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MONITORING REPORT ON THE PROCESS OF DECENTRALIZATION OF SOCIAL SERVICES



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**MONITORING REPORT ON THE PROCESS OF DECENTRALIZATION
OF SOCIAL SERVICES**

March 2020

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This publication was made possible in frame of the project "Joint Action for Decentralization", a project funded by the European Union, managed by the European Union Office in Kosovo and implemented by the Coalition of NGOs for Child Protection in Kosovo – KOMF in partnership with the Organization for Children without Parental Care – OFAP, SOS Children’s Villages in Kosovo and Social Action and Innovation Centre - KMOP.

The content of this publication is sole responsibility of the consortium led by KOMF and does not necessarily reflect the views of the European Union.

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Acknowledgments

On behalf of the joint mission for the protection, respect and advancement of children's rights in Kosovo, the Coalition of NGOs for the Protection of Children - KOMF is thankful to all those who contributed to the drafting of this report, which aims to promote and facilitate the completion of the process of the decentralization of social services.

In particular, KOMF expresses its deep gratitude to all those that were engaged and involved in this monitoring process:

- Centers for Social Work in Pristina, Prizren, Peja, Ferizaj, Fushë Kosova, Lipjan and Kamenica
- Municipal Directorates for Health and Social Welfare in Pristina, Prizren, Peja, Ferizaj, Fushë Kosova, Lipjan and Kamenica
- Ministry of Labor and Social Welfare - Department of Social and Family Policies
- KOMF member organizations

Abbreviations

MDSW	Municipal Directorate of Social Welfare
DSFP	Department of Social and Family Policies
MDHSW	Municipal Directorate of Health and Social Welfare
CRC	Convention on the Rights of the Child
KOMF	Coalition of NGOs for Child Protection
LLGF	Law on Local Government Finance
LSFS	Law on Social and Family Services
LLSG	Law on Local Self-Government
MoF	Ministry of Finance
MoU	Memorandum of Understanding
MLSW	Ministry of Labor and Social Welfare
NGO	Non-Governmental Organization
CSW	Center for Social Work
SOS	SOS Children's Villages Kosovo
AI	Administrative Instruction



EXECUTIVE SUMMARY

Executive Summary

The monitoring report of the process of decentralization of social services confirms that social services decentralization has not been completed even after 10 years. The main reason for not implementing this process is the lack of political will by both, central and municipal level. From a total of seven municipalities monitored for social services decentralization, it resulted that in none of them the process of decentralization of social services was implemented. The government has so far never prioritized solving the problem of financing of social services or decentralizing the budget for social services, which is essential for the completion of this process. However, municipalities continue to neglect the assuming of responsibilities for managing the social services.

Based on the findings from the monitoring process, social services are in a very serious situation and at the same time are facing many challenges, such as: lack of sustainable financing of social services, low quality of services, limited capacities, lack of infrastructure, low level of accountability, uncertainties in the division of responsibilities between central and municipal levels, confusion in dividing monitoring and inspection functions, lack of data on beneficiaries, and lack of cooperation and communication at horizontal and vertical level.

Currently, social services cost has not yet been calculated, the financing formula for social services has not been drafted and there is no sustainable financing plan drafted by the MLSW and the municipalities, therefore it is necessary to intervene at both levels: central and municipal (MLSW and municipalities) until a sustainable solution for financing of social services is provided, specifically the creation and application of a Specific Grant for Social Services. Municipalities have not established a sustainable contracting scheme for the purchase of social services from the non-governmental or private sector, currently NGO support is provided on an ad hoc basis and through subsidies. This manner of funding leads to the extinction of services provided by the non-governmental sector, therefore immediate intervention from the two levels is recommended until the application of the Specific Grant.

Failure to implement decentralization of human social services has created a system of social services in Kosovo that handles and manages only serious emergency cases where life safety or well-being are endangered or "cases with victims of abuse forms". As a consequence, only a handful of citizens in need have access to social services. In addition, there is lack of provision of prevention and reintegration services for persons in need of social services. Moreover, for some of the children or persons in need, the system does not provide any services, such as for children or victims of drug abuse, children involved in hazardous forms of labor, etc.

The report finds that municipalities lack the capacity to plan, manage and provide social services in municipalities. Municipal Directorates of Health and Social Welfare continue to be hampered in creating a professional and effective staff within these directorates. In particular, the report also indicates that the capacities of municipalities and Centers for Social Work for budget planning and management of social services are weak, so it is recommended to strengthen capacities within CSWs for budget planning and management.

Institutions at both levels continue to have uncertainties regarding their responsibilities related to social services. Specifically, they are confused about reporting and communication. The Law on Social and Family Services must clearly foresee the division of responsibilities related to social services. In addition, it is recommended to standardize reporting and data sharing forms at the horizontal and vertical levels, having in consideration confidentiality.

This report yields poor results regarding accountability in the area of social services. The dual mandate or role that MLSW has for monitoring and inspection is a bad practice of the monitoring and inspection process, hence it can also be considered as a conflict of interest.

The poor results come also due to the fact that the inspection is conducted by the unit operating within the ministry, which lacks executive powers and fails to apply measures, fines and sanctions. It is strongly recommended that the Law on Social and Family Services foresees the division of the inspection and monitoring functions, where the inspection should be conducted by the central level, respectively MLSW, while monitoring should be conducted by the municipal level. It is also recommended to provide these bodies, executive powers and develop the necessary capacities to perform the required functions. The report, also shows that the municipalities do not have a proper monitoring system, therefore it is recommended to build capacities of municipalities for monitoring.

Decentralization implies a change in the institutional culture, creating a socio-political context that leads to the transfer of authority and transfer of financing from central government to local government, to ensure the provision of qualitative and effective services. Therefore it is important to ensure that the interests of citizens are taken into account during the process of central policy making and its implementation by the local authorities. This monitoring report indicates that decentralization is not yet part of the institutional culture and continues to be treated only as a technical process.

Purpose

The monitoring report on the process of decentralization of social services in Kosovo, above all aims to introduce the current situation regarding the full implementation of this process. Based on the findings from the monitoring, the report aims to provide recommendations for improving the situation where deficiencies are observed.

All recommendations are based on documents, international and local practices, as well as recommendations from relevant stakeholders responsible for the implementation of the process of decentralization.

Methodology

The methodology for drafting this report is based on qualitative method of data collection that includes the theoretical analysis of primary and secondary legislation, publications and field research. Specifically, this monitoring report is based on:

- Analysis of the legislation;
- Analysis of relevant publications;
- Interviews with the relevant representatives in the area of social and family services;

Specifically, a total of 31 interviews have been conducted in seven municipalities of Kosovo. Interviews have been conducted with representatives from central and municipal level:

- Three interviews with representatives of the Ministry of Labor and Social Welfare, Department of Social and Family Policies;
 - Seven interviews with representatives of the Directorates of Health and Social Welfare in seven municipalities of Kosovo;
 - Seven interviews with representatives of the Centers for Social Work in seven municipalities of Kosovo;
 - Nine interviews with representatives of civil society organizations;
-

Geographical coverage

Monitoring was conducted in seven municipalities in Kosovo: Pristina, Prizren, Peja, Ferizaj, Fushe Kosova, Lipjan and Kamenica.

The selection of the above mentioned municipalities was made for the purpose of:

- Providing a geographical coverage of Kosovo;
- Including municipalities with higher number of inhabitants and consequently higher number of social cases such as, municipality of Pristina, Prizren, Peja, Ferizaj;
- Including small municipalities with larger number of social problems such as, Fushe Kosova Municipality;
- Including municipalities with the largest number of ethnic communities in Kosovo, such as municipalities of Lipjan and Kamenica;



LEGAL FRAMEWORK

Legal framework

The decentralization of social services was implemented in 2009 with competencies being transferred from the central level (Ministry of Labor and Social Welfare) to the municipalities of Kosovo. The purpose of decentralization of social services was to bring these services closer to the citizens.

The transfer of social services management from the central level to the municipal level was implemented based on the Memorandum of Understanding, signed in 2009 between the Ministry of Labor and Social Welfare, the Ministry of Local Government Administration, the Ministry of Finance and the municipalities. However, even after ten years, the decentralization process continues to face many challenges regarding its full implementation. Social services in Kosovo are regulated by the Law No. 02/L-17 on Social and Family Services (LSFS), Law No. 04/L-081 on Amending and Supplementing the Law No. 02/L-17 on Social and Family Services and Law No. 03/L-040 on Local Self-Government.

According to the LSFS, the Ministry of Labor and Social Welfare is the responsible institution for all policies, licensing, monitoring, inspection and regulatory matters related to labor and social welfare. Whereas, according to the LLSG, municipalities have full and exclusive competences for the provision of social and family services. Municipalities are mandated to take the responsibility for their social welfare issues and manage the Centers of Social Work (CSW).

