



DEVELOPMENT OF SOCIAL SERVICES IN TIMES OF WAR

STUDY

Prepared by Advocacy analysts of the "Right to Protection" CF as a partner of Ukraine Response Consortium within the project "Addressing the immediate multi-sectoral humanitarian needs of IDPs and conflict-affected populations inside Ukraine"

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INTRODUCTION

Article 1 of the Constitution of Ukraine stipulates that Ukraine is a sovereign, independent, democratic state based on the rule of law and social justice [1]. The system of social rights and freedoms is enshrined in the Constitution. Being a social state, Ukraine places the highest social value on human well-being, takes responsibility towards its citizens and provides social welfare to persons/families in difficult circumstances.

The development of social welfare, particularly the provision of social services, drives change for affirming the value of each person in the contemporary civil society and each of its institutions alike. In the context of overcoming the consequences of Russia's aggression against Ukraine, social transformation gains crucial significance. Thus, identification and understanding of issues affecting the operation of the social service system, as well as ensuring quality, timeliness, accessibility and targeting of the services are extremely important for long-term social change.

After February 24, 2022, when the full-scale invasion that brought horrific consequences requiring immediate and effective response began, it became clear that the social services framework is in need of both regulatory changes and the improvement of the entire system.

From December 5, 2022 to January 5, 2023, "Right to Protection" CF as a member of UKRAINE RESPONSE CONSORTIUM under the leadership of international charitable organization ACTED and with the support of USAID's Bureau for Humanitarian Assistance, have been conducting a survey on the provision and receipt of social services under the project "Addressing the immediate multi-sectoral humanitarian needs of IDPs and conflict-affected populations inside Ukraine." The survey covered providers and recipients of social services from thirteen territorial communities of the Dnipropetrovska, Kyivska and Chernivetska oblasts.

This monitoring and analysis study based on the findings of the survey have been conducted by Right to Protection to expand opportunities for providers and recipients of social services in Ukraine, find ways to overcome the adverse consequences of Russia's war of aggression against Ukraine, and improve social integration and facilitate rehabilitation of affected populations in need of social support.

The purpose of this study is to identify issues affecting the operation of the social service system and statutory regulation of social welfare in order to determine its effectiveness and relevance in the face of current challenges and societal needs, and to find optimal solutions for this area.

This study summarizes the regulatory framework and best practices in the operation of the social service system in Ukraine with the involvement of volunteers and the general public.

The findings of this study will lay the basis for outreach campaigns by means of facilitating the development of tools and implementation of a set of measures for making social change that will contribute to sustainable development of territorial communities and the country in general.

KEY TERMS AND DEFINITIONS

- **Basic social services** mean social services provided under the Law of Ukraine on Social Services and ensured by city state administrations of Kyiv and Sevastopol, district state administrations, district state administrations of Kyiv and Sevastopol, executive bodies of city councils of cities of regional significance, as well as executive bodies of town and village councils of territorial communities that are established under the law and in accordance with the long-term plan for the establishment of territories of communities and recognized as self-sufficient by the Cabinet of Ministers of Ukraine in accordance with the procedure established by law (*as per subpara. 1, para. 1, Article 1 of the Law of Ukraine on Social Services*).
- **Identification of social service needs of residents of an administrative division / territorial community** means collection, systematization and analysis of information on vulnerable populations, persons/families in difficult circumstances that reside in the community and are unable to deal with their predicaments without assistance, as well as information on the relevant social service needs, in order to inform governance decisions concerning the provision of such services (*as per subpara. 2, para. 1, Article 1 of the Law of Ukraine on Social Services*).
- **Internally displaced person** means a citizen of Ukraine, foreigner or a stateless person legally residing in Ukraine and entitled to permanent residence in Ukraine, forced to leave or abandon their place of residence as a result of or in order to avoid the adverse effects of armed conflict, temporary occupation, widespread violence, human rights violations and natural or human-caused emergencies (*as per para. 1, Article 1 of the Law of Ukraine on Ensuring the Rights and Freedoms of Internally Displaced Persons*).
- **Social service providers** mean natural persons, legal entities and sole proprietors listed under the Social Service Providers section of the Register of Social Service Providers and Recipients (*as per subpara. 6, para. 1, Article 1 of the Law of Ukraine on Social Services*).
- **Social service recipients** mean persons/families that belong to vulnerable populations and/or find themselves in difficult circumstances and are provided with social services (*subpara. 10, para. 1, Article 1 of the Law of Ukraine on Social Services*).
- **Register of Social Service Providers and Recipients** means an automated information and communication system for collection, registration, accumulation, storage, use, anonymization and purging of social service providers and recipients' data as defined by the Law of Ukraine on Social Services (*subpara. 14, para. 1, Article 1 of the Law of Ukraine on Social Services*).
- **Vulnerable populations** mean persons/families that are at the highest risk of finding themselves in difficult circumstances due to adverse external and/or internal factors (*subpara. 2, para 1, Article 1 of the Law of Ukraine on Social Services*).

