

**HISTORY OF EVOLUTION OF THE ROMANIAN
LEGISLATIVE FRAMEWORK ON QUALITY STANDARDS
FOR SOCIAL SERVICES
BETWEEN 2003-2018**

L.I. Ianas

Lorena Iuliana IANAS,
PhD Senior Inspector,
Agency for Social Payments and Inspection Timiș County,

Abstract: The main objective of the article is the presentation of how the Romanian legislative framework has evolved on quality standards in the field of social services and the factors that influenced this development between 2003-2018. A secondary objective is to create a minimal work guide for professionals in the field that contains all the quality standards that are approved in May 2018 and the general types of social services to which they are applicable.

Keywords: accredited social services, quality standards, social services typology.

Quality standards for social services in the period 2003-2012-evolution, factors, characteristics.

In Romania the first legislative regulations on quality standards in the field of social services were adopted in 2003, in the field of child protection (2 quality standards). This was due to the prevalent development of the social services sector for children between 1997-2000 as a result of massive external support and financial and material support attracted by non-governmental organisations outside the country. *Therefore, a first factor influencing the emergence of quality standards in the field of child services is the existence of a system developed by services for children offered by NGOs and by the Directorate-General for Social Assistance County.*

In 2005, general standards of quality were approved (Order No. 383 of 6 June 2005) which applied to all types of social services and had to be respected by all social services that worked in Romania.

Another factor influencing social services legislation in the period 2003-2007 was the signing by Romania of the Treaty of Accession to the European Union in the year 2005. This treaty has undertaken its own structural reform programmes which have enabled the alignment of national legislation with European Union legislation. And the field of social services had to be adapted to the community aquis. In 2006 were approved a number of 18 quality standards of which: 1 general quality standard applicable to all types of social services and 17 minimum/specific quality standards depending on the type of social service: 13 standards in child protection, 1 standard for services on victims of family violence, 1 standard targeting services for people with disabilities and 2 services standards for elderly people.

In the period 2007-2008, after the integration of our country into the European Union, a number of 5 standards were approved: 1 standard for services on victims of human trafficking, 3 standards for services for persons with disabilities and 1 standard for services for drug users (Appendix no. 1- Minimum working guide with the list of quality standards according to the type of social service (2003-2018)).

In 2010 were introduced *the cost standards* which are compulsory and currently for public providers of social services. (H.G. No. 23 of 6 January 2010 on the approval of cost standards for social services repealed and replaced by H.G. no 978 of 16 December 2015 on the approval of minimum cost standards for social services and the level of monthly income per family member on the basis of which the monthly maintenance contribution due by the legal supporter of elderly persons from the residential centres is established).

Two important indicators have been established by cost standards:

- the minimum cost of the annual expenditure required for the provision of social services, calculated for the beneficiary/by types of social services, according to minimum quality standards or criteria laid down by law;
- the beneficiary/employee report and the norm of the specialist staff.

From the point of view of the type of standards approved in the period 2003-2012 it has some special features, namely:

- a very large number of normative acts in the field of social services that have been adopted including quality standards, *but none of these have been defined the concept of quality in the field of social services.*

- for certain social services providers, there was a period of *overregulation* (E.g.: social services providers providing social services for

children, elderly people, disabled people, victims of family violence and victims of trafficking persons; they had to meet the requirements of two standards at the same time, the general quality standard and the minimum/specific standard depending on the type of service granted).

- - another situation of overregulation has been identified for public providers of social services, which should also comply with the cost/year/beneficiary standards (E.g.: services for children, adult persons with disabilities and elderly persons).

- *minimum regulation* for the category of social services like: information and advice, social canteen; they should only conform to the requirements of the general quality standard.

- *without any type of regulation* for the category of social services providers like material aid, volunteering, or financial aid services.

Quality standards for social services in the period 2012-2018-evolution, factors, characteristics.

In 2012 was adopted the Law No. 197 of November 1, on quality assurance in the field of social services "regulates the process of evaluation, certification, monitoring and control for quality assurance in the field of social services". For the first time in this law, the concept of quality in social services under art. 2, Al. 1 is defined as "the ensemble of requirements and conditions which are fulfilled by the suppliers and the social services provided by them to meet the needs and expectations of the beneficiaries ". For the first time, it is included in the text of the law a singular definition of quality standards in the field of social services, which "represents a set of rules that contain measurable structure, process and results criteria, on the basis of which determines the level of quality of the social service". The new law also provided the transitional deadlines from the old quality standards to the newly adopted ones. Although the basic law has been approved since the year 2012, the development of new quality standards has lasted very long, only at the end of 2014 being approved mostly.

