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## ASSESSMENT OF THE SOCIAL PROTECTION SYSTEM IN YEREVAN

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**YEREVAN 2019**

## Summary

The social protection system ensures prevention of social risks, support for people in difficult life situations, as well as implementation of measures to overcome economic, social and disaster risks at various stages of life. The city of Yerevan stands out by the volume and urgency of social problems, the characteristics of the beneficiaries and the variety of social protection bodies and organizations.

New priorities of the social sector are identified in the RA Government programme 2019-2023 aimed at improving the living and social conditions of citizens, the full and effective realization of social rights based on the principle of equal opportunities and the encouragement of work. To achieve these priorities, it is necessary to establish an effective child and social protection sector management system in Yerevan and to clearly integrate it in the development priorities of Yerevan in terms of policy, implementation and funding.

The Municipality of Yerevan organizes and implements complex social services within the powers delegated to it by the State through the subordinate Territorial Offices of Social Services (TOSS). However, after the adoption of the RA Draft Law on “Making Amendments to the RA Law on Social Assistance” and other draft laws by the RA Government that were released by the Ministry of Labour and Social Affairs of the Republic of Armenia (MoLSA) on June 20, 2019 and re-released on September 2, 2019, the delegated powers will be revised, i.e. they will be fully subordinated to MoLSA.

With consideration of the changes in subordination of TOSS, Integrated Social Services reform, decentralization, as well as the development of the community social worker, it is necessary to revise the social protection system of Yerevan and clarify the scope of community powers making it more affective, targeted and in compliance with the social protection goals of the Government.

At the request of the Municipality of Yerevan, a team of experts formed with the support of UNICEF and World Vision Armenia, which conducted the current assessment in the period of July-November, 2019 to support the child and social protection system reform of Yerevan by proposing practical mechanisms to make the structural changes in the management of the Municipality and administrative districts feasible, improve the effectiveness of the system at the local level, as well as develop multilateral cooperation, establish the community social worker’s institute and contribute to local social planning. The multi-level coverage, scope and comprehensive approaches were unprecedented for the city of Yerevan in terms of system reforms and modernization of social protection in the community.

The findings and recommendations of the assessment, as well as the exemplary statutes and standards may become the basis for the development and introduction of management tools for the social protection system in other communities of the Republic of Armenia.

The main audience of the analysis is the management staff of the Municipality of Yerevan, Yerevan Community Council, the Department of Social Security, and Protection of the Family, Women and Child Rights Unit of the Municipality of Yerevan, the Social Security, Health and Programmes Units of Yerevan administrative districts, TOSS, as well as the Government of Armenia and other partners involved - RA MoLSA, RA MTAI, regional and community authorities, international and non-governmental organizations and others.

## The Methodology of the Assessment

Several tools that were used during the assessment include:

1. **Desk review** of laws and other legal acts, strategic and concept papers, budget, statutes and other documents.
2. **Focus group discussion** with Yerevan city Council members responsible for the social sector, representatives of about 25 NGOs that carry out social programmes in Yerevan community, as well as the lecturers of the Chair of Social Work and Technologies of Yerevan State University.
3. **Interviews** at the level of decision makers – interviews were conducted with the Deputy Ministers of Labour and Social Affairs and Territorial Administration and Infrastructure, First Deputy, Advisor and Staff Secretary of Yerevan city, Heads of all Administrative Districts and/or their deputies and/or staff secretaries, as well as social units, heads of 4 departments and heads of units of Yerevan Municipality, personnel and other servants of the RA MoLSA and RA MTAI and others (Secretary of the Guardianship and Trusteeship Commissions) - a total of 66 people.
4. **Online surveys** with questionnaires addressed to the staff of social units and TOSS – a total of 163 participants with 29.1% from social units of administrative districts and 70.9% from TOSS. The effectiveness of the management of Yerevan Municipality and administrative districts was assessed with the tool in the following seven aspects: identity, policy, organizational structure, functions, human resource management, work processes, logistics.
5. **Participatory meetings and discussions** with sector NGOs and participatory workshop with 34 participants including deputy heads of administrative districts and/or staff secretaries, heads of social units and TOSS and/or staff members.
6. **Review and comparative analysis of the previous studies and analyses.**

The quantitative results were compared with data received from other sources, having altogether an impact on the findings, conclusions and recommendations of this report. The methodology of the analysis is presented in the first part of the report in detail.

