

POLICY PAPER

Improving the social service delivery by enhancing the role Civil Society Organisations (CSOs) in Albania

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Introduction

The project “Improving the provision of Social Service Delivery in South Eastern Europe through the empowerment of national and regional CSO networks” (Social services in SEE), is being implemented by:

- » Arbeiter-Samariter-Bund, e.V. Germany (ASB)

in partnership with:

- » SOLIDAR Aisbl Belgium;
- » Local Initiative for Development Civil Society (LIR CD) from Bosnia and Herzegovina;
- » Centre for Legal Aid and Regional Development (CLARD) from Kosovo;
- » SOS Telephone for Women and Children Victims of Violence (SOS Podgorica) from Montenegro;
- » Organisation for Civil Initiatives (OGI) from Croatia;
- » Educational Centre Leskovac (EDC) from Serbia;
- » Association of Students and Youth with Disabilities (ASYD) from FYR of Macedonia; and
- » ARSIS – Social Organization for the Support of Youth from Albania.

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1. Executive Summary/Purpose Statement

The Albanian Government, in particular the Ministry of Social Welfare and Youth has:

- » undertaken the Social Care Service Reform (2013-2016),
- » drafted the National Strategy on Social Inclusion 2015-2020. This strategy includes the National Action Plan respectively on Gender Equality, children, Youth, Women, Victims of domestic violence and trafficking of human beings, Roma and Egyptian citizens, the LGBTI persons, persons with disabilities, elderly, HIV+ persons etc.

Currently the governmental bodies are setting the new financial instruments, legal and administrative for a sustainable system of social service delivery.

The above measures aim to comply with the standards and criteria set by the European Union.

According to the National Cross-sector Strategy of Decentralisation and Local Government 2015-2020 (3), in the Republic of Albania the delivery of most social services will be decentralised and become a competence of the local government. Seen from a long-term prospective the local government under the Administrative and Territorial Reform will be on stronger position to extend the range and quantity to deliver social services. The local government will have further opportunities to generate funds.

The civil society organisations are pushing to speed up the reforming process.

There is the urge to further consolidate, clarify and divide the role between the central and local government on planning, financing, delivery and monitoring of social services at bottom-up level and vice-versa for each service and targeted client. The unclear division of tasks, competences, responsibilities between the local and central government could jeopardise the system of social service delivery. The provision of specialised services for groups/individuals in need very likely will remain at the bottom of priority list of politicians.

The establishment of the Regional Social Funds in the whole territory of Albania will remain in the focus for follow-up of the CSOs that provide social services.

Policymaking and decision-taking bodies need to reassess the role of CSOs to provide services. They need to undertake legal steps and allocate the resources to ensure sustainable partnership between the government and CSO sector at all levels. Particular emphasis should be on the financing of social services delivery CSOs with public funds.

The CSOs should demand their right to be part of the decision-making and be sustainable partners in the planning and delivery of social services.

The demand and efforts of the CSOs should be aimed at facilitating effective and equal access for all those who need appropriate services social care. This approach should be in tune with the challenges of social policy in Albania as follows:

- » Effective intervention to ensure sustainable social protection
- » Further investment in skills development and human capacity in order to improve their ability to integrate into society and the labor market;
- » Social protection systems to respond adequately to people in need.

2. The cooperation between the state institutions and the CSOs on the provision of social services, challenges and opportunities

A) The current approach of central and local governments towards the delivery of social services.

According to the National Cross-sector Strategy of Decentralisation and Local Government 2015-2020 (3), in the Republic of Albania the delivery of most social services will be decentralised and become a competence of the local government.

On each commune and municipality there will be:

- » established the integrated offices of social services;
- » identified/qualified/quantified the various groups/persons in need and their specific needs, (Needs Assessment); and
- » tailored the so-called “Basket of basic Services” and allocated the resources according to these needs. Such basket of services will be financed by the central government’s annual budget.

Each municipality will compile its Local Social Plan. The municipalities will have the authority to provide additional social services and welfare other than those provided under the “Basket of basic Services”. The financing of these supplementary services will be funded by the local budgets. The local governments may establish financial instruments such as the Local Social Fund clearly identifiable on their annual budget.

The National Cross-sector Strategy of Decentralisation and Local Government 2015-2020 sets a clear approach. The local government will be able to provide additional and wider range of social services than ever before.