- **Difficult circumstances** mean circumstances that negatively affect life, health and personal development of a person or functioning of a family and cannot be effectively dealt with by such person/family without assistance (*subpara. 15, para 1, Article 1 of the Law of Ukraine on Social Services*).
- **Social services** mean measures aimed at preventing difficult circumstances, dealing with them or minimizing their adverse consequences for the affected persons/families (*subpara. 17, para 1, Article 1 of the Law of Ukraine on Social Services*).

ABBREVIATIONS

ESC, Charter	European Social Charter (revised)
IDP	Internally displaced person
CMU	Cabinet of Ministers of Ukraine
MSP	Ministry of Social Policy of Ukraine
UN	United Nations
TC	Territorial community

Section 1

STUDY METHODOLOGY AND SOURCES OF DATA

The purpose of this study is to identify current issues affecting the operation of the social service system and statutory regulation of social welfare in order to determine its effectiveness and relevance in the face of current challenges and societal needs, and to find optimal solutions for this area.

The object of this study is Ukraine's system for the provision of social services with the participation of local governments, governmental and non-governmental structures, community-based and international organizations providing social services, as well as social activists and volunteers.

The objectives of this study are:

1. To investigate and analyse the current social service system, including amendments to applicable laws of Ukraine governing this area made during the state of emergency and martial law.
2. To investigate the needs of persons in difficult circumstances and in need of social support.
3. To outline changes that need to be made to the framework of provision of social services and develop solutions aimed at improving the social service system under martial law and amid the post-war reconstruction of Ukraine.

This study comprises two parts, namely theoretical and practical, the latter of which includes several stages. The theoretical part is a review and analysis of:

- domestic and international documents and scientific approaches to the issues raised;
- legal basis of the entire social inclusion system of Ukraine.

Issues in the operation of the social service system during martial law have been investigated using qualitative interpretive content analysis of media publications. Content analysis of publications in national online media was employed to study the approach to management of the operation of the social service system before Russia's full-scale invasion of Ukraine.

The practical part was aimed at collection of empirical data by means of various data collection methods. In particular, we have:

- held on-site meetings in territorial communities with heads of local governments and employees of social welfare institutions, namely social protection offices, local and state social service centres;
- sent letters to social welfare institutions of territorial communities;
- held 3 roundtable meetings at the local and national levels;

- conducted a survey of 131 respondents (41 employees of social service providers and 90 social service recipients, including 79 women and 11 men) from December 05, 2022 to January 05, 2023. The survey has been conducted in 61 settlements located in 13 communities of 3 regions, namely:

4 communities of Dnipropetrovska oblast (Sofiyivska territorial community of the Kryvyi Rih district, Ternivsky district of the Kryvyi Rih City Council, Pavlohradska territorial community of the Pavlohrad district, Ternivska territorial community of the Pavlohrad district)

7 communities of Kyivska oblast (Baryshivka territorial community of the Brovarsky district, Byshivska territorial community of the Fastivsky district, Vasytkivska territorial community of the Obukhivsky district, Volodarska territorial community of the Bilotserkivsky district, Makarivska territorial community of the Buchansky district, Fastivska territorial community of the Fastivsky district, Yahotynska territorial community of the Boryspilsky district)

2 communities of Chernivetska oblast (Hertsaivska territorial community of the Chernivetsky district, Kelmenetska territorial community of the Dnistersky district).

The non-representative survey was conducted by psychologists and social workers operating in respective regions during the mobile teams' visits. The study was aimed at researching opinions of adult Ukrainians (aged 18 or above) who found themselves in difficult circumstances and in need of social services.

Letters were sent to local councils of the above-listed communities and on-site meetings were held with employees thereof in order to gather information on existing issues related to implementation of the national laws of Ukraine governing the provision of social services at the local level.

The research methods used in this study allowed for obtaining results that are important for identification of issues and drawbacks of Ukraine's social service system. The analysis of applicable laws of Ukraine, available research papers, public opinion and views of persons involved in the operation of the social service system allowed to identify areas of concern, as well as social needs of residents of Ukraine.