The report consists of 4 main chapters: methodology, findings and analysis, conclusions and recommendations. The findings, conclusions and recommendations are summarized in 7 directions as presented below:

### The Main Findings and Conclusions

#### *1. Policy, Strategy and Budgeting*

The main issues and programmes related to children and social protection presented the Development Plan 2019-2023 for Yerevan and the revised draft were not in compliance with the strategic goals related to children and social protection defined by the RA Government and RA MoLSA and were incomplete in their content. The funding directed at social security and child protection is not clearly defined and is mainly aimed at provision of material and in-kind assistance instead of implementing targeted and effective social programmes. Programme budgeting approach

and clear procedures for funding, as well as delegation of social services and implementation of local social programmes are not defined.

Urgent implementation of social protection reforms in the Republic of Armenia and clarification and separation of powers is quite important, especially with consideration of the draft law on changing the subordination of TOSS and the subsequent risks in the city of Yerevan.

## ***2. Legal and Legislative Field***

The social protection system in Yerevan is complex and is regulated by various legal acts, which sometimes leads to misunderstandings. In order to fully present the legal basis of social protection in Yerevan, it was necessary to study the legal acts phase by phase. First of all, the legal basis of local self-government was analyzed, followed by the peculiarities of local self-government in Yerevan and the implementation of social protection in Yerevan highlighting the issues for improvement. The RA Law “On Local Self-Government” is applicable to the City of Yerevan as much as the RA Law “On Local Self-Government in the City of Yerevan” stipulates peculiarities.

In accordance with the provisions of the European Charter of Local Self-Government, the State has agreed to decentralize powers based on which social issues should not be taken to a higher organizational level if they can be solved at the local organizational level to improve the effectiveness of local government activities in the field of social protection, to mitigate disparities in territorial development and to ensure the continuous process of administrative-territorial reforms.

The tasks/authorities of the community are mandatory and voluntary, and the powers of the local self-government bodies can be divided into “their own” to solve the mandatory and voluntary tasks of the community and delegated by the State for more effective implementation of the powers of the state authorities. The lack of interpretation and misconceptions complicate the resolution of mandatory and voluntary tasks. And the community's own powers are aimed at solving the community's mandatory tasks only.

The local self-government bodies are obliged to implement their own powers, as assigned by law, to ensure the prioritized settlement of community mandatory tasks.

Mandatory tasks of the community are public issues the settlement of which ensures the regular life of the community. Community mandatory tasks<sup>1</sup> are defined by Article 12 of the RA Law “On Local Self-government”, and own powers of the local self-government bodies to solve these issues are defined by law. Voluntary community issues are those that are not directly linked to the regular course of community life and can be implemented only with additional financial resources with the exception of those needed to solve mandatory issues. The community's own powers as defined by the RA “On Local Self-Government” are directed solely to the solution of the community mandatory tasks.

The voluntary tasks of the community, their powers and procedures to solve them shall be defined by the decision of the Community Council. Voluntary social assistance issues are addressed by the criteria determined by the Community Council. The criteria to address voluntary social assistance issues are very general addressing different target groups and is provided through various mechanisms.

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<sup>1</sup> One of the mandatory tasks of the community is, among others, social protection of the population.

According to Article 48 of the RA “On Local Self-Government”, the Community Leader has 5 special powers. Based on the peculiarities of Yerevan, it is noteworthy that the Mayor carries out one own power in the field of social protection-organizes the activities of municipal social security institutions and organizations; the Mayor also carries out the following delegated authority - supports the implementation of state social security programmes.

The analysis of the social protection system is impossible without studying the activity of GTCs (Guardianship and Trusteeship Commissions). The systemic review of the RA legislation stipulates that the rights and interests of the child during any case management with the participation of the child shall be fully protected and exercised ensuring the prioritization of the rights and best interests of the child. The GTC is a public collegial body that provides professional support to the Guardianship and Trusteeship Bodies. The conclusions of the GTCs and the decisions of the GTB, being professional documents, are often accepted by various government agencies and institutions, including the courts, as undisputable facts, even though they may include various professional inadequacies. This may be dangerous for children as the court makes a decision based on a situational analysis, and sometimes biased one, instead of a professional opinion. This issue becomes more complicated also because the GTCs are established on a voluntary basis and not based on professional qualifications.

