

PRIMARY SOCIAL SERVICES VERSUS SPECIALIZED SOCIAL SERVICES IN CHILD PROTECTION

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Abstract: *In child protection, the primary focus in the development of social services must be on primary social services that must respond to the needs of children in difficulty, so as to avoid family separation. If preventive services are not developed within the community, the specialized services, which have faced a growing number of beneficiaries in recent years, are used. Social services must primarily be provided by local professionals who can receive technical and methodological support from professionals providing specialized social services.*

Key words: *primary services, specialized services, day care centers, community consultative structures*

Social services, according to the Government Ordinance no. 68/2003, represent the complex set of measures and actions undertaken to respond to the individual, family or group social needs in order to prevent and overcome situations of difficulty, vulnerability or dependence in order to preserve the autonomy and protection of the person, to prevent marginalization and social exclusion, to promote social inclusion and to increase the quality of life (OG 68/2003 privind serviciile sociale, art. 1, alin. (1)).

Social services can be primary social services and specialized social services. For easier understanding, the relevant aspects relating to primary services and specialized services regulated by legislation are presented in a structured form in the table below.

| Type of services | Activities |
|---|---|
| Primary social services Social services aimed at preventing or limiting situations of difficulty or vulnerability that may lead to marginalization or social exclusion. | activities to identify individual, family, and group social needs |
| | Information activities about rights and obligations |
| | measures and actions of awareness and social sensitization |
| | emergency measures and actions to mitigate the effects of crisis situations |
| | measures and support actions to keep people in difficulty in the community |
| | activities and counselling services |

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| | community organizational and development measures and activities at social level to encourage participation and social solidarity |
| | any other measures and actions aimed at preventing or limiting situations of difficulty or vulnerability that may lead to marginalization or social exclusion |
| Specialized social services Social services aimed at maintaining, restoring or developing individual capacities to overcome a social need situation. | recovery and rehabilitation |
| | support and assistance for families and children in difficulty |
| | extracurricular informal education for children and adults, according to the needs of each category |
| | assistance and support for the elderly, including dependent elderly people |
| | assistance and support for children, elderly people, people with disabilities, drug, alcohol or other toxic substances addicts, people who have left penitentiaries, single-parent families, people affected by domestic violence, victims of human trafficking, people infected or ill HIV / AIDS, free-income people or people without income, immigrants, homeless people, chronic patients, people suffering from incurable diseases, and other people in a situation of social need. |
| | support and guidance for integration, readaptation and vocational re-education, |
| | social-medical care for people in need, including palliative care for people in terminal stages of diseases; |
| | Social mediation |
| | Counselling in institutional framework, in information and counselling centers |
| | any other measures and actions aimed at maintaining, restoring or developing individual capacities to overcome a situation of social need |

According to the provisions of OG no. 68/2003, setting up, maintaining and developing social services of primary character, depending on the identified social needs, with the priority aim of supporting the social functioning of the person in his/her own living, family and community environment is the responsibility of the public service of social assistance organized at a local level. Regarding the responsibility for the development and diversification of specialized social services, according to the identified needs, with the priority aim of maintaining the social function of the person, aiming at

reintegration into his/her own living, family and community environment, lies on the public social assistance service organized at county level.

The General Directorate for Social Assistance and Child Protection exercises, in the field of protection and promotion of children's rights, the following main attributions:

- a) coordinates the activities of social assistance and protection of the family and the rights of the child at the level of the county, respectively of the sector of the municipality of Bucharest;
- b) coordinates, at county level, the activities and measures to implement the objectives of the county strategy in the field of protection and promotion of children's rights;
- c) provides methodological guidance on the activities of public social assistance services;
- d) ensures, at county level, the unitary application of the provisions of the legislation in the field of protection and promotion of children's rights;
- e) monitors and analyses the observing of children's rights at county/sector level and proposes measures for situations where these are violated;
- f) monitors the authorized activity performed by children in the cultural, artistic, sporting, advertising and modelling fields within its territorial jurisdiction;
- g) requests information and documents, in accordance with the law, from any public or private legal person or individuals involved in its sphere of competence, which are obliged to make them available within 15 calendar days from the date request (Law 272/2004).

The public social assistance services organized at the level of the municipalities and towns, as well as the persons with social assistance responsibilities from the local communal councils' own apparatus, perform the following tasks in the field of child protection:

a) monitor and analyse the situation of children within the administrative-territorial unit as well as how children's rights are respected, ensuring the centralization and synthesis of the relevant data and information, based on a monitoring record approved by Order of the Minister of Labor, Family, Social Protection and Elderly People;

- a) carry out the activity of preventing the separation of the child from his/her family;
- b) identify and evaluate situations requiring the provision of services and/or benefits to prevent separation of the child from his/her family;
- c) elaborate the necessary documentation for providing services and/or benefits and provide these services and/or benefits, according to the law;

- d) provide counselling and information to families with dependent children on their rights and obligations, the rights of the child and the services locally available;
- e) ensure and monitor the implementation of measures to prevent and combat alcohol and drug consumption, to prevent and combat domestic violence and delinquent behaviour;
- f) regularly visit at home, families and children benefiting from services and benefits and look at how benefits are used, as well as families with dependent children with parents are gone abroad to work;
- g) submit proposals to the mayor, if a special protection measure is necessary, according to the law;
- h) follow the development of the child and how his/her parents exercise their rights and fulfil their obligations with regard to the child who has been under a special protection measure and has been reintegrated into his/her family;
- i) collaborate with the General Directorate for Social Assistance and Child Protection in the field of child protection and send it all the data and information requested in this field;
- j) follow the implementation of the decisions of the child protection commission/guardianship court regarding the performance of local actions or works (art. 118, alin. (1)).

