

Regional control of Social Care Institutions in Elbasan Region

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Abstract

The current National Plan for Deinstitutionalization in the Republic of Albania, aims to place in a family environment the children who are in the residential centers, when possible, through the empowerment of the family of these children. This goal always focuses on the best interests of the child. When placement in the family is not possible, it will be the residential centers in the country that will shelter and carry out every need of these children. Services will be added in the residential centers, in order to bring children and families closer. It is the State Social Service and the twelve (12) Regional Directorates under its supervision, which monitor the process of deinstitutionalization in the country, through the control at central and regional level of the individual plans of the beneficiaries at the Social Care Institutions. For this reason, the content of this paper consists in the legal analysis of the control procedures in the Social Care Institutions in Albania and in the Region of Elbasan in particular. The main focus of this paper will be: 1. DCM no. 512, dated 31.05.2006 "On the procedures for performing the control of economic assistance, payment of disability and social services"; 2. Analysis of the procedure for conducting the regional control that is concretely implemented in the region of Elbasan by the Regional State Social Service. Finally, attention will be paid to what has been done so far, to enable good management of regional control of social care institutions in the Elbasan Region, by the Regional Directorate of State Social Service Elbasan and what needs to be done and Ongoing for the improvement of the regional control procedure of IPSHs operating in the region of Elbasan, by this directorate. The paper is developed in terms of a theoretical, analytical, argumentative and legal approach. The method used in this paper is the empirical one. The research has been done about the reality on the topic in question, interpreting it as objectively as possible.

Keywords: deinstitutionalization, family empowerment, control group, regional control, social services sector, regional directorate of state social service Elbasan.

1. Introduction

There are currently thirty-one (31) residential institutions in the Republic of Albania, whose activity focuses on housing and services for children without parental care. 80% (eighty) of them are social orphans, which means children who have families with many social and economic problems. The remaining 20% (twenty) are biological orphans, which means children abandoned by their biological parents.

The current National Plan for Deinstitutionalization (PKD), aims to place in a family environment the children who are in the residential centers, when possible, through the empowerment of the family of these children. When placement in the family is not possible, it will be the residential centers in the country that will shelter and carry out every need of these children. Services will be added in the residential centers, in

order to bring children and families closer.

Preventing the separation of the child from the family by strengthening the family, is realized through a multifaceted support that includes economic-social support.

Another objective of the National Plan for Deinstitutionalization is to provide alternative professional care through services managed by local and central government, as well as to strengthen the network of foster families.

Regarding the improvement of the quality of services to children, the National Agenda for the Rights of the Child (AKDF) is currently approved. This agenda has a term of five (5) years, and aims to improve the quality of services for children in all areas. The principles of this agenda include respect for the rights of children, and focus on prevention. The agenda also contains current policies for children in urban and rural areas, those who go to school or not, children living in families and those who need to be reunited with their families. The highest interest of children prevails over these policies.

As mentioned above, IPS based on PKD, are creating new alternative services for children, always focusing on the highest interest of the child. Where possible, based on individual plans of social orphans, biological families will be empowered through a full support process, in order to return these children to them, case by case.

It is the State Social Service and the twelve (12) Regional Directorates under its supervision, which monitor the process of deinstitutionalization in the country, through the control at central and regional level of the individual plans of the beneficiaries at the Social Care Institutions. For this reason, the content of this paper in paragraph no. two (2), brings the analysis of the central and regional control procedure of IPSHs operating in the Republic of Albania.

Paragraph number three (3) of the paper contains the analysis of the regional control procedure of IPHs operating only in the Elbasan Region, by the social services sector which is part of the regional directorate of the state social service Elbasan.

The paper will close with the relevant conclusions and two (2) recommendations that will serve to further improve the procedure of regional control of IPSH operating in the region of Elbasan, by DRShSShEl.

2. Control of Social Care Institutions in the Republic of Albania

The control of social care institutions (IPSH) or social care services (ShPSh), is organized and performed by the Inspectorate of Social Services, based on DCM no. 512, dated 31.05.2006 "On the procedures for performing the control of economic assistance (NE), payment of disability (AK) and social services (ShSh)". The Inspectorate of Social Services today is no longer at the inspectorate level and is part of each of the twelve (12) Regional Directorates of the State Social Service (DRShSSh) in the Republic of Albania (RSh).

The control of Social Care Services for both the public and the private sector is implemented at central and regional level. An annual plan and monthly program for the implementation of this control is drafted, which can be complete or thematic.

DCM 512/2006 provides for the obligation of written notification to the subject to be audited. This notice contains the commencement, type, period, purpose and objec-

tives of the audit. The above-mentioned obligation is excluded in cases when there are reports of abuses or legal violations by the relevant entity. In this case the control is applied without written or oral notice. The latter can take place during the late hours of the night, in residential service institutions, in accordance with the specifics of these services.