Whereas in terms of financing of social services, according to LLGF, they are financed by the General Grant and municipal own source revenues.¹ The General Grant aims to provide a basic resource to enable municipalities to perform all their functions. The General Grant is a closed type grant, with 10% of the projected revenues that need to be collected at the central level over a calendar year. However, the current financing manner does not guarantee sufficient allocation to ensure a minimum financing of social services. This is due to the lack of a mechanism for allocation of financing of social services, knowing that from these amounts, all departments within municipalities are budgeted for operational and capital expenditures.

Based on the legislation in force, social and family services include protection and provision of services to persons in need of social protection, including: children without parental care, children in conflict with the law, children or persons with disabilities, children or adults victims of drug abuse, victims of domestic violence, abuse, trafficking and neglect, children involved in hazardous forms of labor or citizens in need of social services.

¹ Law on Local Government Finance, <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2525>



MAIN FINDINGS

Main findings from the monitoring of social services decentralization process

So far, Kosovo has lacked an independent and impartial monitoring process regarding decentralization of social services, therefore there is no data available to be used for a comparison with a prior period.

This monitoring report confirms that the process of decentralization of social services has not been completed. From the total of seven municipalities that have been monitored regarding decentralization of social services, none of them fully managed to implement this process.

Based on findings from the monitoring, social services are in a very serious condition and are facing many challenges, including lack of a mechanism of budget allocation for social services, limited financial and human capacities, lack of necessary social services, confusion regarding the division of responsibilities between central and municipal levels, confusion regarding reporting and communication, low level of accountability, dividing the monitoring and inspection roles, lack of statistical data for persons in need of social services and the lack of cooperation and communication at horizontal and vertical level.

Below, the main reasons and challenges that affect the non-implementation of the decentralization process, are introduced.

Lack of political will to implement the decentralization of social services

Based on the findings from the monitoring, the main reason for the non-implementation of the decentralization process, is the lack of political will at both central and municipal levels. According to the representatives of MLSW, this process was considered as imposed and hasty, because Kosovo municipalities were not ready and prepared beforehand for the implementation of this process. MLSW officials consider that in addition to this, it was not a priority for the high level of government officials to amend the Law on Local Government Finance and solve the problem of financing of social services, in other words, the decentralization of the budget for social services, which is considered crucial for the implementation of the decentralization process. According to the Director of the Department for Social and Family Policies at the MLSW, even municipalities lack the will to implement the decentralization

process. Kosovo municipalities are not fulfilling the responsibilities stipulated in the Law on Local Self-Government and continue to not prioritize social services within the municipality.²

On the other hand, representatives of municipalities believe that the central level has failed to plan the decentralization process, since they transferred social services competencies without resolving the problem of financing of social services. Municipalities consider that there was negligence from the municipal level too, in taking over the responsibility for managing social services after decentralization and at the same time they are mainly focused on infrastructure and construction.³ The biggest difficulties that DHSW continue to face are the lack of prioritization of social services by municipalities or the Cabinet of the Mayor. This is due to the fact that social services are considered by municipalities as an expense without any benefits. In general, during the monitoring process, it was noted that municipalities have no vision for the long-term benefits of investing in social services.

NGO representatives pointed out the lack of willingness and interest of municipalities to support social services. According to them, this is evidenced by inadequate planning of social services by municipalities, lack of budget allocation for services or service contracting and lack of monitoring of social services.

It is recommended that the responsible institutions at central and municipal level prioritize the implementation of social services decentralization process, considering the investment in social welfare as a long-term investment that brings positive results to society.

Non-implementation of the budget decentralization for social services

This report finds that the lack of decentralization of the budget for social services has caused a very serious situation in the provision of these services. The current form of financing does not provide a sustainable mechanism for financing of social services and this issue has become a critical problem for the functioning of CSW-s and NGO-s.

Currently there is no costing of services (financial standards), no financing formula for social services and no plan for sustainable financing of social services drafted by MLSW and municipalities, so it is necessary to intervene at both levels: central and municipal (MLSW and Municipality) until a sustainable solution for the financing of social services is provided, the establishment and application of the Specific Grant for Social Services.

² Interview with Mentor Morina, Director of the Department of Social and Family Policies, MLSW, 04.07.2019

³ Interview with Bekim Ademi, Director of DHSW, Ferizaj, 05.06.2019

a) *Current financing of social services by MLSW*

In 2019, the total budget of MLSW was 466.7 million Euros, with the majority allocated for schemes and transfers, respectively 453.2 million Euros or 97.7% of this ministry's budget. The schemes cover basic social and contribution-payer pensions, pensions for war veterans, war invalids, persons with disabilities pensions, compensation for political prisoners, early retirement pensions (Trepça mine), etc.⁴

Under the schemes, MLSW has allocated 3 million Euros for the Material Support Scheme for Families of Children with Permanent Disabilities and 800,000 Euros for the Foster Care Program in and out of the biological family. While 29 million Euros of the transfers are dedicated to the Social Assistance Scheme for families in poverty, with children benefiting as well. Based on the above data, it is proved that currently MLSW is oriented towards monthly monetary assistance in frame of the social schemes.

Although the budget for MLSW has been increased in 2019, the budget allocated for social services continues to be very low. Specifically, out of the total budget of 466.7 million Euros, MLSW in frame of the social services has allocated 2 million Euros for the Elderly Care Home, the Special Institute in Shtime Municipality and the Community Based Home for children with disabilities without parental care in Shtime and 200,000 Euros to the state-run Shelter for the Victims of Human Trafficking.⁵

MLSW, through public call procedures has allocated 900,000 Euros for the financing of direct social services provided by the non-governmental sector.

The maximum amount of financial support for an NGO can range from 10,000 - 40,000 Euros per project (regional or national). The duration of implementation of project proposal activities is ten (10) months. However, this support only covers a part of the cost for services, so it turns out to be insufficient given the budget needed for the services provided. On the other hand, during the months of January - March 2019 there was a time gap between public calls for financing of services by MLSW, which prevented the services from a sustainable functioning. As a consequence, almost every year non-governmental service providers are forced to temporarily shut down their services by having children to move from one form of care to another, which constitutes a serious violation of children's rights and adversely affects their physical and psychological development.

In total, MLSW has allocated around 3 million Euros under social services.

∴ It is noteworthy that MLSW during 2019 has not allocated funds to
∴ public institutions for the provision of social services at the
∴ municipal level, such as the CSW-s.

⁴ Budgetary Platform, GAP Institute, <https://institutigap.org/spendings/?ministra-e-punes-dhe-mireqenies-sociale/1/2019>

⁵ Data from the Department for Social and Family Policies, MLSW

Budget for Social Services 2019 - MLSW

99% Total Budget

1% Budget for Social Services



Fig 1: Budget allocated for Social Services from MLSW for 2019

b) Current financing of social services by the municipalities

The total budget from the General Grant for 2019, for all CSWs and for all expenditure categories, was approximately 6 million Euros, which included costs for the salaries of the CSWs staff and other operating expenses. Meanwhile, the cost of financing for residential homes for the elderly and persons with disabilities for 2019, was about 1.7 million Euros.

This monitoring report shows that municipalities cover only monthly salaries and administrative costs for social services. In general, municipalities do not allocate funds to CSWs for the provision of social services based on the needs of citizens within these municipalities. The only municipality that has transferred a special emergency fund for the provision of social services to the CSW, is the Municipality of Lipjan. Furthermore, municipalities do not take into account factors such as population size, age groups, municipality needs for social services, and even less the risk factors such as level of poverty, unemployment, etc.

On the other hand, municipalities have not yet established a sustainable contracting scheme for the purchase of social services by the non-governmental sector. Municipal support remains ad hoc and varies from municipality to municipality. However, compared to last year's reports of municipalities, there is a slight improvement in contracting services from the non-governmental sector.

Below, the amounts allocated for the contracting of social services by municipalities, are introduced.



The Municipality of Pristina,

through the public call for financial support of NGO projects for social services for 2019, has allocated 59,650 Euros to 18 social service providers in this Municipality. The amount of the budget allocated to one organization ranges from 500 to 6,200 Euros.



