

Country: **Serbia**

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<p>Background of the legislation for PA services</p>	<p>The start up process and role of CIL Serbia in the lobby for legislation reform while demonstrating practically the impact through the provision of the service.</p> <p>The role of the Center for independent living Serbia (CIL) was crucial for the whole process regarding PA services, as the whole idea and first information on the concept of IL and PA services was introduced in Serbia in 1996 when the CIL was founded. CIL Serbia started to work on the practical organization of PA services in December 2000 with the first experimental PA service being organized in Belgrade for 14 users supported by Oxfam UK. A small case study followed showing the impact of the service with results being published and introduced to the government and general public. Thanks to the positive results, the government of the Republic of Ireland supported an Action-Research project for the Service of Personal Assistants in Serbia in 2003, with the acronym SPAS. In the Serbian language this has the meaning of “salvation”. The funding was for 4 years. Through this project CIL provided PA services for 72 users in 5 cities of Serbia throughout the 4 years. Along with the service the CIL organized participative research aimed to do a cost-benefit analysis of the service and to document changes in the life quality of PwD as users of the service. In that period CIL managed through advocacy and lobbying to obtain small co-funding for the service from the Serbian Ministry for Labour and Social Policy.</p> <p>During the last 10 years the CIL Serbia managed to keep the PA service alive through various projects funded by donor agencies, government sources and resources of the National Employment Agency. The CIL and its local organizations also managed to advocate for funding from local municipalities for a limited number of users. Parallel with the provision of PA services the CIL was lobbying for legislative changes in the system of social protection and developed further own procedures for service organisation and basic standards for the delivering of</p>
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	<p>the service. The CIL developed a training package both for users and PAs in 2011 that received official accreditation from the Serbian Agency for Social Protection.</p> <p>During the last four years the PA service was provided by the CIL Serbia and through local CILs for over 400 PwD from 10 municipalities. It was organized and run respecting fundamental principles of choice, decision-making and control by individual users. From 2008 the Centre of Living Upright organizes the service in Novi Sad using the same standards and criteria.</p> <p>Challenges and ideological conflicts</p> <p>The main challenge for the CIL was the under developed social policy legislation, leaving the state social system without capacity to absorb and implement the CIL' results and requirements. The process for the new law on social protection development in Serbia took 8 years! This proved to be a crucial bottleneck, as all other achievements in recognizing PA services within different legislation and strategy, could not be implemented without having in place the revised main systematic law on social protection.</p> <p>A challenge that the CIL Serbia is facing at the moment is the implementation of the new Law on Social Protection adopted in 2011. Due to the decision that funding of social services has been transferred to the local level. It will now require further lobbying of local authorities for the recognition of PA services and the needed funding within the local budgets.</p> <p>Another challenge for the CIL are the efforts that need to be made in order to protect the original concept of IL and PA services as there are numbers of incidents with misuse and even abuse of the terminology and dilution of the concepts, by organizations of PwD and in interpretations by local authorities and institutions. This is exactly why the CIL worked on setting up standards for provision of PA services and managed to include most of them in the official proposal of By-law on basic standards for the provision of PA services which is expected to be adopted by the Ministry for Labour and Social Protection in January 2013.</p>
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<p>Time frame of the development of the legislation and the type of legislation</p>	<p>The reform of the social protection started in 2003 when the Poverty Reduction Strategy in Serbia was adopted. It mentioned the need to develop new forms of support services for PWD.</p> <p>The next step in the reform process was the adoption in 2005 of the Strategy of the Social Protection System Development. This document recognized for the first time that users need to be included in the decision making processes, and that support services should be organized outside of the institutions tailored to meet the individual user’s needs.</p> <p>In 2005 the National Disability Strategy of Serbia was adopted with guidelines for further development for the social support services and mentioning for the first time that PA services are one of the possible services that needs to be developed.</p> <p>The Law on Discrimination Prevention for PWD was brought forth in 2006. Included in the positive measures there was the obligation of the local authorities to provide social support services including PA services for PWD.</p> <p>In 2009 the new Law on Employment of PWD came into effect, with a provision of PA services for PWD as an employment support measure enabling disabled persons to work.</p> <p>Eventually in May 2011 the new Serbian Law on Social Protection was adopted after 20 years! However, some parts of the Law did not come completely into effect as the new by-laws had to be developed regulating procedures in detail for local support services.</p> <p>According to the Law, services for independent living including PA services are recognized as social services that should be provided by the state, with the financing at the local level. The By-laws are still in the development procedure (expected to be finished by January 2013) but the CIL managed to ensure that the previous developed standards (such as one PA only being able to work for one user who has personally chosen her/his PA) would be included in draft by-law.</p> <p>Direct payment scheme for PA</p> <p>Direct payment schemes for PA does not exist in</p>
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	<p>Serbia in the same form as in some countries. However, since 1981 disabled persons in Serbia with high support needs are entitled to a monthly allowance for help from another person through the pension and disability insurance system or through the Law on social protection (approximately 140 – 210 € per month). This could be considered as some sort of "direct payment" for PA support, but shown in the CIL research from 2010, more than 50% of PWD receiving the allowance are using it for everyday living costs (food, electricity, ...) Only 12% of PWD with the allowance, are using it to pay a person for help and support.</p>
Administrator of PA services	<p>Service delivery should be organized through service providers, who are from the private sector, NGOs or state institutions with licenses governed by standards defined in the by-law on minimal standards for social services.*</p> <p>Service providers are required to organize advertisement, provide training for users and basic training for PAs as well as to provide a list of potential PA candidates. Users are conducting interviews and choosing the person who will be working as the PA. Service providers are signing contracts both with the user and the PA and doing the administrative tasks including payment of salaries and state taxes.</p> <p>*It is a requirement by Law, but still not implemented as by-laws on licenses procedure and minimal standards are not yet adopted.</p>
Funder of service	<p>Municipalities with national co-funding for non-developed communities. Users who are receiving the monthly allowance for help from another person are required to contribute to the PA service cost with 20% of the monthly allowance.</p>
Disabilities covered	<p>Persons with physical and visual impairment</p>
Possible amount of hours per day/week of	<p>Limited from minimum 20 to maximum 40 hours per week</p>
Assessment of needs: tool and how often	<p>Done by Centre for social work with participation of disabled person, followed by more specific assessment by service provider, based on needs. Annual re-assessment required.</p>
Hourly rate funded	<p>Wages are a little above minimum wage in Serbia (155 € per month net amount) - net amount for PA</p>

	<p>monthly salary is 196 € (brut with taxes 320 €) for full time work, or 1.23 € per hour in net amount. Taxes in Serbia are high – 65% of net salary, but cover health and pension insurance.</p>
Age	<p>18 and above with requirement to be socially active i.e. being employed, engaged in NGOs, sport organizations, political parties, local municipalities, both on paid or voluntary base.</p>
Number of Users in the country	<p>It depends on the organizations resources as the new Law is not as yet in effect.</p> <p>At the moment, there are around 100 PWD who are using the service provided by local CILs and the Centre Living Upright in Novi Sad, meaning with IL standards. Another 50 or so users receive services from other service providers financed by the National Employment Agency based on their own procedures.</p>