It is noteworthy that the first of the principles of social assistance defined by Article 20 of the RA Law “On Social Assistance” is the priority of providing social assistance to children, i.e. giving preference to children in provision of social assistance.

### ***3. Statutes and Functions***

The Statute of Staff of Yerevan Municipality was approved by the decision N18-A of the Yerevan Community Council dated 13 November, 2018 to regulate the children’s and social protection issues in Yerevan. However, the analysis of the legal acts revealed that there are still two decisions of the Community Council that define the Statute of Staff of Yerevan Municipality.

The statutes of Yerevan Municipality, the Department of Social Security, the Family, Women and Child Protection Unit, Social, healthcare and programme units of administrative districts of Yerevan municipality, as well as the TOSS were also studied.

As a result, the TOSS functions partially overlap with the ones of the Department for Social Security of Yerevan Municipality and social units of the administrative districts. The repetitions are many in practice as crosswise implementation of the powers of the social unit is necessary for complete and targeted social protection. When the social, healthcare and programme units of the administrative districts and the Family, women and child protection Unit of Yerevan Municipality are compared, it becomes obvious that their functions are overlapping; though, there is no mention of children in the functions of the social unit.

The social, healthcare and programmes units of administrative districts and TOSS not only have similar functions that differ mainly by the scope of the beneficiaries, but practically these two agencies should work closely and functionally complement each other to solve the social issues of the administrative district in an effective manner.

As to the Family, women and child protection Unit of Yerevan Municipality, it carries out various functions most of which are of activity nature. The functions are mainly of social nature and are the precondition for providing social protection when compared to the functions of the social security department of Yerevan Municipality, which determines the priority of interaction between these two units. The only exceptions are the specific functions related to gender equality, human trafficking or exploitation, as well as narrow professional protection of children's rights. However, the unit's activities mainly relate to the social protection of children in the Development plan and budget of the city of Yerevan, and there is no general reference to the equality of men and women.

The functions of the Social Security Department of the Municipality of Yerevan are merely of social nature and they are carried out by working with individuals and families, and since the RA Family Code of the Republic of Armenia defines that any action taken against the child must be in the best interests of the latter, it is assumed that the Department also should be guided by the best interests of the child while performing its social functions. This circumstance becomes important in making the work of two subdivisions of the Municipality of Yerevan- the Department of Social Security and the Unit of Family, Women and Child Protection- consistent.

One of the goals of the assessment was to support the development of the community social worker's institute in Yerevan. The introduction and development of the social worker's institute is important not only in the Social Security Department of Yerevan Municipality, social units of the staff of heads of administrative districts, but also in the Unit of Family, Women and Child Protection, which certainly is driven by the best interests of the child. The solution and protection of the issues of the child is directly driven by the family conditions where the child lives, and effective action is impossible without adequate work with the family.

Within the introduction of ISS, there are 7 integrated social service centres in Yerevan which provide services to the citizens through the "one-window" approach (except for Avan and Noubarashen administrative districts where the TOSS functions are mainly applied). However, there are issues related to lack of coordination, service provision as well as absence of integrated information management system.

Quantitative and qualitative surveys about the organizational structure proved that the latter is not regulated, is ineffective and does not comply with the needs of the employees both in TOSS and social units of the administrative districts. The same surveys on the functions show that in TOSS they are not clearly defined and are not distributed effectively according to the internal structure that leads to reduction of the service quality. The scope of functions, competencies and powers in the social units is not sufficiently defined, therefore, the functions assigned to the units are incomplete or incompatible with the opportunities and actual work performed, and the functions are not clarified for organizing and implementing social work in an effective, accessible and targeted manner. Cooperation between the TOSS and social units of the administrative districts and NGOs and other organizations is not sufficient due to incomplete mechanisms.