The Municipality of Prizren

during 2019 has announced one public call for NGOs, for the provision of social services. The number of NGO-s that applied is 12, 11 of which benefited in the total amount of 26,100 Euros which were proportionally allocated. The approximate amount per one NGO is 2,500 Euros.⁶



The Municipality of Lipjan

has allocated 1,500 Euros to CSWs from the Budget Line for Goods and Services, while through the public call for NGO subsidies for the provision of social services it has allocated 5,000 Euros to one NGO. In addition to the public call, the Office of the Mayor in 2019, has subsidized three other NGOs in the amount of 1,600 Euros.⁷



The Municipality of Ferizaj

has allocated a total of 813,125 Euros to NGOs providing social services. Through subsidies, it has supported 10 NGOs for social services with a total amount of 13,125 Euros. The amount of support per organization ranges from 375 Euros to 2,000 Euros. Whereas on the official website of the Municipality of Ferizaj it is stated that this municipality through a public call has contracted only one organization for the provision of social and health services, in the amount of 800,000 Euros.⁸



The Municipality of Kamenica

has not announced any public calls for NGOs for the provision of social services, during 2019. Municipality of Peja did not provide information on the budget allocation for contracting of services from the non-governmental sector. While Municipality of Fushe Kosova provided data on the number of NGOs funded during 2019 (6 NGOs), but did not provide data on the amount allocated for these NGOs.⁹

If this form of financing at the municipal and central levels continues, the situation may worsen to the point of bringing CSWs and the non-governmental sector into dysfunctional centers, which if not sufficiently funded, will not be able to provide social services.

⁶ Data provided by Fejzë Kabashi, DHSW, Prizren, 2020

⁷ Interview with Vlora Limani Hajnuni, Director of DHSW, Lipjan, 28.05.2019

⁸ Data from Bekim Ademi, DHSW, Ferizaj, 2020

⁹ Data from Kimete Kryeziu, DHSW, Kamenica, 2020

c) *Creating of a sustainable scheme for contracting of social services by the municipalities*

The Law on Social and Family Services in Kosovo has defined the role of NGOs in the provision of social and family services, stating that NGOs are encouraged to provide social and family services, either on their own initiative or by contract, on behalf of DHSW or MLSW.

In this line, municipalities have failed to establish a sustainable contracting scheme for NGOs that provide social services, based on the minimum standards adopted by MLSW, thus compromising the quality and sustainability of services, but also the interest of NGOs to operate in municipalities.

This monitoring reveals that all monitored municipalities allocate funds to social service providers mainly in the form of subsidies and not in the form of service contracting, which would be a much more appropriate and sustainable scheme for the nature of social service provision. Specifically, out of nine civil society organizations, five of them stated that municipalities publish open calls for financing NGOs, but only in the form of subsidies and not for contracting of services. Moreover, these calls often lack specific criteria for certain categories, giving each organization the opportunity to apply regardless of services or scope of their activities.¹⁰ Also, calls for social services are often general and are not based on the needs of the municipality, as none of the municipalities has made an assessment of the needs of citizens within their municipality. Municipal calls should have specific criteria for certain categories and should contain elements of minimum standards for the provision of social services.

During the monitoring process, requirements and criteria in frame of the calls published by municipalities for the provision of services from the non-governmental sector have been reviewed. Based on this monitoring, announcements do not contain the requirement that NGOs must be licensed by MLSW for the provision of social services, and as a consequence the budget has been allocated also to organizations that are not licensed by MLSW. The licensing criterion should be the key criterion for the contracting of NGOs by municipalities, as licensed organizations have previously undergone an assessment procedure on the conditions and criteria, performed by the MLSW, as it is foreseen in the Administrative Instruction on the Licensing of Legal Entities / Organizations that Provide Social and Family Services.

Also, the total amount allocated by a municipality to subsidize all NGOs for the provision of social services varies from 10,000 to 60,000 Euros per year, which is largely proportionally allocated to almost all the organizations applying. This form of municipal financing looks more like symbolic and superficial support for NGOs rather than based on municipality needs, criteria, requirements and standards. Such form of financing compromises competition and values among NGOs, by damaging the quality of social services. NGO representatives consider that municipalities do not plan the organization of social services and do not develop the manner of application and financing.¹¹

¹⁰ Interview with Naser Lajqi, NGO "Syri i Vizionit", Peja, 05.08.2019

¹¹ Interview with Gani Lluga, NGO "ASTRA", Pristina, 28.06.2019

Based on the monitoring process, NGOs face similar problems as CSWs, which include lack of financial and human capacities, logistical problems such as the facilities they operate in and the sustainability of service provision. Out of the nine interviewed organizations, most of them are funded by non-governmental donors, while only few organizations that have received or are receiving funding from municipalities or MLSW stated that these funds are insufficient to provide services. According to representative of the “Autism” organization, with 1,500 Euros provided by the municipality, children treated in this organization can receive therapy for only one month.¹² The non-governmental sector is seeing municipalities as institutions that neglect social services, by not investing neither in staff nor in the quality of social services.¹³

In order to provide quality social and family services, it is recommended that municipalities establish a sustainable scheme for outsourcing social and family services from the non-governmental sector. Knowing that subsidies do not provide sustainability in service provision, municipalities should practice purchasing of social services on a long term run by contracting licensed NGOs to provide social services.

In most countries, municipalities transfer social services to the non-governmental sector. In Europe, civil society organizations are playing an increasingly important role by becoming providers of social services. According to a study on child protection systems conducted by the European Union Agency for Human Rights, in at least 18 countries (Austria, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Spain, Sweden and the United Kingdom), municipalities contract social services from the non-governmental sector.¹⁴ The outsourcing of services by the non-governmental sector has proven to be more cost effective for municipalities and guarantees higher quality of services.

d) Establishment of the Specific Grant for Social Services

In 2019 there were positive developments regarding the regulation of the legal framework for the financing of social services. After many years of efforts by institutions and NGOs to create a Specific Grant for Social Services, MLSW and MoF have agreed to create this Grant in frame of the Law on Local Government Finance.

Specifically, Kosovo Government has adopted the Concept Paper for drafting of the Law on Local Government Finance, which paves the way for the establishment of the Specific Grant for Social Services. Despite the requests of the civil society for this Specific Grant to be of a closed type, as a more adequate alternative for ensuring a minimum provision of social services, according to the approved Concept Paper the Specific Grant for Social Services is foreseen to be an open system grant.

¹² Interview with Flori Jupa, NGO “Autizmi”, Prizren, 11.06.2019

¹³ Interview with Rexhep Gojnovci, NGO “Akti”, Fushe Kosova, 10.06.2019

¹⁴ Mapping child protection systems in the EU, The European Union Agency for Fundamental Rights, <https://fra.europa.eu/en/project/2014/mapping-child-protection-systems-eu>

Based on the adopted Concept Paper, a new Law on Local Government Finance was drafted in 2019, which envisages the establishment of the Specific Grant for Social Services. The Draft Law has passed the stage of public consultation, however due to the collapse of the Government and the dissolution of the Assembly, the Draft Law has not yet been approved by the Government and the Assembly.

According to this Draft Law the amount of the Specific Grant for Social Services is determined by taking into account the factors / criteria in the territory of a municipality such as the number of centers for social work, the number of residential centers and the number of day care centers in accordance to the standards set by the central level, the number of social workers in proportion to the number of inhabitants and the number of cases, the number of children by age groups and the vulnerable or at-risk adults, the number of victims of domestic violence, trafficking and abuse, the number of people with special needs by disability category, the number of elderly people over the age of 65, and the number of families with social assistance compared to the area of the municipal territory.¹⁵

Also during 2019, MLSW with a decision has established a working group to develop a financing formula for social services, according to which the amount of the budget allocated under the Specific Grant for Social Services, will be based. The Director of the Department of Social and Family Policies has indicated that MLSW during 2019 has worked to derive costs per unit related to social services, including day care and residential services. It remains for the MLSW working group to work out a reference document for the administrative instruction on the financing formula.¹⁶

According to the Director of DSFP, the total amount of actual expenditure for all categories of expenditure for CSWs and financing of residential institutions is about 10 million Euros. Whereas MLSW requests that in the first year of implementation of the new Law on Local Government Finances the total amount allocated through the Specific Grant should be 15 million Euros, which is an increase of the budget for social services for 5 million Euros.

Based on the monitoring process, the representatives of MLSW, DHSW, CSWs and NGOs believe that through a Specific Grant for Social Services, the budget problem for social services will be resolved.