What are the chances that the delivery of services to be according to the growing demands of persons in need and the standards set by the European Union?

The demand for social services has a growing trend while the financial means of the central and local government are very limited.

The system of social security is under process of reformation. Respective legal amendments are occurring accordingly.

The provision of social services towards all the categories/individuals in need does not comply with the standards in place. The undertaken steps to update the respective legislation are rather slow and do not reform thoroughly the system. The interventions are partial and target the most socially sensitive issues. The welfare services are patchy, relatively not sustainable and do not fulfil the minimum needs of the citizens.

During the years 2014-2015 Albania is under the process of Administrative and Territorial Reform. Prior to this reform the territory of the Republic of Albania was divided on 365 administrative units. Under the merging process of this reform the territory is divided in 61 administrative units.

All the previous strategies, action-plans, policy documents regarding the social services have to be adjusted/ revised according to the Administrative and Territorial Reform.

This reform gives more competences to the local government to deliver social services. However the unclear division of tasks, competences, responsibilities between the local and central government could jeopardise the system of social service delivery.

The provision of specialised services for groups/individuals in need very likely will not be on the priority list of the local governments. The most prominent politicians intervene on setting local governments' priority plans to ensure electoral achievements for themselves and their political party. This remains a major obstacle on allocating the funds towards the social services for the persons that mostly need it. The allocation of funds for social services likely will remain "at the bottom of politicians' priority-list because building infrastructure and investing public services for general use ensures more votes"(1).

In the small provincial towns and particularly in the rural areas the local government does not operate with adequately qualified human resources. The staff appointment is made not so much on meritocracy but based on political connections.

The certification of local government's human resources that provide social services is currently under process and the respective staff is still uncertified.

The geographical coverage on national level is uneven and does not cover all groups/individuals in need. Meanwhile in Tirana and some other cities there is overlapping of some services. In many rural areas there is shortage of information and access to services. Some social groups in need are discriminated on their access and quality to the services in all the regions in the country. This includes in particular victims of trafficking and/or domestic violence, Roma and Egyptian communities, LGBT persons, children-youth and women in vulnerable situations, drug users, sex workers etc.

The social services in most cases are provided by the civil society organisations. These services are fragmented, in short supply and framed to deliver limited range and on short-term. At the moment the local government, in the rural areas in particular are provided only social incentive (monetary support) and residential care services. So far the provision by the local government of direct client-based services in community and family based services that support social integration of individuals and families in need are in short supply or often virtually lacking.

B) The approach of civil society organisations that provide social services.

The state social services at central and the local level provide mostly residential care services. There is shortage of services tailored for the groups/individuals in need including the:

- » homeless citizens;
- » travelling individuals;
- » returned emigrants;
- » refugees;
- » people with disabilities;
- » children in contact with the law, out of parental care, in street situation, runaways, victims of neglect, abuse, trafficking, exploitation etc;
- » Roma and Egyptian communities;
- » youth in need, unskilled;
- » women in vulnerable situations;
- » individuals exposed to extreme poverty;

- » drug users, sex-workers;
- » victims of domestic violence, victims of trafficking; and
- » LGBT persons, etc.

The standards in place are set only for the residential care centres.

There are no defined standards for the:

- » daily centres such as drop-in, multi-functional and community; and
- » emergency transitory shelters.

The social service reform is lacking a holistic approach (reforming the system as whole instead of partial interventions) while the public service sector operates with limited resources.

In this framework the CSOs:

- » do not compete with relevant state stakeholders;
- » complement the provision of lacking services for the groups and/or individuals in need that otherwise the state itself cannot cover; and
- » have the expertise, experience and flexibility to provide multidisciplinary/comprehensive services in wide range, quality and good quantity.

The network of social service provider CSOs is extended mostly in the main cities and in the counties with the highest concentration of population.

The client-based services in community and family based services that support social integration of individuals and families are a bit out of focus of the CSO sector particularly in the small towns and rural areas. In Tirana, Durrës, Korça, Elbasan, Shkoder, Vlorë and other towns operate social centres that provide lacking services for the children, women, youth and other target groups.

The weakest points for the CSOs are that the provision of their services is:

- » project-driven;
- » prone to the requirements of the foreign donors;
- » reliant on the fluctuation of funding; and
- » unsustainable on long-terms.