The signals are as follows: - complaints made in writing by the beneficiaries; - non-abusive notifications made in writing or in other forms by individuals interested in the activity of the subject; - notices or complaints made in any form, by public entities. The above control is based on: - meeting the specific and general standards of service, in accordance with applicable law; - control of the nature of the services performed, in accordance with the law in force; - control of the documentation of each beneficiary; - control of hygienic-sanitary conditions of the institution; - control of personnel documentation.

DCM 512/2006 "On the procedures for performing the control of economic assistance, payment of disability and social services", provides that the control of services provided by public and non-public institutions, should be carried out at least twice a year.

The audit team, for violations or non-compliance with the standards of services provided by the relevant public and non-public institution, ascertained during the audit, initially leaves tasks and deadlines for their improvement.

The control group then drafts the draft report. This draft report is made in two copies from where one copy is left to the audited entity. The latter for this draft report, has 10 working days, to make his remarks or objections, which are evaluated or not by the control group. Conducts a discussion meeting between the two parties during this phase.

The audit team follows with the final audit report and a copy of the latter is left to the audited institution. The control group proposes one of the following measures, if from the final control report are found violations of the law in force: - suspension of the activity of the institution (association or foundation) until the fulfillment of the respective standards; - not allowing the exercise of the activity of the subject through non-renewal of the license; - revocation of the license for exercising the activity and its closure; - pursuant to the civil and special law, the initiation of the procedure for the compensation of the caused damage; - in public entities the execution of the disciplinary measure for the responsible persons who have caused the damage or have violated the law, provided that the activity of the institution is in contradiction with the Code of Administrative Procedure; - if elements of the criminal offense have been consumed, the initiation of the procedure by the responsible institution.

Based on Chapter II of Law no. 7850 dated 29.7.1994, "Civil Code of the Republic of Albania", as amended, the control group after revoking the license of the subject, requests from the court the distribution of the latter;

The control group performs the notification at the tax institution for legal entities and companies. The control group for all violations found, also notifies the Ministry of Health and Social Protection (MShMS) and submits to the prefecture a summary report of the results of the control performed.

The controlled public and non-public institution enjoys the right to appeal according

to the Code of Administrative Procedure (KPA).

3. Control of Social Care Services in Elbasan Region

As stated in the above paragraph, DCM 512/2006 provides that the control of services provided by public and non-public institutions, should be carried out at least twice a year. The Regional Directorate of State Social Service Elbasan (DRShSShEl), in its control program at the regional level for services provided by public and non-public institutions operating in the region of Elbasan, provides control (monitoring) every month in residential centers and one (1) once in three (3) months control (inspection) in day care centers. The State Social Service in its control program at the central level, provides at least one (1) time per year control in residential and daily IPSH, public and non-public, of this region (this also applies to eleven (11) regions that the Republic of Albania has in its composition).

Elbasan Region has seven (7) municipalities in its composition and the latter have in total in their composition fifty (50) administrative units. In this region operate in total as follows:

- six (6) public and non-public residential NGOs, out of which five (5) provide services for social and biological orphans aged 0-18 years and one NGO (1) provides services for the elderly in need who are lonely or abandoned. Five (5) of these NGOs are located in the municipality of Elbasan and one (1) is located in the municipality of Cerrik;

- Eighteen (18) daily and community NGOs, public and non-public, providing services to various vulnerable target groups (example: persons with disabilities (PWDs), persons and children abused or trafficked in the family, mother daughters, Roma and Egyptians, families returned from emigration in need of integration, etc.), of which eleven (11) are located in the municipality of Elbasan, one (1) is located in each municipality of Cerrik, Gramsh and Peqin, and four (4) NGOs the latter are located in the municipality of Librazhd.

The control at regional level (monitoring of residential NGOs and inspection of day and community NGOs) by the Social Services sector (ShSh) which is part of the DRShSShEl, consists of the following:

1. In the control of the complaints box that is located in a corner of the public or non-public institution, residential or daily, that provides services. This box must be locked. The latter is held by the social worker who is part of the control group of the ShSh sector of the Regional Directorate of the State Social Service of Elbasan. All written complaints that the beneficiaries of the center put in this box, should be opened and read only by the above-mentioned employee, during the development of control of the institution. Based on the complaints written by the beneficiaries, the social worker who is part of the control group, takes the appropriate measures against the IPSH in question. The complaint box, in addition to being locked, must also be inspected by the DRShSShEl control group and for its maintenance, so that it is not depreciated and consequently does not allow the confidentiality of the complaining beneficiaries to be maintained;

2. In the control in the above mentioned residential IPSH on the progress of the development of the beneficiary children that are reflected in the individual plans of each child. The latter also performs in the context of empowering the families of these ben-

eficiary children and as a result deinstitutionalization. The control over the progress of the development of the beneficiary children in the residential IPSH, is performed by the social workers of the sector of ShSh that is part of DRShSShEl, through the control of the respective documentation. It often happens in practice that these public and non-public residential IPSHs do not notify DRShSShEl, about the transfer made to the beneficiary children from the residential center where they were in another center that is daily. This notification is not yet required by law for residential IPSH against the Elbasan State Social Service, but must be performed as stated above in the procedure followed by DRShSShEl to strengthen the family of the beneficiary child and as a result deinstitutionalization. DRShSShEl cannot understand itself during the control of the documentation of beneficiaries carried out in these centers, the above-mentioned and future transfer within a short time of beneficiary children, as there are legal restrictions.