According to the Director of DHSW in Ferizaj, the Specific Grant for Social Services would be one of the preconditions for completing the decentralization process. However, he says that this Grant will not completely fix the financing problem, because it is not expected that the Grant will double or triple the budget, despite the huge needs for services.¹⁷

The Director of DHSW in Prizren has stated that the Specific Grant would pave the way for the regulation of the financing of social services, however he adds that the issue of financing of social services can be improved also if there is will and support from the Mayor.¹⁸

¹⁵ Draft Law on Local Government Finance, <https://konsultimet.rks-gov.net/viewConsult.php?ConsultationID=40711>

¹⁶ Interview with Mentor Morina, Director of the Department for Social and Family Policies, MLSW, 04.07.2019

¹⁷ Interview with Bekim Ademi, Director of DHSW, Ferizaj, 05.06.2019

¹⁸ Interview with Fejzë Kabashi, Director of DHSW, Prizren, 11.06.2019

However, the Director of DHSW in Lipjan does not see the creation of an open system grant much effective as it is foreseen in the Concept Paper on Local Government Finance. She recommends a closed type of the Grant for Social Services. According to her, the Open Grant will enable municipalities to re-direct this Grant to other sectors, without compelling the municipality to dedicate this Grant only for social services. The only solution according to her is a closed-system Specific Grant, which would oblige municipalities to use this Grant only for social services.¹⁹

While according to the Director of Health and Social Welfare in the Municipality of Peja, the process should first start with the transfer of competencies to the municipal level, which is to the municipalities, but a Specific Grant is also needed.²⁰

Given the fact that the Specific Grant for Social Services due to legal procedures is not expected to be applied during 2021 and 2022, it is recommended that during this period MLSW and municipalities take urgent actions by allocating a budget for securing the financing of social services. Based on the findings from the monitoring, it is recommended that the new Law on Local Government Finance is adopted in order to ensure sustainable funding for social services through the Specific Grant for Social Services. This Grant should be based in the minimum standards of MLSW, the financing formula for social services, as well as criteria and social indicators in municipalities.

e) *Capacities of municipalities and Centers for Social Work to plan and manage the budget for social services*

This report shows that municipalities and CSWs do not have an annual budgeting plan for social services. Currently the planning and management of the budget for social services in the municipalities is done by DHSW. Municipal budget planning tends to replicate the previous budget planning, without assessing citizens' needs for social services. Moreover, this planning does not take into account the needs of CSWs and NGOs providing social services in municipalities.

However, the CSWs have not yet managed to develop any regular annual planning for the needs and social services provided during the year. In most cases, the financial officer together with the director of the CSW, draft requirements based on the needs of the CSW by addressing them in the DHSW.

Mostly the requirements drafted by the CSW towards the DHSW are on ad hoc basis and related to facility maintenance, administrative, logistical issues and not the services. On the other hand, even in the case of CSW requirements, the budget allocated to these centers is managed by the DHSW and is not transferred to the CSW.

¹⁹ Interview with Vlora Limani Hajnuni, Director of DHSW, Lipjan, 28.05.2019

²⁰ Interview with Petrit Loci, Director of DHSW në Peja, 24.06.2019

The legal amendments and policies of MLSW are oriented in a manner that after the establishment of the Specific Grant for Social Services and the financing formula, the budget dedicated for social services should be then transferred from the municipalities to the CSWs. Specifically, it is expected that the CSWs themselves manage the budget for social services. The reason is that cases managed by CSWs require emergency intervention, so it is necessary to eliminate bureaucratic procedures and avoid delays during the management. According to CSW representatives, there are often cases where social service officers pay from their own pockets for the emergency needs of cases and especially for children. They mentioned different examples of such cases, such as buying milk or clothing for abandoned children or providing food for children victims while being interviewed at police stations.²¹

The Centers for Social Work consider that prior to the Memorandum of Understanding on the decentralization of social services, the provision of social services and the budget allocated to CSWs was in a better state than the current situation.²² As a consequence from the lack of decentralization of the budget for social services, CSWs are also facing with the lack of an emergency fund that would be managed by them, which is necessary because of the nature of the work of the CSWs. Representatives of the CSWs claimed that prior to decentralization they also had an emergency fund, which is now lacking in most municipalities.²³ Out of the seven monitored municipalities, only one municipality has been identified that has allocated and transferred a specific budget for social services to the Center for Social Work in order for the CSW to manage this budget itself.

However, even though the Municipal Directorate of Health and Social Welfare in Lipjan has transferred the budget allocated for social services to the CSW in Lipjan in early 2019, the latter has not been prepared to manage and use this budget. Instead of using this budget for social services, the CSW has requested the municipality to use this budget for the maintenance of the CSW facility. The Director of the CSW in Lipjan acknowledged that they are unprepared for the planning and management of the budget for social services and at the same time expressed the need for capacity building in this regard.²⁴

Although in all monitored CSWs there is the position of the financial officer, the fact that they have never managed with the budget for almost 10 years, indicates that they need capacity building. The case of the CSW in Lipjan is also an example that CSWs are not ready to manage with the budget for social services. This indicates that these institutions have not been and continue to be unprepared for accepting competences to manage with their own budget.

..... This report shows that CSWs are not prepared for planning and managing with the budget for social services, so it is recommended to build capacities within CSWs for budget planning and management in advance. Given the lack of capacities within the CSWs, it is recommended to prepare them for the acceptance of competencies on planning and management of the budget for the provision of social services. Also, CSWs should be developed to perform regular budget planning based on the needs of citizens in their municipalities.

21 Interview with Abaz Xhigoli, Director, CSW in Fushe Kosova, 18.06.2019

22 Interview with Naime Azemi, Officer for Social Services, CSW, Pristina, 27.05.2019

23 Interview with Ruzhdi Latifi, Director, CSW, Ferizaj, 05.06.2019

24 Interview with Vlora Limani Hajnuni, Director of DSHW, Lipjan and Makfirete Shamolli, Director in CSW, Lipjan, 28.05.2019

Uncertainties regarding competencies of the institutions for social services

Based on this monitoring process, it is obvious that the roles and responsibilities of central and municipal level institutions in Kosovo are not well defined. Institutions at both levels continue to have uncertainties in their responsibilities regarding social services. Specifically, uncertainties relate to reporting, monitoring and communication.

During the monitoring process it was noticed that the uncertainties about the competences between the two levels have mostly affected the social service providers. They have claimed that there are still uncertainties in the division of duties, competences and responsibilities between the central and municipal levels.

Out of seven monitored CSWs, four of the representatives stated that the responsibilities of the two levels are not clear yet. The representatives of the DHSW and NGOs also share the same opinion.

a) Reporting

The Ministry of Labor and Social Welfare is the responsible institution for all policies and regulatory matters related to labor and social welfare. However, municipalities have the responsibility to provide social services in accordance to the Law on Local Self-Government and the Law on Social and Family Services.

The reporting procedure of social service providers is not yet defined and made clear, neither to municipalities, nor to CSWs. The line and method of reporting of social service providers continues to be protocol-free, without a specific reporting format, and the type of reporting varies from municipality to municipality.

The Centers for Social Work send two types of reports, one to the MLSW and the other to the DHSW. The CSWs continue to send detailed data on the treated cases on a monthly basis to the MLSW. The way this data is sent to the MLSW remains a concern, as the CSWs send this data physically via USB disc, jeopardizing the confidentiality of the treated cases. Among other things, the database of social services managed by the MLSW continues to run without being digitalized. While at DHSW, CSWs send other general reports about their work. This creates confusion among CSWs, which are confused about the types of reports they need to send to the DHSW. In addition, during the monitoring, the CSW representatives stated that there are no specific protocols or formats for reporting their work to municipalities.

On the other hand, officials from the DHSW stated that the same reports with detailed data on cases sent to the MLSW, should also be sent to the DHSW. Moreover, representatives from DHSW in Lipjan stated that reporting of the CSWs to the MLSW should be actually done through the DHSW.²⁵ But this has been opposed by the CSWs who are reluctant to share detailed reports with municipalities due to the confidentiality of the treated cases.

In most of the monitored municipalities, the interviewees stated that there is a large communication gap between the municipal and central level (DHSW - MLSW). Currently, there is no communication and reporting link between DHSW - MLSW.²⁶

Even at the central level, they feel that the method of reporting has not yet been regulated and this process continues to cause uncertainty within institutions. According to the Director of the Department for Social and Family Policies at the MLSW, this non-definition of responsibilities has resulted with incorrect recording of social cases and lack of supervision of the process as a whole.²⁷

Regarding the reporting process of the providers from the non-governmental sector, NGOs have stated that there is no reporting line at either the municipal or central level in cases where they are not funded by public institutions. In most cases, representatives of NGOs providing social services, during the monitoring process have stated that they are funded by non-governmental donors; therefore reporting is done only to donors.

It is recommended to define the role and responsibilities of central and municipal level institutions, to avoid reporting and communication uncertainties. It is recommended to adjust reporting at both horizontal and vertical level, standardize reporting forms and data sharing by having into consideration the confidentiality of the cases.

b) Monitoring and inspection of social services

Based on the Law for Social and Family Services, the mandate for monitoring and inspection of social services is a responsibility of the Department of Social and Family Policies (DPSF) within the MLSW. However, this practice turns out to be inappropriate and ineffective. International practices indicate that monitoring and inspection of social service providers must be separated and carried out by two different bodies. Monitoring should be done by the municipal level, and inspection should be done by the central level. It is recommended that the Law on Social and Family Services separates these two functions between the central and municipal levels.

