



"THEY ARE TREATED AS CASES, NOT PEOPLE"

Analysis of the application of the Social Services Act with regard to preventive community work in Roma communities and in neighborhoods with a concentration of poverty in Bulgaria, in the context of development of the national map of social services

Executive Summary

September 2023

The Social Services Act [SSA] was adopted in order to ensure the provision of affordable, quality and efficient social services to the widest possible range of people in need, according to an official statement of the Constitutional Court of the Republic of Bulgaria. The coming into force of the SSA has been welcomed by the civil society sector as it should replace the old concept of social services – linked to fixed services and physical infrastructure – with community prevention and flexible social services. Moreover, by the concepts of “community work” and “mobile preventive community work”, newly introduced in the Bulgarian legislation, the SSA empowers the municipal authorities to use the social services as a tool to reduce social exclusion. It broadens the access not only among conventional users of social services (such as persons and children with disabilities, as well as the elderly alone and people with reduced mobility), but also among other vulnerable groups such as people without education, the long-term unemployed, as well as socially excluded ethnic communities.

Our research has shown that these concepts are not sufficiently developed and are completely absent in the bylaw framework. Furthermore, the structural needs assessment indicators of the National Map of Social Services include only basic criteria, mainly related to the total number of the population registered by the National Statistical Institute (NSI) during the 2021 Census. This situation functions as a social bottleneck and additionally limits the access of the most vulnerable adults and children to adequate social services. The most marginalized groups usually live segregated in informal dwellings and therefore lack permanent residence registration. As a consequence, these individuals do not have personal documents and become “invisible” to social services, the healthcare system or the educational system. Moreover, they have no access to regulated employment opportunities with legal contracts. In all seven ROMACT municipalities covered by this research, it was reported that the households located in informal dwellings were not covered by the enumerators’ count during the 2021 Census. The analysis of the local social mapping and needs assessment activities show that there are no targeted measures neither towards Roma marginalised communities, nor towards the quarters with informal dwellings or neighborhoods with households predominantly living under the poverty line. This lack of public policy and action is usually excused by the local authorities through the absence of these groups from the Quality Ordinance and the Planning Ordinance related to the SSA. However, the absence of Roma marginalized population and the informal quarters from the bylaw regulations constitutes

certain indication about the lack of coherence of those documents with the already existing strategic regulatory framework in the country; for example, the National Strategy for Poverty Reduction and Promotion of Social Inclusion 2030, as well as the National Strategy of the Republic of Bulgaria for Equality, Inclusion and Participation of the Roma people 2030.

All stakeholders selected as respondents for the study – municipal officials, social services providers and civil society organizations – were familiar with the Social Services Act and its bylaw framework. Nevertheless, both the legislative desk research and the problem centered expert interviews showed that there are serious contradictions between the vision of the Social Services Act – as defined by the Constitutional Court and the initial law makers, on one hand, and the requirements and criteria introduced afterwards by the Agency for the Quality of Social Services and imposed as bylaw to the municipalities and regional governorates, on the other hand.

Instead of a bottom-up approach, there is a sense of "*bureaucratic brutality*" and extreme centralization. Instead of building integrated services on site, there is an additional segmentation and spatial scattering. Instead of placing the individual and communities at the centre, there are increased administrative procedures and deepened institutionalization related to the physical infrastructure. All of this is jeopardizing the social services in Bulgaria by increasing the risk of disruption or deprivation of access to social services, which is exactly the opposite of the original goals of the SSA.

In order to overcome the issues listed above, the report offers four specific recommendations, which require a substantial revision of the bylaw framework (Rules of Implementation and the Quality and Planning ordinances), as follows:

- 1) Immediate provision of social services upon informal identification of risk or need, followed by shortened terms of formal identification;
- 2) Differentiation of efficiency criteria based on the population size of the municipality. While social services are more economically efficient in regional administrative centers, this currently hinders access and results in segmentation and scattering of services. For example, consultations are held in one village, rehabilitation in another, and sheltering in yet another.

- 3) Detailed and comprehensive development of the concepts of "community work" and "community prevention" in order to provide adequate and permanent primary, secondary and tertiary prevention - in communities or ad hoc, not only on a short-term manner and through campaigns, as is currently planned, but in a permanent manner, whenever needed; as well as to secure the inclusion of the local community in the public policy consultation process
- 4) Ensuring coherence between the SSA bylaw framework and the existing national legislation concerning specific vulnerable groups: Roma, adults and children seeking international protection, adults and children who are victims of human trafficking or domestic violence. All that is needed in order to cover the "maximum wide range of people in need ", and not only adults and children with physical and mental disabilities or single elderly people.