the experiences from practice and is realistic to expect that CSOs from Montenegro going through similar experiences in the standardization process.

Identified challenges and obstacles of CSOs in Serbia are complicated provision of documentation for the licensing process, a different interpretation of the rules, and the lack of clear guidelines. The cost of the licensing process are too high for opportunities that are available to CSOs (1,200 EUR). Challenges and obstacles in the system of quality control are: the insufficiently clear standards that do not give enough elements for quality control system (for example, there are no indicators), over-regulated services in the community, for some services do not exist standards (for example for SOS telephone, as well as accredited training for this service). A particular challenge is to fulfill the standards for engagement of staff because they do not accept contracts for volunteer work. Knowledge from practice indicate that in the centers for social work is great resistance of staff to all other providers of social services outside the public sector. Deadline for the licensing of services of non-governmental organizations in Serbia, is until the end of 2016. Until now (in the period from 3 years after the introduction of standardization of services) about 30 organizations are licensed.<sup>23</sup>

<sup>20</sup> [http://europa.eu/scadplus/glossary/lisbon\\_strategy\\_en.htm](http://europa.eu/scadplus/glossary/lisbon_strategy_en.htm)

<sup>21</sup> Slovenija jutri - <http://www.slovenijajutri.gov.si>

<sup>22</sup> Source: [http://www.mdds.gov.si/en/areas\\_of\\_work/social\\_affairs\\_social\\_welfare\\_programmes/godsubvencijenvo](http://www.mdds.gov.si/en/areas_of_work/social_affairs_social_welfare_programmes/godsubvencijenvo)

<sup>23</sup> P2P Conference “Social services and civil society organizations as providers - EU standards and national practices”; Subotica, 25-26 June 2015, the Republic of Serbia, Ministry of Labor, Employment, Veteran and Social fattening, TACSO Serbia.



## 4. Conclusions And Recommendations

Standardisation of social services is a process that is necessary in order to ensure equal quality of service provision by different service providers, it is also a major systemic project in area of social protection. Developing a system of services is in close connection with a set of questions on the standardization of services in social protection. Since social protection in Montenegro was based on a system of institutions and law, and not on a system of service, it must be admitted that the development of standards of service, both at the conceptual and at the implementation level is not an easy job. The reform of the system of social protection in Montenegro need to complete initiated introduction of standards, measures, services and activities for groups who need special social support.

Inclusion of NGO in the sphere of social protection services can significantly contribute to the introduction of a number of different social programs, with a reduction of costs and improvement of service quality. However, in order to non-governmental sector took its place in the sphere of social protection, it is necessary to fulfill a number of preconditions.

The key preconditions are changes in the field of funding services of social protection, and development of the NGO sector, which essentially determines the direction of development of social policy, the role of the state, non-governmental organizations, including the position of beneficiaries in the social welfare system. At the same time, for success of the reform and improvement of the quality of service support of the state to CSOs is of crucial importance in the process of introducing standards, accreditation and licensing for service providers.

### Recommendations:

- » Increase the level of cooperation and coordination between CSOs service providers and the Ministry of Labour and Social Welfare;
- » In cooperation with the competent authorities draw up a plan of support to CSOs in the process of standardization of services;
- » Establish a fund for social services at the level of the Ministry of Labour and Social Welfare;
- » Establish Council / coordinating body for the development of social services at the ministry level and level of local governments;
- » Through the existing funds provide financial support for CSOs to create conditions for achieving standards of service;
- » Provide expert support to CSOs in the process of licensing and accreditation;
- » Organization of educational / informational sessions for CSOs by the competent services of the Ministry of Labour and Social Welfare about the process and requirements of service standardization;
- » Adapting licensing system so that the conditions for CSOs are supporting;
- » Develop a guide for CSOs on "Standards of social services in the community and licensing procedures";
- » The introduction of new professions important for the provision of social protection in the nomenclature of occupations and develop training for this profession which is officially verified and implemented by the verified provider;
- » Improve cooperation of CSOs and local government units in the development of new services, social protection, organizing meetings to exchange experiences between CSOs - providers of social services and representatives of local government units;



- » Impact on local governments that from the funds obtained from the Ministry of Labour and Social Welfare to carried out through a special line financing of services of social protection ie. not connected with assets intended for tangible benefits (according to the existing decisions of local government), nor with funds from the general line for the project for NGOs;
- » Impact on local government that the funds obtained from the Ministry of Labour and Social Welfare distributed in accordance with the priorities identified through local plans for social inclusion;
- » Raise awareness of local government representatives about the importance and role of them in the social security system, specifically in support to services at the local level;
- » Ensure that social policy in the local community is implemented through cooperation and partnership of all stakeholders;
- » Develop a list of services that are missing, and which is necessary to support;
- » Work on the training of NGOs in the field of technical (organizational) and specific skills required for the provision of social services, as well as training on the required standards
- » Provide support from local and national governments in achieving structural standards (location, space, equipment);
- » Provide exchange of experiences with countries that already have a practice of licensing and accreditation for CSOs service providers.

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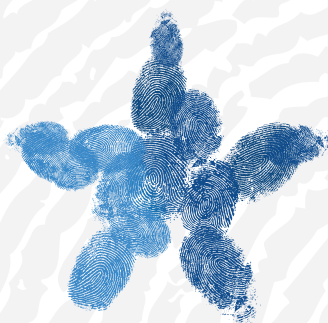
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