#### ***4. Work processes***

Quantitative and qualitative surveys on the work processes show that the processes and procedures in the TOSS are not clear or are incomplete and ineffective especially in terms of

administration and documentation, as well as working time and information management. Almost all the above-mentioned issues are relevant to the social units in administrative districts as well.

### ***5. Logistics***

Quantitative and qualitative surveys on logistics management prove that there are many issues in the TOSS and the social units of the administrative districts - building and room conditions are not adequate, and the outdated and insufficient computer equipment have a negative impact on work processes. The lack of beneficiary data archives impedes the proper preservation and use of the documents. The financial resources are scarce for work organization, and there is no unified approach. Limited of material and technical resources impede efficient working processes.

### ***6. Community service and human resource management***

The current legislation on community service positions does not allow for objective selection of community servants with basic professional knowledge, and the trainings to improve their professional skills do not cover the needs of the community servants. Due to the absence of a performance evaluation system for community servants, it is impossible to ensure adequate implementation of encouragement or, in contrary, disciplinary penalty of community servants, and evaluate the need for training and perform a number of other important functions. The job descriptions (position passports) are largely incompatible with the actual work performed.

Quantitative and qualitative surveys on human resource management reveal that a wrong human resource policy is being implemented. There are also issues with the safety and insurance of the employees, the working environment, the workload and remuneration, which often lead to demotivation of the employees.

### ***7. Social work and local social planning***

The introduction of the position of the social worker is important to ensure accessible and targeted social services in communities. The current legislation does not fully ensure the implementation of the mentioned goal – the law requires establishment of a social worker’s position in communities with a population of 5000 and more but the number of positions and the number of social workers per 5000 residents for effective performance is unclear. This has resulted in a situation where the social worker has become of a formal nature and is conditioned by the formal need to comply with the law, so there is only one position for a community social worker in the Municipality of Yerevan. It is noteworthy that according to the RA Law “On Normative Legal Acts” if a word is mentioned in singular form in the normative legal act it also applies to the plural of the given word. Therefore, there is no legal impediment to add positions of community social workers in Yerevan.

Due to the lack of social workers in the administrative districts of Yerevan, social services to families and individuals in difficult life situations are mainly provided in the form of material support, which assumes that other issues that remain unassisted may lead to a difficult life situation (e.g., violence, being out of education, lack of employment, etc.).

The absence of local social programmes/plans results in the inability to respond to the social needs of the community urgently, as well as to offer solutions to the specific issues of various population groups (e.g., the elderly, children or persons with disabilities). In practice, local social plans are not developed and implemented, except for those implemented by international or non-

governmental organizations. The main reason is the lack of resources, low level of capacities and awareness.

### The main recommendations

The recommendations of the assessment are aimed at the modernization and establishment of a child and social protection system in Yerevan. These recommendations are also applicable to other communities in Armenia, with appropriate localization.

#### ***Policy, strategy and budgeting***

According to the Government priorities on the development of child and social protection sectors, it is necessary to revise the child and social security (protection) vision of the 2019-2023 development programme of Yerevan and adjust it to the RA Government programme and labour and social protection section development strategy (after approval). The social programmes of social units of the administrative districts must comply with child and social protection priorities of Yerevan to establish comprehensive and common approaches in the municipality.

The process of budgeting and funding of programmes for children and social protection in Yerevan must be linked to the development priorities of the sectors. It is recommended to conduct substantive financial calculations for child and social protection programmes, as well as to make financial estimations for the new approaches. It is also necessary to clarify and elaborate support mechanisms, including funding mechanisms and procedures for service outsourcing/contracting. Expenditure on child protection must be properly reflected in the budget submission. A more long-term recommendation is the introduction of programme-based budgeting in Yerevan as the most effective way for resource management and assessment of programme efficiency and effectiveness.

#### ***Legal and legislative field***

The recommendations for this are provided in two sub-groups – general legislative amendments and those concerning the city of Yerevan only. It may be concluded that:

- It is desirable that the community mandatory tasks and the powers/functions for their implementation are legally exhaustive with clear and comprehensive formulation.