As mentioned above in points 1 and 2, it refers to the control at the regional level of public and non-public, residential and daily NGOs, operating in the region of Elbasan, by the DRShSShEl. The rest to be checked in these social care institutions belongs according to the law in force, to the institution of the State Labor Inspectorate. Currently the Social Services Sector that is part of DRShSShEl is composed of only two (2) social workers. According to the law in force, on average it takes two to three (2-3) days to carry out monitoring in one (1) residential center, by the two (2) aforementioned social workers. In total, it takes eighteen to twenty-four days (18-24) per month to carry out the monthly control program by two (2) employees of the ShSh sector. In order to perform this monthly control, the long distances with mountainous relief that the centers are located from each other as well as the amortized urban infrastructure that serves to go to these centers must also be taken into account. However, according to the law in force, a month has only 21 working days. As a result, it turns out that there is not enough time to carry out the monthly control program by DRShSShEl. This time refers only to the task of controlling the IPSH in the field (outside the office) that has the sector of the ShSh of DRShSShEl, not counting the other time plus that this sector needs to perform in office all other tasks of provided by law and relevant bylaws.

4. Conclusions and Recommendations

Based on the analysis of this paper, I conclude that there are good results so far, regarding the correct implementation of the procedure followed to perform regional control of IPSH operating in the region of Elbasan, by the Services sector Social part of the State Social Service Elbasan.

What needs to be done next, to improve the above-mentioned regional control procedure, by this regional directorate, follows in the form of recommendations as follows:

1. Increasing the number of human resources in the social services sector at DRShSShEl.

As mentioned in the previous paragraph, currently the Social Services Sector that is part of DRShSShEl is composed of only two (2) social workers. According to the law

in force, on average it takes two to three (2-3) days to carry out monitoring in one (1) residential center, by the two (2) aforementioned social workers. In total, it takes eighteen to twenty-four days (18-24) per month to carry out the monthly control program by two (2) employees of the ShSh sector. In order to perform this monthly control, the long distances with mountainous relief that the centers are located from each other as well as the amortized urban infrastructure that serves to go to these centers must also be taken into account. However, according to the law in force, a month has only 21 working days. As a result, it turns out that there is not enough time to carry out the monthly control program by DRShSShEl. This time refers only to the task of controlling the IPSH in the field (outside the office) that has the sector of the ShShof DRShSShEl, not counting the other time plus that this sector needs to perform in office all other tasks of provided by law and relevant bylaws.

Regarding the above, i conclude that, for a more efficient, and effective implementation of DCM no. 512/2006, i recommend that this problem be reviewed by the central government for solution by improving *the quality of regional control services by the social services sector at the Elbasan state social service, in order to prevent the number of abuses committed by the IPSH- residential and daily, public and non-public, through capacity building. This capacity building should be realized by increasing the number of human resources in this sector with at least two additional social workers, thus forming two groups consisting of two (2) social workers each. One group to perform all monitoring and inspections in the aforementioned IPSH, while the other group to perform all other remaining tasks provided by law and relevant bylaws, for the social services sector at the DRShSSHEL.*

2. Not allowing a limited control of the beneficiaries' documentation by the ShSh-sector at the DRShSShEl.

Control at the regional level (monitoring of residential NGOs and inspection of day and community NGOs) by the Social Services Sector (ShSh) which is part of the DRShSShE, consists, among other things, in the control of residential IPSHs. The above on the developmental progress of the beneficiary children that are reflected in the individual plans of each child. The latter also performs in the context of empowering the families of these beneficiary children and as a result deinstitutionalization. The control over the progress of the development of the beneficiary children in the residential IPS, is performed by the social workers of the sector of ShSh that is part of DRShSShEl, through the control of the respective documentation. It often happens in practice that these public and non-public residential IPSHs do not notify DRShSShEl, about the transfer made to the beneficiary children from the residential center where they were in another center that is daily. This notification is not yet required by law for residential IPSH against the Elbasan State Social Service, but must be performed as stated above in the procedure followed by DRShSShEl to strengthen the family of the beneficiary child and as a result deinstitutionalization. DRShSShEl cannot understand itself during the control of the documentation of beneficiaries carried out in these centers, the above-mentioned and future transfer within a short time of beneficiary children, as there are legal restrictions.

Regarding the above, i conclude that, for a more efficient, and effective implementation of DCM no. 512/2006, i recommend that this problem be reviewed by the legisla-

tive power for solution by: - *obliging by law the residential, public and non-public IPSHs, to inform the control group of the state social service of Elbasan, regarding the transfers that make children beneficiaries from residential centers where they were in another center that is daily; - removed the current legal restrictions that the ShSh has in controlling the documentation of beneficiaries. This legal change is required in order to respect the procedure followed by DRShSShEI in the context of strengthening the family of the beneficiary child and as a result deinstitutionalization.*

References

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