This report yields poor accountability results in the area of social services. The dual mandate or role that MLSW has for monitoring and inspection is a clear conflict of interest, as in many cases this unit monitors and inspects itself. Moreover, monitoring and inspection should be seen as two separate processes and divided from each other. The poor results also come from the fact that the inspection is carried out by the Unit operating within the Ministry, from the lack of executive powers and the lack of competences to impose fines and sanctions.

²⁵ Interview with Makfirete Shamolli, Director in CSW, Lipjan, 28.05.2019

²⁶ Interview with Rifat Hajdari, Director in CSW, Kamenica, 25.06.2019

²⁷ Interview with Mentor Morina, Director of the Department for Social and Family Policies, MLSW, 04.07.2019

According to the Senior Monitoring and Inspection Officer at the MLSW, there are no barriers regarding inspection by the DHSW, but the problem lies in the implementation of the recommendations given by this Unit to social service providers. This is due to the non-definition of the role of inspection, where the Inspection Unit has no executive mandate.²⁸ In addition, the Inspection Unit also faces other operational problems, such as the low number of inspection officers and minimum operating conditions.

Currently, the inspection unit consists of three officers,²⁹ who are responsible for inspecting 40 CSWs in 38 municipalities, the Special Institute in Shtime, the Community Based Home for Children in Shtime, the Home for the Elderly in Pristina, the Shelter for the Protection of Victims of Trafficking in Lipjan, Community Based Homes for Persons with Disabilities in 12 municipalities, Community Based Homes for the Elderly in 4 municipalities and 35 licensed NGOs that provide social services.³⁰

This report also highlights the lack of a proper monitoring system by municipalities. All DHSWs have stated that monitoring at the municipal level is done only through the reports that service providers send to these directorates. Meanwhile, field monitoring cannot be done due to lack of monitoring tools and lack of capacities within the DHSW. There are also occasions when monitoring is done through meetings organized between DHSW and CSW or other providers and the latter report only verbally about their work.³¹ Also, this kind of reporting is done only by CSWs and not by NGOs that are not financed by municipalities.³²

On the other hand, social service providers claim that they are facing uncertainties regarding monitoring and inspection. However, representatives of NGOs providing social services stated that if they are not funded by public institutions (Municipality and Ministry), they are not monitored and inspected by these institutions. According to them, there is lack of a regular communication line with public institutions. It is recommended that monitoring and inspection by municipalities and the central level is done for all social service providers, regardless of the source of funding.

It is strongly recommended to divide the inspection and monitoring functions, define roles, competences and responsibilities between the central and municipal levels. Inspection should be performed from the central level, respectively MLSW, while monitoring should be performed from the municipal level. It is also recommended to invest in empowering the Inspection Unit by providing executive powers and providing the necessary capacities to perform the required functions. The medium-term recommendation is to transform the internal Inspection Unit into an external unit or agency that would impact the independent inspection in order to assess the quality of service provision and the administration of licensing. The Law on Social and Family Services in force does not foresee licensing of public services provided by CSWs or other public institutions, so it is recommended that this Law foresees licensing of public sector services, as this would increase the quality of services. The inspection should assess both public sector services (CSW) and non-governmental services.

²⁸ Interview with Fitore Rexhaj, Senior Officer for Monitoring and Inspection in MLSW, Pristina, 31.07.2019

²⁹ Data from Adile Shaqiri, Senior Officer for the Protection of Victims of Trafficking, Sexual Crime and Domestic Violence in MLSW, 2020

³⁰ Interview with Adile Shaqiri, Senior Officer for the Protection of Victims of Trafficking, Sexual Crime and Domestic Violence in MLSW, Pristina, 04.07.2019

³¹ Interview with Fejzë Kabashi, Director in DHSW, Prizren, 11.06.2019

³² Interview with Dren Kukaj, Director in DHSW, Pristina, 01.08.2019

Currently in the field of social and family services there is no external monitoring carried out by civil society and this is considered as a weakness related to this issue. In addition to monitoring and inspection performed by public institutions, it is recommended that the Law foresees the possibility of the non-governmental/ private sector to perform monitoring and evaluation. This would increase the quality of services and accountability.

Lack of capacities for managing and providing social services in municipalities

According to the Law on Local Self-Government, municipalities are responsible for managing and providing social services. This report indicates that municipalities lack the capacity to manage and provide social services.

Municipal Directorates for Health and Social Welfare continue to be hampered in creating a professional and effective staff within these directorates. During the monitoring process it was found that all departments are facing lack of professional staff. Most of the staff is part of the administration, being engaged solely in administrative work.

In the Directorate of Social Welfare in the Municipality of Pristina, out of seven officials in total, there are no profiled and experienced officials for social services.³³ A similar situation is present also in the other municipalities where the monitoring process was conducted, where all the representatives of DHSW-s have stated that they need more professional and experienced staff for social services in these directorates. Moreover, social services are never considered as priority for the directorates, because they are mainly concentrated in the area of healthcare and in the political priorities of municipalities. Besides that, the staff of DHSW is not benefiting from the trainings on social services and doesn't have information on planning, managing and monitoring of these services.

Another finding of the monitoring is the lack of awareness-raising campaigns for the citizens. None of the seven monitored municipalities has conducted any awareness-raising campaigns on decentralization of social services, the importance of services and the right of citizens to access these services. According to DHSW, municipalities do not even have the necessary budget for financing social services, thus awareness raising campaigns are considered a luxury.

Meanwhile, the Centers for Social Work are mandated to provide social services to ensure the well-being of individuals and families. However, during the monitoring process it has been noted that CSWs have many difficulties in fulfilling their mandate.

³³ Interview with Dren Kukaj, Director in DSP, Pristina, 01.08.2019

Due to human and financial resource constraints, social services are currently focused on providing emergency protection services, and there is a lack of provision of prevention and reintegration services which are essential for the well-being of children and persons in need of social services.³⁴ The current legislation, but also the limited financial and human capacities, have created a social services system in Kosovo which treats and manages serious emergencies that endanger life, safety or well-being, or "cases with victims of some form of abuse". As a result, only a small number of vulnerable citizens have access to social services and programs. Moreover, for some of the children or persons in need of social services, the system does not provide any services, such as for children or victims of drug abuse, children involved in child hazardous forms of labor, etc.

Due to the limited capacities, all CSW representatives have stated that they cannot cover all categories of services and are unable to go in the field in order to identify families in need.

Based on this monitoring process, CSWs continue to have a reactive approach in measuring vulnerability within municipalities where they operate. Insufficient number of staff at CSWs prevents them from having a proactive approach to identify clients in the community, thus it is impossible to identify social problems within the municipality. CSWs do not perceive this measurement as a process that can be gradually developed over a medium or long term period. In large municipalities, such as the Municipality of Pristina, there is a large disproportion between the number of residents and the number of social service officers.³⁵ In addition, out of the 14 social service officers in this Municipality, some are inactive due to old age, professional burn out or health problems. According to the Director of the Center for Social Work in Peja, people in need usually come to CSW, while the staff of the Center is not able to go out to identify cases and measure the vulnerability of the municipality.³⁶ The total number of employees in all CSWs is about 400 in both sectors, social services and social assistance schemes.³⁷ Meanwhile, the average number of cases treated by a social services officer is 150 to 170 cases per year.³⁸ According to the Director of DSFS, some indicators will be taken into account when calculating the number of social service officers. One of them is the number of inhabitants in a municipality in relation to the number of treated cases and according to this calculation it is planned that in all CSWs there will be 500 social workers throughout Kosovo, meaning that there will be 100 social services officers more.³⁹

All of these calculations will have to derive from the document of the financing formula for social services that will be proposed to the Ministry of Finance, municipalities and other stakeholders, in order to provide the cost of social services financing needs in accordance to the Specific Grant for Social Services. Approval of this Grant will depend on the policies and program of the new Government.

34 *The Child Protection Index 2.0, KOMF, 2018,*

<http://www.komfkosova.org/wp-content/uploads/2018/06/Recommendations-from-Child-Protection-Index-2.0-KOMF.pdf>

35 *Interview with Naime Azemi, Officer for Social Services, CSW, Pristina, 27.05.2019*

36 *Interview with Drita Kukaj, Director in CSW, Peja, 22.07.2019*

37 *Data from Mentor Morina, Director in DSFS, MLSW, 2020*

38 *Data from Abaz Xhigoli, Director in CSW, Fushe Kosova, 2020*

39 *Data from Mentor Morina, Director in DSFS, MLSW, 2020*

Another concern stated by the CSWs, is the political interference of municipalities in hiring staff within the CSWs, which is severely undermining the functioning and provision of services within the CSWs. It happens very often that due to political interference of municipalities, CSWs employ people who do not meet the criteria based on applicable laws, starting from the basic criteria for the profession required by the Law on Social and Family Services, which consequently means that these persons can never be licensed by MLSW. The situation deteriorates even more by the fact that the MLSW Monitoring and Inspection Unit has no executive powers, so it cannot impose measures or sanctions on these cases. Also, municipalities do not respect the principle of multidisciplinary work in the CSW. Municipalities are not based on the fact that CSWs should be composed of professionals from different fields required by the Law, such as social workers, psychologists, pedagogues, sociologists and legal officers. In some of the CSWs the staff consists of only 6 legal officers by not including other profiles. This runs counter to the principle of multidisciplinary work, which for the CSW is one of the basic principles.