- Social assistance voluntary issues are solved within the criteria defined by the Community Council. For the approval of these criteria, it is desirable to have criteria and/or standards proposed by the RA MoLSA as the authorized body for the social sector, which would become the basis for the formulation of specific criteria to solve voluntary issues of the community.

- Considering the workload and complexity of the GTCs, it is necessary to carry out the following combined steps to improve the activity of GTCs:

1. The GTC secretary should not be a GTC member on a public basis, but the position should be envisaged in the GTB and the responsibilities defined in the job description (position passport) of the community servant. Therefore, it is also necessary to make an amendment in Paragraph 11 of the Annex of the RA Government decision N631-N dated 2 June, 2016.



2. Formal preconditions must be assigned to the content of GTC decisions and conclusions, which will be mandatory for providing professional consultation on various social situations and/or representatives of social groups.

3. According to the Family Code of the Republic of Armenia, in the event of imminent threat to the life or health of the child, the GTB shall be entitled to take the child immediately from the parents (one of them) or from the persons taking care of the child. After taking the child, the BGT is obliged to provide temporary placement of the child immediately and to apply to the court within seven days seeking to deprive the parents (or one of them) of parental rights or limit their parental rights. This process requires professional knowledge and skills to take the child through it without shocks. These processes may be defined by the RA Government decision after stipulation of the statutory authority.

4. It is necessary to ensure the cooperation between the GTBs and GTCs of the different administrative districts with clear mechanisms for cooperation, which is extremely important given the fact that various issues discussed in the GTBs and GTCs relating to different administrative districts, are interconnected, as well as are conditioned by the need for inter-community joint activity.

- It is recommended to formulate a decision of the City Council of Yerevan on defining the voluntary issues of social assistance in Yerevan community, own powers for solving them, the order and criteria for implementation.

### **Findings on amending the subordination of TOSS**

The social units of administrative districts and TOSS have similar functions. Practically, these two agencies must functionally complement each other to solve social problems in the district effectively. In case of amending the subordination of the TOSS:

- The revision and recruitment of specialists in the social units of administrative districts is unclear; the cooperation between these divisions, TOSS (bodies established instead) and the Social Security Department of the Yerevan Municipality are undefined.
- Based on the management specificities, different practices may be formed in the social units of administrative districts and TOSS, which may lead to situations where the proportion and integrity of social service provision are distorted.
- Documentation and archiving processes are required in TOSS to ensure that the information about the beneficiaries of the administrative districts is not lost and is preserved in the administrative district.
- Termination of the TOSS servants' status as community servants and making them civil servants will lead to their appointment, amendment to the termination of authorities, which needs further investigation with at least transitional provisions.
- There will be a need for amending numerous RA Government decisions and other legal acts, as well as reviewing the statutes and job descriptions (positions passports) of the servants for both the social units of administrative districts and the TOSS.

## **Statutes and functions**

It is necessary to annul the decision N11-N of the Council of Yerevan city dated 15 June, 2013 with a new decision of the Council, as currently there are two decisions that approve the statute of the same content of the staff of Yerevan Municipality; it is also necessary to include own powers/functions related to social protection in the statute.

The powers of the head of the administrative district stipulated by the RA Law “On Local Self-government in Yerevan” that are presented in the statute of social security, healthcare and programmes unit of administrative districts should be included in the statute of the latter.

Based on the analysis of functions, it is recommended to establish a new subdivision – Department for Child and Social Protection - based on the Social Security Department and Family, Women and Child Protection Unit of Yerevan Municipality with a special attention and prioritization of child protection. The department should be comprised of the Child Protection Unit and Social Protection Unit. Based on this amendment, it is necessary to develop and approve the model statute reflecting and clarifying all necessary functions for coordination of the social protection sector in Yerevan, development, control, monitoring and evaluation of local social programmes, data analysis, supervision and others.

The powers/functions of the social unit administrative districts need to be revised based on the fact that the subordination of the TOSS is planned to be amended and that the current powers are not sufficient to cover the whole scope of child and social protection of the community and to carry out the statutory powers effectively. It is necessary to add functions related to the registration of the unemployed and solving employment issues of the population, as well as protection of children’s rights and others. Thus, it is also recommended to change the name of the social units to Child, Social Protection and Healthcare Units.