In order to prevent the separation of the child from its parents, the local councils of the municipalities, towns, communes and sectors of Bucharest Municipality have the obligation to organize, autonomously or through association, day services, according to the needs identified in the respective community (art. 124, alin. (1)).

Day-care services are those services that help maintain, restore, and develop the abilities of the child and his/her parents to overcome situations that could cause the child to separate from his or her family. The analysis of the data downloaded from the National Authority for the Protection of Children's Rights and Adoption gives us information on the number of children who have benefited from day-care services subordinated to local councils and subordinated to GDSAPCs.

Table 1. *Beneficiaries of day-care centers subordinated to local councils and subordinated to GDSAPC*

| Day care centers, of which | Number of children - cases active on: | | | | |
|--|---------------------------------------|------------|------------|------------|------------|
| | 31.12.2012 | 31.12.2013 | 31.12.2014 | 31.12.2015 | 31.12.2016 |
| -day-care centers subordinated to local councils | 3785 | 4010 | 4476 | 4498 | 5344 |

| | | | | | |
|--|------|------|------|------|------|
| -day-care centers subordinated to GDSAPC | 7649 | 7969 | 8107 | 8155 | 8419 |
|--|------|------|------|------|------|

From the table above, it can be seen that the number of children receiving services within day-care centers subordinated to the general directorates of social assistance and child protection is considerably higher than those who benefit from services in centers subordinated to local councils, which could be explained by the fact that the number of centers organized and managed by the directorates is much higher than those organized and managed by the local councils.

In Dolj County, for example, where 111 territorial administrative units operate, a day care center operates under local councils, while 7 such centers operate under the authority of GDSAPC Dolj.

The limited involvement of city halls in organizing and managing day-care centers for children is closely related to entrances to the child protection system, the number of children for whom a special protection measure is being instituted is increasing from one year to the next. Local authorities require for a protection measure to be taken in crisis situations, without those special cases to have been received social services for preventing crisis, and implicitly for reducing the risk of separation of the child from his/her family (Cojocaru&Cojocaru, 2008: 222).

At the same time, the number of outputs from the system is influenced by the level of development of services at the community level. Even if the GDSAPC does everything possible for the family reintegration of children from the protection system, the measures must be accompanied by the efforts of local authorities to support, monitor and advise the family (*Ibidem*, p. 292).

At local level, it is necessary to assess the needs of the community and mobilize resources accordingly, for setting up and dimensioning prevention services.

In the process of identifying the needs of the community and solving social problems related to children at local level, the local public administration authorities have the obligation to involve the local community, according to the provisions of Law 272/2004 on the protection and promotion of the rights of the child, republished.

For this purpose, community consultative structures can be created including, but not limited to, local businessmen, priests, teachers, doctors, local counsellors, and police. The role of these structures is both solving concrete cases and responding to the global needs of that community (Law 272/2004).

Community consultative structures are set up by administrative acts of the local public administration authorities, mayor's provisions, or local council

decisions. The Act of foundation establishes the nominal composition of the consultative community structure, the majority being made of 7-9 members.

In fulfilling the mandate, the consultative community structures must mainly pursue:

- -promoting family values, family stability, and child care by parents;
- -preventing the separation of the child from parents and supporting the family in order to assume their responsibilities;
- -cooperation with the social assistance public service.

At the same time, the consultative community structure assumes the role of solving concrete cases and responding to the global needs of the community.

Unfortunately, today there are communities where these consultative community structures have not been set up, or there are situations on which they are only formally constituted and does not carry out any activity.

At the level of Dolj county, from the information gathered by GDSAPC from local communities, in many administrative-territorial units (88 more precisely, representing 79.27% of the total number at county level) such structures have been set up, but they are still not working to produce the intended effects.

Table 2. State of setting up consultative community structures in Dolj County on 31.09.2017

| | <i>Communes</i> | <i>Cities</i> | <i>Municipalities</i> | <i>Total</i> |
|--|-----------------|---------------|-----------------------|--------------|
| Number of administrative-territorial units | 104 | 4 | 3 | 111 |
| Number of consultative community structures set up | 84 | 3 | 1 | 88 |

The development of consultative community structures is a process that has begun in most communities, but has not yet achieved visible results in reducing the risk of separation of the child from its family.

Starting from the proverb "it is better to prevent than to treat", in the development of social services in child protection the focus should be on social prevention services.

In order to assume at local level, the development of services aimed at preventing the separation of the child from his/her family, there must be aware on the one hand, that prevention does not just mean intervention on crisis situations, and on the other hand that prevention services are delivering results as they are organized and dimensioned starting by identifying needs in the community.

The interdependence principle between identifying needs and providing services must be applied either in specialized services.

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