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When it comes to licensing of services in the field of social and child protection, it is necessary to set up competencies of institutions more precisely

**Podgorica, PR press service –**The time is ripe for a comprehensive reform in the field of social and child protection in Montenegro**.** Setting up competencies of institutions with regard to licensing of services within this reform has to be done in more precisely.

That was announced at the second panel “Challenges in the process of licensing of social and child protection services in Montenegro”, which has been held as a part of the conference “Are social and child protection services available to persons with disabilities in Montenegro”. This conference has been organized by **the Union of the Blind of Montenegro.**

Speaking of the law regulations, **Director of the Institute for Social and Child Welfare, Miloš Ristić**, said that the Law on Social and Child Protection, along with three rulebooks, is crucial.

“These include rulebook on the accreditation of training programmes, rulebook on vocational jobs and rulebook on licensing of professional workers,” Ristić said.

He said that the Institute would provide all expert and logistics support in order to enable accreditation for as many programmes as possible.

“Without people who work directly with beneficiaries, no one can accredit programme, implement it or understand what the key problems are,” Ristić pointed out.

He said that there were currently 103 active training programmes, stating that the NGO sector accredited 56 of them.

“I see a problem regarding the Law on Social and Child Protection. While the Law has been drafted, not all new profiles of professional workers appearing on our market have been recognized. We have to act in accordance with the law. By amending the law, we will expand the range of people who will be able to obtain licenses,” stated Ristić.

**Director Executive of the Union of the Blind Goran Macanović** assessed that it was about time for a comprehensive reform in the field of social and child protection.

“With regard to the current system, I would put focus on a precise determination of the institutional competencies when it comes to licensing of services. Laying down the standards for a specific service is a necessary step that has to be taken,” said Macanović.

Based on the past experience, he pointed out that there is no clear competence with regard to institutions that work on standard development.

“Information which are available to us indicate that the Institute for Social and Child Protection does not develop service standards, and the Ministry also says that developing standards is not its responsibility, but the obligation of the Institute. That could be a consequence of certain changes in the Government and the Ministry, as well as the absence of clearly defined competencies, which altogether leads to different interpretations of who should develop service standards. I know we are stuck in the same place because we do not know to whom we should submit an initiative and in what way we should start the process of laying down the standards,” said Macanovic.

He believes that it is necessary to improve the institutional framework.

He highlighted that until now they have been trying to resist the requirement imposed by the system, according to which persons with disabilities have to be service providers.

“I was a person who from the beginning took the position that organizations of persons with disabilities should not be service providers. By forcing organizations of persons with disabilities to be service providers and to license support services that would have to be funded by the budget, they are deprived of their independence and impartiality. They become financially dependent on the system, “explained Macanovic.

He drew attention to the fact that organizations of persons with disabilities are forced to license services.

The system of NGOs has been made in such a way that, if organizations of persons with disabilities are not licensed, organizations for persons with disabilities or some third-party organizations will obtain license, and they will meet the criteria set by the Ministry of Labor and Social Welfare in tenders,” said Macanović.

**Marina Vujačić, Executive Director of the Association of Youth with Disabilities,** said the legislation of Montenegro, as well as the public policies and practice are not based on that what is stipulated in the UN Convention on the Rights of Persons with Disabilities.

“For many years we request amendments to the Law on Social and Child Protection in a way that would imply a reform. In my opinion, disability based compensatory rights, according to which the right to personal disability allowance and care and support allowance should have been interpreted and defined, should not be contained in the Law or at least not in the way it was defined,” stated Vujačić.

She emphasized that, in her opinion, the participation for social and child welfare services is acceptable at that moment when the state fulfills its obligations to estimate disability-related costs, “and this implies both direct and indirect costs due to different barriers faced by persons with disabilities.”

“Since there is a little and poor understanding of what indirect costs are, direct costs would include inaccessibility and everything that restricts the participation of persons with disabilities in society on equal basis with others, while indirect costs would refer to something additional, such as, for example, the fact that many persons with disabilities do not have access to adequate education system due to barriers in society. Accordingly, they do not have access to employment or income, which is why they cannot have an adequate standard of living,” said Vujačić.

She said that the participation estimated only and exclusively on the basis of someone’s income is unacceptable.

“Given that the rights to social and child protection services, including community support services, are guaranteed by law on at the same level of guarantees as material benefits and on the same line so that they have to be applied in practice,” said Vujačić.

She explained that this does not have to mean payments of material benefits should be suspended or reduced. It means that the state must enable balanced service implementation and payments of material benefits. It also must guarantee the continuity and regularity of the aforementioned, “which is not the case in practice”.

She said that the currently system is defined in such a way that it forces NGOs to be licensed if they do not want to leave beneficiaries without any support.

“This is not good not only because NGOs, organizations of persons with disabilities and parents’ associations are becoming state organizations and start to operate as a tool of the state. Moreover, their influence in the domain of public advocacy and other activities they should normally carry out may weaken. I believe it is unnecessary to mention that the services the NGOs provide to beneficiaries will depend on state budget planning, which means the state will decide whether or not is going to ensure and enable service implementation in the community”, said Vujačić.

She highlighted that the Association of Youth with Disabilities Youth had accredited three programmes, stating that there were no ordered accredited programmes. Each programme was organized by them within their projects.

“Professional workers should not only apply for programmes that are offered for free, but the institutions they work in should order that training programmes”, said Vujačić.

She also said that she had somewhat of a dilemma because she was not sure if the decision to license any of the services was correct, and whether they, as the NGO, should license services and be service providers.

“Now it happens that we have a large number of requests implying that we should hire one more professional worker, but we do not have the funds from the budget. If I had to decide now whether to submit a request for licensing the service, in this system, we would not do that”, stated Vujačić.

At the end of the panel, **Macanović** called on the Government, the Ministry of Labor and Social Welfare and all institutions to regard providing support to PWDs through licensing, financing and introduction of support service in the child and social protection system not as the costs for the state. Instead of that, they should see PWDs as a strong human capital from which the society can greatly benefit.

The conference was held within the framework of the project “Equality to a dignified life of persons with disabilities in Montenegro”, implemented by the Union of the Blind of Montenegro in cooperation with the Association for Support to Persons with Disabilities Bijelo Polje. It was financed by the European Union (through support of CFS – the Civil Society Facility) and Ministry of Public Administration.