The instructions for completing the self-assessment sheets for services intended to prevent child separation from their parents as well as to achieve the special protection of the child separated, temporarily or definitively by his parents were approved at the beginning of 2015 by O. M. No 31 of 14 January 2015, and the quality standards for social services in the field of child protection remained those approved during the period 2003-2008.

In the case of social services for adult persons, homeless people, young people and elderly persons, minimum quality standards have been approved by O.M. No. 2126 of 5 November 2014, and for social services intended for disabled persons, other standards were approved by O.M. No. 67 of 21 January 2015.

For the new types of social services for adults: social services granted in the system integrated with other services of general interest to adult persons, residential centres for homeless people, social services granted in community for adult persons have been approved quality standards by O.M. No. 2126 of November 5, 2014.

The standardisation process was continued in the year 2018 by adopting the Order No. 1069 of 13 February 2018 on the approval of mandatory minimum standards for ensuring the care and protection of adults with disabilities at the professional personal assistant.

A determining factor influencing the attainment in the year 2018 of the level at which each social service corresponds to a single quality standard was the accumulation and sharing of previous experiences of both the authorities and suppliers of social services.

The period 2012-2018 can be characterised by the change of vision on quality standards. Firstly, the general quality standard applicable to all services in favour of a single quality standard for each type of social service has been discarded. Secondly, all standards were built on similar general principles for all types of services (E.g.: accessing the service, evaluating and providing services, living environment, rights and ethical management and human resources) but with adapting at the same time of all requirements to the specifics of the service.

Results and discussions.

*The names of standards of minimum/specific standards (used up to 2014 for services in the field of child protection, adult persons, elderly people and persons with disabilities) have been revised. All standards for the categories of social services mentioned above have been renamed as *minimum quality standards*.*

7 Standards for new social services were introduced, and the standards for services for elderly and disabled people were repealed in the year 2014/2015 and replaced with new ones. Standards in the field of child protection have been maintained as well as cost standards for public social services providers.

The standards for services in the field of victims of domestic violence, drug users and victims of human trafficking have not been modified since 2014, their names remain those of quality standards, minimum mandatory standards respectively national standards.

The legislative reform introduced under Law 197/2012 on quality assurance in the field of social services with secondary legislation has mainly managed to remove a double standardization for some services and introduce new standards for services of general interest intended for adult persons, residential centres for homeless people, social services granted in the community for adult persons, social canteen.

Currently for each type of service there is a standard with the requirements that the social service must meet.

In 2018, a number of 37 quality standards are in place, covering all types of existing social services of which: 19 child protection standards, 1 standard for services on victims of domestic violence, 4 disability services standards, 3 standards for services for elderly people, 1 standard for drug users services, 1 standard for services for victims of trafficking, 3 standards for adult services, 1 standard for young people leaving the protection system, 2 standards for homeless services, 1 standard for the social canteen (Annex no. 1-Minimal work guide with list quality standards depending on the type of social service 2003-2018).

The process of standardization of social services was a continuous and sustained process carried out over a period of 15 years which resulted in the achievement of a current and european normative framework but also the provision of social services complying with the requirements of quality to beneficiaries.

The timely evolution of legislation approving quality standards is rendered in Table no.1.

1	2	The area of social services to which the quality standard applies									
		3	4	5	6	7	8	9	10	11	12
2003	2	2									
2004	9	6			1						
2005	10	1									
		General quality standard for all types of social services									
2006	18	4	1	2							
2007	19						1				
2008	23		3			1					
2010	24	Cost standards for organised and managed social services, under the law, by the public providers of social services (for social services intended to protect and promote the rights of the child, adult persons with disabilities and elderly persons.									
2011	24										
2012	Change of legislation on quality standards adopting Law No. 197 of 1 November 2012 on quality assurance in the field of social services										
2014	Repeal of the general quality standard and the old standards (called specific standards) in the areas of disabled people, elderly people and the adoption of new standards (called minimum standards) for adult persons, homeless people and the social canteen										
2015-	37	19 Old	5 New	3	1	1	1	3	1	2	1

2018		standards	standards	Old standards	Old standard	Old standard	Old standard	New standards	new standard	New standards	new standard
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Where:

- 1 -Year of approval of quality standard; 2 -Total of standards approved;
- 3 - Child protection; 4- Persons with disabilities; 5 - Older People;
- 6- Victims of violence in the family; 7.- Drug users;
- 8. - Victims of trafficking people; 9 - Adult people;
- 10 - Young people leaving the protection system; 11 - Homeless people;
- 12 - Social Canteen

Annex No. 1. Minimal guide to working with the list of quality standards according to the type of social service (2003-2018):

1) Quality standards for social services in the field of child protection:

- a) Order No. 35 of 15 May 2003 on the approval of mandatory minimum standards for child protection at the professional maternal assistant and the methodological guide for implementing these standards;
- b) Order No. 177 of 16 December 2003 on the approval of minimum mandatory standards for the child's phone, mandatory minimum standards for counselling centre for abused, neglected and exploited child, as well as minimum mandatory standards on the community resource centre for the prevention of abuse, neglect and exploitation of the child;
- c) Order No 21 of 26 February 2004 for the approval of mandatory minimum standards for child protection services of residential type;
- d) Order No. 24 of 4 March 2004 for the approval of mandatory minimum standards for day centres;
- e) Order No. 25 of 9 March 2004 for the approval of mandatory minimum standards for day centres for children with disabilities;
- f) Order No 27 of 10 March 2004 for the approval of mandatory minimum standards for child protection services of residential type for children with disabilities;
- g) Order No. 48 of 30 March 2004 for the approval of mandatory minimum standards for the development of independent life skills repealed by order No 14 of 15 January 2007 for the approval of mandatory minimum standards for the service for the development of independent life skills and the methodological guide for implementing these standards;

h) Order No. 89 of 27 July 2004 for the approval of mandatory minimum standards for the emergency reception centre for abused, neglected and exploited child;

i) Order No. 132 of 7 April 2005 for the approval of mandatory minimum standards for services intended for the protection of street children;

j) Order No. 101 of 15 March 2006 approving minimum mandatory standards for the maternal centre and the methodological guide for implementing these standards;

k) Order No. 287 of 6 July 2006 for the approval of mandatory minimum standards for the centre for the preparation and support of the reintegration or integration of the child into the family, as well as the methodological guide for implementing these standards;

l) Order No. 288 of 6 July 2006 for the approval of mandatory minimum standards for case management in the field of child rights protection;

m) Order No. 289 of 6 July 2006, for the approval of mandatory minimum standards for the centre for counselling and support for parents and children and the methodological guide for implementing these standards;

Completion: Order No. 31 of 14 January 2015 approving the instructions for completing the self-evaluation sheets for services intended to prevent separation of the child from its parents, as well as to achieve the special protection of the child separately, temporarily or definitively, by his parents, annexes 1-8;

2) *Quality standards aimed at social services in the field of protection of adult persons with disabilities:*

a) Order No. 175 of 12 July 2006 on the approval of minimum quality standards for social services at home for adult persons with disabilities, repealed by Order No. 67 of 21 January 2015 approving minimum quality standards for the accreditation of social services intended for adult persons with disabilities annexes 1-4;

b) Order No. 559 of 22 October 2008 on the approval of specific quality standards for residential centres, day centres and shelters protected for adult disabled persons repealed by Order No. 67 of 21 January 2015 approving minimum quality standards for the accreditation of social services for adult persons with disabilities, annexes 1-4;

c) Order No. 1069 of 13 February 2018 on the approval of mandatory minimum standards for ensuring the care and protection of adults with disabilities in the professional personal assistant.

3) *Quality standards aimed at social services in the field of protection of elderly people:*

a) Order No. 246 of 27 March 2006 on the approval of the specific minimum quality standards for home care services for elderly persons and residential centres for elderly persons repealed by order No 2126 of 5 November 2014 on

the approval of minimum quality standards for accreditation of social services for elderly persons, homeless people, young people who have left the child protection system and other categories of adult persons in difficulty, as well as for services granted in the community, services granted in integrated system and social canteens Annexes 1-10;

b) Order MMFPSPV No. 3123 of 24 December 2015 on the amendment of the Order of the Minister of Labour, family, social protection and elderly persons No. 2126/2014;

4) *Quality standards aimed at social services in the field of protection of victims of domestic violence:*

a) Order No. 383 of 12 July 2004 on the approval of quality standards for social services in the field of protection of victims of family violence completed by Order no. 1343 of the 29 June 2015 on approval of the instructions for completing the self-assessment sheets for social services in the field of protection of victims of domestic violence;

5) *Quality standards aimed at social services in the field of drug users:*

a) Order No. 513 of 15 August 2008 on the approval of the minimum mandatory standards of 15 August 2008, the organisation and operation of the service supply centres for drug users;

6) *Quality standards aimed at services for victims of trafficking:*

a) Decision No. 1238 of 10 October 2007 on the approval of national standards of 10 October 2007, specific to specialised services for the assistance and protection of victims of human trafficking.

7) *Other standards:*

- a) Order No 383 of 6 June 2005 for the approval of general quality standards on social services and the method of assessing their fulfilment by suppliers repealed by Order no 2126 of 5 November 2014;
- b) Decision No. 978/2015 on the approval of minimum cost standards for social services and the level of monthly income per member of the family under which the monthly maintenance contribution due by the legal supporters of the elderly person is established from residential centres.

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