Social services officers are not profiled and consequently work with all subjects and categories in need. The new Law on Social and Family Services should foresee a reform in the provision of social services, defining prevention, protection, rehabilitation and reintegration services, as well as classifying services into three categories / levels as: primary, secondary and tertiary. In the absence of a scheme for contracting social services from the non-governmental or private sector, social service officers are required to work with all categories. Contracting of social services from the non-governmental or private sector would enable better service organization by moving some of the social services from the CSW to the non-governmental or private sector. KOMF proposes the clear definition of social services that can be contracted, services that can be provided in collaboration with other providers, and services that cannot be contracted but are exclusively provided by the public sector.

In order to increase the quality of services and the performance of service providers, it is recommended that the new Law on Social and Family Services foresees profiling of social workers / social service officers based on the beneficiaries. Given the limited human resources, it is recommended to develop this process gradually and progressively. As a first stage, it is recommended to start with the profiling of social workers / social services officers working with children and adults. Whereas, further step is to plan profiling of social officers based on categories. It is also recommended that the Law on Social and Family Services is harmonized with the Law on Child Protection regarding the organization of social service officers, as this Law foresees officers for child protection within the CSW.

In addition to the needs for financial and human capacity, CSW staff and other social service providers need professional development. There is currently no annual training plan designed by MLSW, despite the fact that one of the requirements of the minimum standards, is to conduct regular training for each category. In addition, there are no accredited social service training programs. The applicable Law on Social and Family Services does not foresee the manner of accrediting social services programs. Trainings are mainly provided on an ad hoc basis and depend on the support of donors or non-governmental organizations.

In order to functionalize the provision of social services at the municipal level, it is recommended to develop the capacities of DHSW and CSWs for social service provision. It is recommended that the Municipal Directorates of Health and Social Welfare do the profiling of the professional staff in the field of social services, especially in planning, management and monitoring of social services. The increase in number and profiling of officers must occur also in the CSWs, ensuring that they are professionals in the fields required by law. The professional development and profiling of staff at the municipal level would enable proper management of work within the two institutions and enable the provision of quality services to citizens.



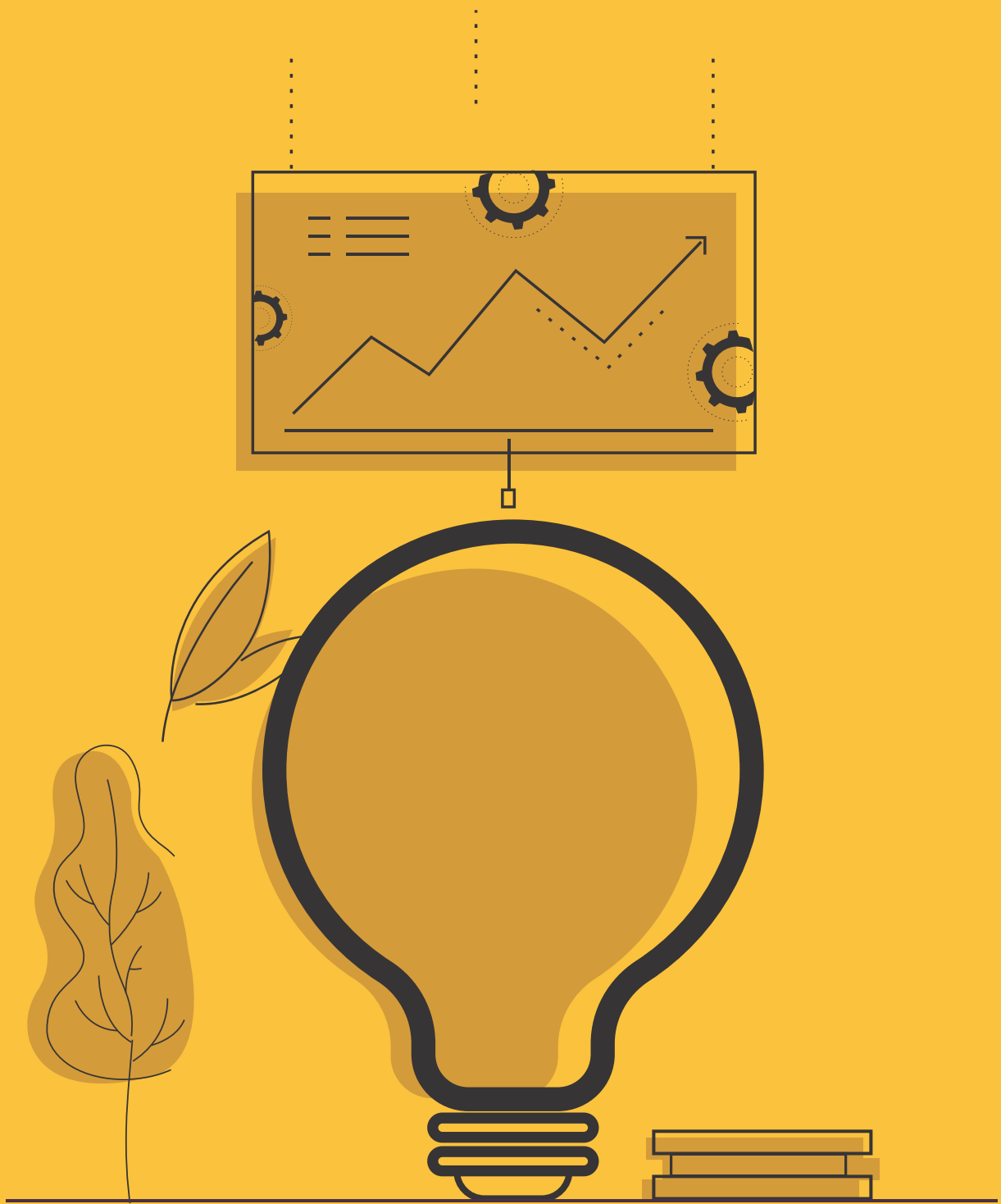
CONCLUSION

Conclusion

This monitoring report confirms that the process of decentralization of social services which started 10 years ago, has not been completed. The main reason for not implementing this process is the lack of political will at both the central and municipal level. From a total of seven municipalities monitored for the decentralization of social services, it results that none of them has managed to implement the decentralization process of social services.

So far, the Government has never prioritized the amendment of the Law on Local Government Finance and resolving the problem of financing of social services. On the other side, municipalities continue to neglect assuming the responsibility for managing with social services.

Based on the findings from this monitoring, social services are in a very serious condition and are facing many challenges, including: lack of sustainable financing, poor quality of services, limited capacities, lack of infrastructure, poor accountability, uncertainties in the division of responsibilities between central and municipal level, uncertainties in the division of monitoring and inspection functions, lack of data, and lack of cooperation and communication between central and municipal level.



RECOMMENDATIONS

Recommendations

Given the serious situation regarding the financing of social services and the fact that the Specific Grant for Social Services due to legal procedures is not expected to be applied during 2021 and 2022, it is recommended that LSW and Municipalities take some urgent actions during this period:

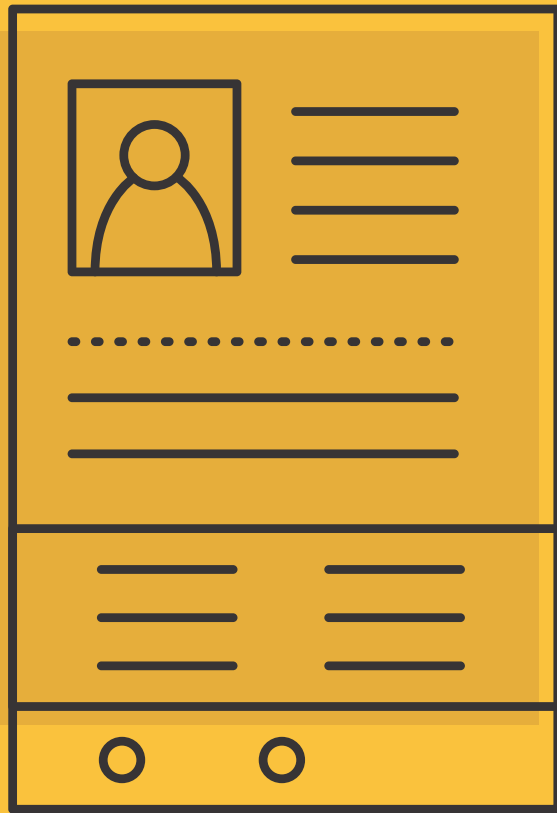
- MLSW to increase the threshold of minimum financing for social services provided by the non-governmental sector, in order to enable a continued provision of services to citizens in need. MLSW to eliminate time gaps created between public calls for service financing from MLSW, in order to avoid any closure of services.
- Municipalities to take all measures to ensure the financing of direct social services within their municipality through the financial support of CSWs and the purchase of services from the non-governmental sector.