In the small towns and rural areas the community based organisations do not have sufficient funds and capacity to advocate and manage the services.

The social service providers CSOs in several occasions do overlap their services.

Currently are entirely lacking:

- » services tailored for victims of abuse, exploitation, neglect, exploitation;
- » reliable statistics at national level and aggregated per each administrative unit as well as comprehensive studies on various topics/target groups in need including child labour, child abuse, domestic violence, victims of internal trafficking etc.

In Albania there is the National Centre of Licensing (NCL). The licensing by NCL related to the social services is issued for social centres of:

- (a) Community care;
- (b) Residential care.

The procedure of licensing a CSO that provides daily services in a community care centre usually lasts four days after the file with set of documents has been submitted next to the NCL.

The procedure of licensing a CSO that provides residential care services (shelter) does involve the formal assessment conducted by the Department of Inspection of Standards of Social Services (DISSS). The NCL formally notifies DISSS for the application by the CSO four days after it has received the request and file with set of required documents. DISSS assesses within three weeks on the site the standards in place of the CSO that has requested the licensing.

In both cases the procedure may be delayed, suspended or rejected according to how adequately the applicant has fulfilled the required respective criteria.

C) Strengthening the cooperation ties between the state stakeholders and CSO sector to improve the provision of social services.

If we refer to the approach of the state stakeholders and CSO sector towards each other we may notice that act somehow separately. However in the recent two and half years the state sector is increasingly cooperating with CSOs that provide social services creating a solid ground for cohesive approach. The CSOs consistently have cooperated with the local and central authorities on their programs of services towards the citizens. However such cooperation needs further upgrading and setting-up formal rules.

The 2014 EU Progress Report on Albania concludes that there is:

- » overly dependence of the civil society sector is on external donor funding but such funds are diminishing;
- » lacking a national strategic document for the further development of civil society;
- » insufficiency of institutional structures and mechanisms that will facilitate the relations between the state institutions and the CSOs; and
- » Lack of institutionalised partnership between the state institutions with the CSO sector regarding the financial support to the CSOs through the procurement of public funds.

Some actors within civil society were regularly consulted on policy and legal initiatives, but the way of how they are selected to participate in these consultation meetings is not transparent. Mainly the consultation process was done with most CSOs situated in Tirana or large cities.

There had not been any increase in the level or number of consultations between CSOs and local government authorities with regard to the planning or development or sustainability of social services. None of CSOs that provide social services were aware of any moves to simplify the procurement or tender processes for local government to provide a wider and improved range of social services within their districts.

Recommendations

1. The consultations between the state decision-making bodies with CSOs need to become more systematic including follow-up on their recommendations.
2. Longer notice should be given to CSOs to deliver comments and suggested changes.

The state authorities need to become more aware about the advantages of partnership with the CSOs as important actors to provide social services according to the EU standards. The state institutions lack the capacities to contract the CSOs on provision of specialised services.

The CSOs could become part of the decision-making process on the reform of social services.

The CSOs have the resources, expertise and experience to assist the public sector at central and local level to provide social services according to the EU standards.

There is room for further improvement on the cooperation among the CSOs themselves in order to ensure the:

- » delivery of services timely and in good quality;
- » overlap of services; and
- » tendency to provide services in Tirana and other major cities.

Model for replication

ARSIS – Social Organisation for the Support of the Youth operates in Albania since November 2005 in the area of child protection and service provision for children and youth in vulnerable situations, their families as well as the Roma and Egyptian communities.

ARSIS operates a drop-in social centre that provides multidisciplinary services since December 2010. This facility operates based on the following triangle of cooperation:

- » The Municipality of Tirana provides free of charge the premises, working appliances and a minivan;
- » The donor (UNICEF and the EU) cover the operational expenses and the staffing; and
- » ARSIS is the implementing body that follows up/ensures the provision of services.

As target groups are children, youth, women and other family members in vulnerable situations.

The core activities are set in the following pillars:

- » Multi-purpose services in two daily drop-in facilities, Mon – Fri, 8am–5pm;
- » Outreach interventions through the combination of street work and community development; and
- » Emergency Responses, availability 24 hours/day, 365 days/year.

The House of Colours Centre sets up a model for replication on how the local government can cooperate and interact with the CSOs on delivery of social services.