## **Community service and human resource management**

The proposed reforms in the community service relate to several important processes including training of community servants, new regulations for competition for vacancies, and planning an accountability system. Steps to address these issues will become more realistic, as according to the public service legislation, community service is a professional activity focused on exercising the powers reserved for the local self-government bodies by RA laws and decision of community councils.

Taking into account the need for experienced specialists, the change of the volume of community activities as well as facilitation of organizational work aimed at improvement of the community, the RA Law “On Community Service” should stipulate an opportunity for a transfer of position, which will enable transfer and assignment to another position in the staff of the community service. The procedure and conditions for transferring a position for community servants shall be defined by the RA Ministry of Territorial Administration and Infrastructure. However, one may be guided by Article 29 and 14.1 of the acting Law until the amendments are made, based on which experienced and skilled specialists can be assigned to newly created positions without competition in adequate timeframes if job description (position passport) criteria are met.

In human resource policy, long-term objectives must be considered, and continuous trainings must be provided for development of professional capacities. For the effective implementation of functions in the social sector, it is required to develop and introduce professional guidelines and procedures, as well as organize professional guidance and training, with particular emphasis on working with representatives of various groups - formulation of questions, behaviour, conduct, response, etc.

It is also necessary to expand opportunities of horizontal cooperation among social units of the administrative districts. It is necessary to follow the scope of the competence of the employees, provide everyone with a job in accordance with their knowledge and job description (position passport) and to follow the process of work implementation.

### **Social work and local social planning**

It is necessary to envisage positions of social work specialists and psychologists to empower the administrative districts and lead to effective implementation of child and social protection policy and targeted social services in Yerevan. It is recommended to provide at least one social worker for communities with up to 5000 population and at least one more for each of the next 3,000 population in the city of Yerevan, depending on the proportion of the population in poverty. This would entail 80 social workers in Yerevan. In order to assess the scope of introduction and capacity of positions of social workers in 12 administrative districts of Yerevan, it is necessary to conduct a social vulnerability/needs assessment of the community and districts and determine the scope, volume and required professional potential of services.

It is necessary to localize the process of local social planning and programme development in the administrative districts with the involvement of the community social worker and in the child and social protection department of the municipal administration. More extensive training and public awareness, as well as clear procedures for the development, implementation, financing, monitoring and evaluation are needed for effective implementation of local social plans/projects. Local social plans/projects are also a means of simplifying and inter-connecting the process of outsourcing of services; therefore, this process needs to be regulated in relation to the Municipality of Yerevan.

### **Work processes**

Based on practical needs, it is necessary to establish a common information management system among the Municipality of Yerevan, heads of administrative districts and TOSS staff, which will lead to better quality, targeted and accessible services in the community.

Procedures and processes of TOSS need to be clarified and simplified, and mechanisms for job planning, management, organization, development and decision making, response regulation, work monitoring and evaluation and supervision should be introduced. Paper copies of the documents should be completely replaced by electronic ones.

Social units in administrative districts need to be equipped with procedures to make their work more effective. All employees should be properly informed about these procedures. There is a need to introduce clear mechanisms for the provision of social support services, as well as apply rapid response mechanisms, including during emergency situations.

It is necessary to map the social services in the community of Yerevan for extensive opportunities of cooperation and effective and systemized response to the needs of the beneficiaries. In order to improve the targeting and the quality of services provided to the beneficiaries, it is necessary to expand the cooperation with other structures and NGOs through a social partnership.

### Logistics

When providing social services to all vulnerable groups, it is necessary to provide targeted funding for the organization of those activities.

The remuneration policy of social workers should be revised by introducing clear mechanisms of encouragement and cost reimbursement, and the working conditions for employees should be improved with particular emphasis on the provision of computers, transportation and communication means.

TOSS need an inventory of property and equipment; contemporary equipment, new software and new property according to the number of people, as well as workplace improvements, as necessary. Appropriate archive space or technical means, as well as modern information technologies must be envisaged. Access to the buildings and services must be secured for persons with disabilities.

**Based on the abovementioned recommendations, the child and social protection system in Yerevan is summarized in the following chart:**