Based on the findings of this monitoring, the key recommendations to be considered by the responsible institutions for implementing the decentralization process, are drafted and introduced below.

- Prioritize the implementation of social services decentralization process at the central and municipal level. The Government of Kosovo and municipalities should invest in legal regulation of social service financing, clear division of responsibilities between central and municipal levels, increasing the accountability in the field of social and family services, increasing the infrastructure and capacities, and investing in professional development of municipalities and service providers. MLSW should take over a leading and facilitating role for the completion of this process.
- Establishment of the Specific Grant for Social Services in frame of the Law on Local Government Finance, to ensure sustainable and fair financing of social and family services. The Specific Grant for Social Services should be based in the minimum standards of MLSW, the financing formula for social services, as well as the criteria and social indicators in municipalities. The total amount of current expenditures for all categories of expenditures for CSWs and financing of residential institutions is about 10 million Euros. It is recommended that in the first year of implementation of the new Law on Local Government Finance the total amount allocated through the Specific Grant must be 15 million Euros, which increases the budget for social services with 5 million Euros.
- Drafting of the financing formula for social services, from the MLSW. The financing formula must calculate the unit cost per each client of social services and take into account the criteria in the territory of the municipality: number of CSWs, number of residential centers, number of day care centers, number of social service officers in proportion to the number of inhabitants and the number of cases, number of children by age group and vulnerable or endangered adults, number of victims of domestic violence, trafficking and abuse, number of people with special needs, number of the elderly over 65, and the number of families under social assistance in relation to the area of the municipal territory.

- Define the role and divide the responsibilities between central and municipal level institutions in frame of the new Law on Social and Family Services, in order to avoid uncertainties about social services. It is recommended to adjust reporting at both horizontal and vertical level, standardize the reporting forms and data sharing, having into consideration confidentiality.
- Separate the inspection and monitoring functions under the Law on Social and Family Services. It is strongly recommended to define roles, competencies and responsibilities between the central and municipal levels regarding inspection and monitoring. Inspection must be performed from the central level, respectively MLSW, while monitoring must be performed from the municipal level, the DHSW. It is also recommended to invest in strengthening the inspection unit by providing executive powers and providing the necessary capacity to exercise the required functions. The medium-term recommendation is to transform the internal inspection unit into an external unit or agency out of the ministry, that would assure an independent inspection to assess the quality of provided services and the administration of licensing.
- Monitoring and evaluation by the non-governmental / private sector. In addition to the monitoring and inspection carried out by public institutions, it is recommended that the Law on Social and Family Services foresees the possibility of monitoring and evaluation by the non-governmental / private sector. This would increase the quality of services and accountability.
- Licensing of social services provided by the public sector. It is recommended to foresee this in the Law on Social and Family Services. The licensing of services provided by public institutions would ensure further accountability and monitoring of all public service providers, thereby enhancing the quality of social services.
- Establishment of a sustainable scheme by municipalities to outsource social and family services to the non-governmental sector. Contracting must be done by purchasing social services, in order to ensure sustainable and long-term financing. Providing support through subsidies is not sustainable and is not considered as the most appropriate form of financing the non-governmental sector services. Municipalities must adhere to the minimum standards of MLSW when contracting services. Municipalities must conclude contracts with licensed and proven non-governmental organizations with experience and professionalism in providing social and family services, on behalf of the municipality.
- Empower municipalities and CSWs for budget planning and management. It is recommended that the Municipal Directorates of Health and Social Welfare develop and profile professional staff in the field of social services. In particular it is recommended to build capacities for planning, management and monitoring of social services. As the budget is expected to be transferred to the CSWs after the application of the Specific Grant for Social Services, they must be prepared to accept the competencies on budget planning and management for the provision of social services. Budget planning should be based on the needs of citizens within the municipality, the need for quality social services, and the professional development of service providers.

- The new Law on Social and Family Services should foresee a reform of social services, defining prevention, protection, rehabilitation and reintegration services, as well as classifying services into three categories / levels, thus guaranteeing the right to social services for all children and persons in need. Furthermore, it is recommended that this Law to envisage a new organization of services by moving some of the social services from the CSW to the non-governmental private sector.
- Increase the number and profile of social service officers in the CSW to respect the minimum MLSW standards for the number of officers in relation to the number of beneficiaries. The CSW should ensure that their staff is composed of professionals in the fields required by Law such as social worker, psychologist, pedagogue, sociologist and legal officer. It is also recommended to profile social service officers by categories of beneficiaries, in the public sector. Given the limited human resources, it is recommended that this process be developed gradually and progressively. As a first stage, it is recommended to start with the profiling of social workers / social services officers regarding their work with children and adults. Whereas, further step is to plan profiling of social officers based on categories.
- Creation of a training unit within MLSW, which will provide continuous training for social service officers. It is recommended that programs developed by the social services training unit be accredited and be based on the minimum standards and licensing requirements. It is also necessary to create an annual training plan designed by the MLSW and based on the accredited programs and the standards requirements approved by the MLSW. Within this annual plan, it is important to include the budget planning of trainings, on annual basis.
- Develop awareness-raising campaigns by the municipalities and MLSW on decentralization of social services, importance of services and citizens' right to access these services.



APPENDIX

Appendix 1

List of interviewed persons:

1	Mentor Morina Department for Social and Family Policies, MLSW Director of the Department for Social and Family Policies	6	Petrit Loci DHSW, Municipality of Peja Director	13	Naime Azemi CSW, Municipality of Pristina Social Services Officer
2	Fitore Rexhaj Department for Social and Family Policies, MLSW Senior Officer for Monitoring of Inspection of Social and Family Services	7	Fejzë Kabashi DHSW, Municipality of Prizren Director	14	Makfirete Shamolli CSW, Municipality of Lipjan Director
3	Adile Shaqiri Department for Social and Family Policies, MLSW Senior Officer for Protection of Victims of Trafficking, Sexual Crime and Domestic Violence	8	Bekim Ademi DHSW, Municipality of Ferizaj Director	15	Drita Kukaj CSW, Municipality of Peja Director
4	Dren Kukaj DSW, Municipality of Pristina Director	9	Kimete Kryeziu DHSW, Municipality of Kamenica Acting Director	16	Kumrije Bytyqi CSW, Municipality of Prizren Acting Director
5	Vlora Limani Hajnuni DHSW, Municipality of Lipjan Director	10	Jakup Dumani DHSW, Municipality of Fushe Kosova Director	17	Ruzhdi Latifi CSW, Municipality of Ferizaj Director
		11	Hysen Sllamniku DHSW, Municipality of Fushe Kosova Social Welfare Officer	18	Adelina Rexhepi CSW, Municipality of Ferizaj Head of Social Services
		12	Ahmet Fejzullahu CSW, Municipality of Pristina Acting Director	19	Hamdie Selmani CSW, Municipality of Ferizaj Social Services Officer

20

Musa Baftiu

CSW, Municipality of Ferizaj
Social Services Officer

21

Rifat Hajdari

CSW, Municipality of Kamenica
Director

22

Abaz Xhigoli

CSW, Municipality of Fushe
Kosova
Director

23

Zana Shabani

Terre des Hommes (NGO),
Municipality of Pristina
Project Coordinator

24

Safet Blakaj

Labyrinth (NGO), Municipality
of Pristina
Director

25

Gani Lluga

ASTRA (NGO), Pristina
municipality
Director

26

Fitim Sadiku

POLIS (NGO), Municipality of
Lipjan
Director

27

Naser Lajqi

Syri i Vizionit (NGO),
Municipality of Peja
Program Manager in the area
of Child Protection

28

Flori Jupa

Autizmi (NGO), Municipality
of Prizren
Social Worker

29

Yllka Bega

Handikos (NGO), Municipality
of Ferizaj
Child Protection and Child
Rights Governance Officer

30

Besime Tusha

NOPM (NGO), Municipality of
Kamenica
Director

31

Rexhep Gojnovci

Akti (NGO), Municipality of
Fushe Kosova
Director

Appendix 2

Questionnaires for the Monitoring of the Process of Decentralization:

a) Questionnaire for the Central Level (MLSW):

1. Are the competencies clearly defined between the central and local level, in relation to the process of decentralization? (explain)
2. Was there any political will from the Ministry to implement the process of decentralization? (explain)
3. Is the decentralization of the budget for social services implemented?
 - 3.1. What is the proper solution for the decentralization of the budget for social services?
 - 3.2. Do you think that this process can be solved through a special grant?
 - 3.3. Is the financing formula drafted already, or calculation of service cost per unit?
4. How is budget allocated for CSW-s and NGO-s that offer social services?
 - 4.1. Are there any clear criteria, and if yes, which are they?
5. Does the Ministry have a monitoring role in relation to social services?
 - 5.1. If yes, how is monitoring conducted?
6. In what way the inspection of CSW-s and NGO-s offering social services is carried out?
 - 6.1. What are the challenges and needs?
7. Did the Ministry establish any program for the professional development of social workers?
 - 7.1. If yes, what are these programs and how many times were developed within the year?
 - 7.2. What were the topics tackled in these programs (trainings)?
 - 7.3. Who and how many persons benefited from these trainings?
8. Is the decentralization of the family housing implemented?
 - 8.1. If not, why?
 - 8.2. If yes, explain how?
9. Does the Ministry have sufficient data to assess the risk factors through Family Budget Survey?
 - 9.1. Are the social indicators defined?