D) Enabling Environment for Civil Society in Albania; financial resources

The Law “On the non-profit organisations” No.8788 date 7 May 2001 sets liberal procedures to establish an organisation in the territory of Republic of Albania. Meanwhile there is no system in place to check, evaluate the standards, capacities and resources per each CSO that operate in the country. Such ‘liberal’ environment makes it possible for the operation of organisations that have no expertise, capacities, with family/nepotism ties. Such phenomena damage the general image of CSOs, weaken and deform the operational system/market of CSOs. This situation is faced more often in the CSOs that operate in small towns or in the rural areas.

The social-political and economic context on which the CSOs operate (those that provide social services in particular) has become more demanding. The EU integration process requires new higher standards of certification and other formal rules in the operation of CSOs.

The capacity of small and/or community based CSOs to advocate and manage social services vary from one region to another.

In the Monitoring Matrix towards a more Enabling Environment for Civil Society Development – Report for Albania 2014 (3) that capacities of CSOs are seen as fragmented.

The Road Map for Albanian Government Policy towards More Enabling Environment for Civil Society Development 2014 states that the “efforts that Albanian Government needs to undertake on the path towards creating more enabling environment for civil society development imply a series of concrete measures in a variety of interrelated, complementary policy areas (legal and institutional framework for the work of CSOs, public funding for CSO programmes, social service delivery standards, consultations with CSOs in drafting new laws, volunteering, philanthropy, tax policy for CSOs, etc)”.

The Monitoring Matrix for Albania points out that fiscal legislation remains the key challenge for CSOs, as it creates unnecessary administrative burdens for CSO activities and hinders their role in providing social services.

The nine priority areas in the Matrix include:

1. National strategic policy environment for civil society development;
2. Institutions supporting Government-CSO cooperation;
3. Involvement of CSOs in policy making process;
4. Public Funding Framework for CSOs programmes;
5. Legislative framework for the registration and work of CSOs;
6. Financial reporting/accounting and tax treatment of CSOs;
7. Collection of data on civil society development;
8. Development of volunteering; and
9. Contribution of CSO to Albania’s EU accession process.

Presently the only procedures relate to the Agency for Support to Civil Society (ASCS). The funds issued by the ASCS are very limited to meet CSO programmes and delivering social service funding needs.

Recommendations

1. A national register of all active and operational CSOs, accessible for government structures and the public.
2. It is necessary to invest in setting clear-cut rules, standards and procedures for the public funding of CSOs, including the percentage of the annual budget that is provided annually by both the central and the local government.
3. It is advisable that the central government to allocate a specific item in the annual budget (most likely through the increase of the annual budget for the Agency for Support to Civil Society) in order to ensure the public funding for the CSOs.
4. Unambiguous rules on allocating public funds and social contracting of CSOs are needed to overcome many prejudices and other existing challenges in this area.

The fiscal legislation remains one of the main challenge for the CSO sector because it often creates administrative obstacles for the development of CSOs in their role to provide social services. There is needed update of the legislation in order to create the tax relief environment and further development opportunities for the social service provider CSOs.

3. Conclusions

The delivery of social services according to the EU standards has been the prime focus for a large amount of the CSO sector in Albania.

CSOs are providing their input on the National Reform of Social Services through:

- » Participation on round tables and working groups in the National Convent of the role and functions of the State Social Service,
- » provision of written inputs,
- » public campaigns,
- » establishing pilot/innovative models for replication etc.

The CSOs have had their unified voice and lobbied next to the Government on:

- » setting up/updating the standards of the daily drop-in or community social centres,
- » holistic/multidisciplinary approach to ensure for all the vulnerable social groups and individuals the access on basic services including education, health care, social incentives and social housing, employment opportunities, legislation update on LGBT issues, domestic violence, empowerment of Child Protection Units under the auspices of the local government etc.

Under the pressure issued by the CSOs the policy-making and decision-taking bodies have undertaken steps on upgrading the legislation and improvement of social services delivery. The CSOs are also monitoring the ongoing process of the national social service reform and social policies followed up by the central government.

4. Recommendations for the central and local government

- » To review and detail the legislation on the registration, scope of and deregistration of not-for-profit civil society organisations operating in the Republic of Albania;
- » To be updated the standards for the daily drop-in or community social centres as well as the transitory shelters. To be defined clearer standards and criteria for the CSOs that provide social services;
- » Enable not-for-profit civil society organisations particularly those who provide social services to be exempt from VAT duties. Specific legislation should be developed and passed by parliament by 2017 on a simple and straightforward process for all eligible CSOs to apply for exemption;
- » Set a percentage of the state annual budget to be provided for the support of civil society organisations that provide licensed and quality social services.
All ministries should plan to allocate a percentage of their annual budgets to support those CSOs that provide services in accordance with the government's strategic objectives. Annual reports to account for how these funds were awarded, used and by which CSOs and how many people were reached through direct service provision.
- » To be compiled a long-term strategy and develop the legal mechanisms that the CSOs to become partner on the reform of system of social services;
- » To amend the Law "On the non-profit organisations" adjusting it to the new dynamics of the country;
- » To be updated the legal framework, with clear rules and procedures for contracting the CSOs to provide social services through financing with public funds;
- » To be completed the legislation related to the Child Protection Units, clarifying their role under the auspices of the local government, with a detailed budget for well-detailed services;
- » To be completed the legislation related for defining the competences and responsibilities that clarify the role and division of tasks between the central and the local government on planification, financing, monitoring of the social services for the families in need;

5. Appendix

The below table (UNICEF 2013) emphasises that there is a high concentration of service provision in the western and the centre areas of Albania. Most of (public and private) services are concentrated in the main cities Tiranë, Durrës, Shkodër, Korçë and Elbasan while in small towns like Delvinë, Përmet, Patos, Ersekë and Krujë such services are entirely lacking.

The findings of the Ministry of Social Welfare and Youth emphasise:

- » 253 social centres are operated by CSOs while 45 social centres are operated by state;
- » 60% of social services are mostly tailored for child protection and development;
- » 90% of services are provided in the urban areas;
- » 75% of services in the central and western part of Albania;
- » Services financed by the local government for the elderly are completely insufficient(1).

Social centres divided by county

		Elderly	Women and girls	Children	Families and communities	Disabilities	Youth with social problems	Total
Tiranë	Public	3	2	2	1	1	0	9
	Non-public	8	5	19	28	15	11	86
Durrës	Public	2	0	1	0	1	0	4
	Non-public	2	1	9	2	4	0	19
Shkodër	Public	1	0	3	0	1	0	5
	Non-public	2	4	16	9	6	3	40
Korçë	Public	0	0	1	0	1	1	3
	Non-public	1	1	5	2	3	0	12
Lezhë	Public	0	0	0	0	1	0	1
	Non-public	1	4	10	3	6	1	25
Elbasan	Public	1	0	0	0	0	0	1
	Non-public	1	0	7	2	0	0	10
Fier	Public	1	0	0	0	0	0	1
	Non-public	1	1	9	3	3	1	18
Gjirokastrë	Public	1	0	1	0	1	0	3
	Non-public	0	0	3	1	0	1	5
Berat	Public	1	0	0	0	2	0	3
	Non-public	1	0	3	0	2	1	7
Kukës	Public	1	0	0	1	0	0	2
	Non-public	2	2	4	10	0	1	19
Dibër	Public	0	0	0	0	1	0	1
	Non-public	1	2	5	3	1	0	12

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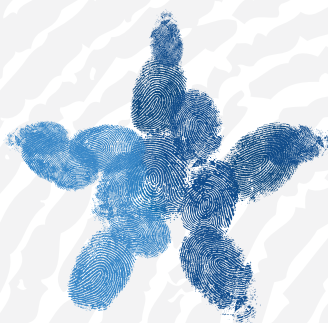
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IRIS NETWORK IS A UNIQUE REGIONAL NETWORK THAT BRINGS TOGETHER MORE THAN 150 CSOs, SOCIAL SERVICE PROVIDERS IN SOUTH EAST EUROPE. THE NETWORK IS BASED ON VISION OF EQUAL RIGHTS AND OPPORTUNITIES FOR DECENT LIVING FOR ALL. THE NETWORK HAS BEEN CREATED TO ENSURE SOCIAL INCLUSION BY SUPPORTING THE ENVIRONMENT FOR THE PROVISION OF HIGH QUALITY SERVICES THROUGH SUPPORT TO NATIONAL DEVELOPMENTAL SOCIAL POLICIES.



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