10. Which is the way of the internal communication between the Ministry, DHSW, CSW and other NGO-s offering social services?
 - 10.1. Are there any reporting forms (protocols)?
 - 10.2. At what time intervals the reporting is carried out?
 - 10.3. If there are protocols, are they being respected?
11. What is the cooperation between the central and local level and the NGO-s?

b) Questionnaire for the Local Level (municipalities/DMSS): _____

1. Are the competencies clearly defined between the central and local level, as per the process of decentralization? (explain)
2. Was there any political will from the municipality to implement the process of decentralization? (explain)
3. Is the decentralization of the budget for social services implemented?
 - 3.1. What is the proper solution for the decentralization of the budget for social services?
 - 3.2. Do you think that this process can be solved through a special grant?
4. How is budget allocated for NGO-s that offer social services?
 - 4.1. How do the municipalities contract social services?
 - 4.2. Are there any clear criteria and if yes, what are they?
 - 4.3. Does the municipality publish a public call according to the rules for contracting of social services from NGO-s?
 - 4.4. What was the amount allocated for social services by the municipality during 2018? For CSW and contracting of NGO-s?
5. Do you as municipality have accurate information about the number of persons in need?
 - 5.1. How is this information collected?
6. Does the DMSS have the human capacities, qualified and experienced human resources for social services?
 - 6.1. What is the number of the staff within the DMSS?
 - 6.2. What are their profiles (occupation)?

7. Does the DMSS monitor the institutions that offer social services (including CSW-s and NGO-s)?
 - 7.1. If yes, how is the monitoring carried out?
8. Did the municipality organize any awareness-raising campaigns about their right to benefit from the social services?
9. Do DHSW and CSW-s have the capacities to draft the budget planning (request) for social services?
 - 9.1. Who prepares the budget request to be submitted to the municipality?
 - 9.2. Do the Directorate and CSW have the capacity for carrying procurement procedures for contracting of social services?
 - 9.3. Does the CSW have the capacity to manage with the budget?
10. Was the decentralization of family housing implemented?
 - 10.1. If no, why?
 - 10.2. If yes, explain how.
11. What is the way of internal communication between the Ministry, DHSW, CSW and other NGO-s offering social services?
 - 11.1. Are there any reporting forms (protocols)?
 - 11.2. At what time intervals the reporting is carried out?
 - 11.3. If there are protocols, are they being respected?
12. Is there a manual for the operation with social services in the municipality based on the Law on Municipal Self-Governance and the European Chart of Local Government, focusing on social services?
13. How the municipality organizes social services?
 - 13.1. How are NGO-s contracted?
 - 13.2. How are priorities and criteria defined for contracting them?
14. What is the cooperation between the central and local level, and the NGO-s?

c) Questionnaire for CSW:

1. Are the competencies clearly defined between the central and local level, as per the process of decentralization? (explain)
2. Was there any political will from the municipality to implement the process of decentralization? (explain)
3. Is the decentralization of the budget for social services implemented?
 - 3.1. What is the proper solution for the decentralization of the budget for social services?
 - 3.2. Do you think that this process can be solved through a special grant?
4. Does the current budget cover the current needs for social services?
 - 4.1. For which services you have sufficient budget (list)?
5. Does the CSW have the capacities to draft the budget planning for social services?
 - 5.1. Who prepares the budget request to be submitted to the municipality?
6. Does the CSW have the capacity to manage with the budget for social services?
 - 6.1 Do you think that CSW has to have its bank account and manage with the budget, or that the budget should be managed by the municipality (DHSW)?
 - 6.2 Does the CSW have a financier?
7. What is the way of internal communication between the Ministry, DHSW, CSW and other NGO-s offering social services?
 - 7.1. Are there reporting forms (protocols)?
 - 7.2. What are the reporting time periods?
 - 7.3. If there are protocols, are they respected?
 - 7.4. What reports are submitted to the DHSW and what for MLSW?
8. What is the Organogram of CSW / NGO
9. Does the CSW / NGO have statistical data about the persons in need?
 - 9.1. Do you see the possibility for the CSW / NGO to go out in the field and collect accurate data about the number and the condition of the persons in need?
10. What is the cooperation between the central, local level, and the NGO-s?

d) Questionnaire for the NGO-s Offering Social Services: _____

1. How do you see the process of decentralization? Are the competencies clearly defined between the central and local level, in relation to the process of decentralization? (explain)
2. Was there any political will from the Ministry and the municipality to implement the process of decentralization? (explain)
3. Does the current budget cover for the needs of the social services?
3.3 Currently, from what sources (donors) are the social services of your organization covered?
4. Does the municipality publish public calls for the financing of social services?
5. What is the way of communication between you (NGO), municipality, DHSW, CSW and the MLSW?
6. What is the way of your reporting to the municipality, DHSW, CSW and MLSW? (if there is reporting)
7. Have you had any monitoring/ inspecting conducted by the municipality, MLSW?
8. What are the challenges faced by an NGO during the offering of social services?
9. What are the needs of the NGO-s when offering social services?
10. What is the cooperation between the NGO-s, municipality and the MLSW?

Appendix 3

Analyzed Documents

Legal Framework:

Law No. 03/L-049 on Local Government Finance

Law NO. 05/L-108 on Amending and Supplementing the Law No. 03/L-049 on Local Government Finance

Law No. 06/L-133 on the Budget Appropriations for the Budget of the Republic of Kosovo for Year 2019 – Tables of Budget for Year 2019

Law No. 2003/15 on Social Assistance Scheme in Kosovo

Law No. 04/L-096 on Amending and Supplementing the Law No. 2003/15 on the Social Assistance Scheme in Kosovo

Law No. 02/L-17 on Social and Family Services

Law No. 04/L-081 on Amending and Supplementing the Law No. 02/L-17 on Social and Family Services

Law No. 03/L-040 on Local Self-Government

Sectorial Strategy of the MLSW 2014 – 2020

Statutes of the Centers for Social Work

Concept Document on the Finances of Local Government, Ministry of Finance

Concept Document for Social Services, Ministry of Labor and Social Welfare

Reports:

Financing of Social Services in Kosovo, KOMF 2017

Mapping child protection systems in the EU, The European Union Agency for Fundamental Rights

The Legal and the Fiscal Context as well as the Capacities of the Social Services Providers in Kosovo Situation Analysis, Save the Children, 2018

Child Protection Index, KOMF 2017 and 2018

Budgetary Platform, GAP Institute

Progress Report for Kosovo, 2018, EU Office in Kosovo

KOMF member NGOs are: Association for Social Training, Research and Advocacy – ASTRA, Action for Mothers and Children – AMC, Balkan Sunflowers Kosova, Childproof/CIPOF, Education Comes First – ECF, Initiative 6, Organizata Rinore Akti – Ora, Organization for Children without Parental Care – OFAP, OPFAKKOS, Civil Rights Program – CRP/K, PL4Y International, Kosovo Education Center – KEC, Qendra e Kujdesit Ditor – PEMA, Center for Protection of Victims and Prevention of Trafficking in Human Beings – PVPT, Center for Advanced Studies – FIT, Kosova Rehabilitation Centre for Torture Victims –KRCT, Save the Children, SOS Children's Villages Kosovo, Shpresa dhe Shtëpi për Fëmijët Kosova – SDSF, Patient's Rights Association in Kosovo – PRAK, Association of Paraplegics and Paralyzed Children of Kosova – HANDIKOS, Terre des hommes, The Ideas Partnership, Voice of Roma, Ashkali and Egyptians – VoRAE, World Vision, Public Organization for Local Initiatives and Supports – POLIS, Network of Peace Movement – NOPM, Educational & Social Center SOS Kindergarten, Nevo Koncepti.

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