The recommendations based on the results of the findings of this study include proposals for changes to be made in administration of law and statutory regulation of this field, as well as suggestions concerning development of new programs and policies, improvement of the organizational structure and resource allocation, ensuring accessibility of quality social services and expansion of the network of social service providers.

Overall, the findings will serve as an important tool for improvement of Ukraine's social service system and ensuring effective social support for persons who need it due to Russia's war of aggression against Ukraine.

Section 2

STATUTORY REGULATION OF THE PROVISION OF SOCIAL SERVICES IN UKRAINE UNDER MARTIAL LAW

At the time when the Russian full-scale invasion of Ukraine began, the country's social service system lacked a uniform approach to the provision of such services at the local level. This situation was due to the reform of local governance, which provides for the extensive transfer of powers associated with social welfare to territorial communities, as well as to the fact that the new law governing the provision of social services vest all powers and responsibilities for the operation of the social service system in local governments.

As per Article 2 of the Law of Ukraine on Social Services No. 2671-VIII of January 17, 2019 (hereinafter "the Law"), the provision of social services is aimed at preventing difficult circumstances, overcoming them and mitigating the adverse consequences of finding oneself in difficult circumstances [2]. Accordingly, the Law defines the organizational and legal basis for the provision of social services, which is intended to serve as a tool for guaranteeing rights of and providing support to persons/families in difficult circumstances.

As provided for in Article 13 of the Law, social service providers operate under applicable laws on social services, on the basis of constitutional and other documents that list social services and the categories of persons to whom those are provided. Another condition affecting their activities is compliance with the criteria for social service providers established by the Cabinet of Ministers of Ukraine [3]. Social service providers may belong to the state, municipal or non-governmental sectors.

As noted above, with the reform of local governance, territorial communities have been established and the authority to provide social services has been delegated from the state to the local level. Thus, as per subpara. 4, para. 4, Article 11 of the Law, the powers related to the provision of basic services are vested in territorial community bodies. At the same time, each basic social service must meet state standards approved by the Ministry of Social Policy of Ukraine [4].

As per the Law, in order to exercise powers associated with social welfare at the local level, an appropriately tasked social protection institution must be established within a community. However, in effect, the system works differently.

Specifically, the study **has revealed the issue of the lack of a unified approach to organizing the structure of the social service system** within territorial communities. This conclusion is confirmed by both the analysis of the practice where the structure of the social service system is organized by means of holding field meetings and roundtables, and by the survey findings (see p. 20 hereof). In particular, when asked about areas of improvement for refining the provision of social services, one of the most common answers from 96 respondents was the need for information about social welfare institutions that provide social services. The fact that the need for such information is so urgent may be related, among other things, to the variety of ways

in which the social service system works in TCs. Some communities have established a social protection department, while in some others such departments are pending liquidation. There are communities that have a department for development of social welfare at the city council's executive committee, but at the same time have no social protection department. As for municipal institutions (i. e. territorial social service centres), the situation is similar: those have been established in some communities, while in some others, social services are only provided by an authorized person, i. e. a social worker providing social services. Some communities have a social protection department, territorial social service centre and social service centre, while others may only have a social protection department at the executive committee of the city council.

Meanwhile, the secondary legislation of Ukraine does not stipulate a uniform structure of the social service system for all territorial communities. The lack of a unified approach entails statewide chaos in the system. For instance, IDPs temporarily residing in other region do not know where to look for local social service providers, and the search for a social service centre may turn out unsuccessful due to a completely different institution or person performing such functions compared with the community such IDPs come from.

In this case, it would be sensible to propose that TCs should either employ a single universal approach to the structure of the bodies of social service system, or several alternative approaches that would take into account the population and area of a given community, as well as the specifics of interaction between local governments and state executive authorities.

Another **issue identified in the course of the study, an extremely relevant one given the context of the war, is the lack of technical means to allow for online application for provision of social services, particularly application to administrative service centres for further processing and referral to the relevant authorized bodies.**

In effect, individuals mostly apply for provision of social services through administrative service centres, which requires physical presence of an applicant and, in some cases, can be burdensome for help seekers.

Besides, the Procedure for Organizing the Provision of Social Services approved by the Resolution of the Cabinet of Ministers of Ukraine No. 587 of June 1, 2020 [6], stipulates that help seekers should be able to apply for social services online through the Unified State Web Portal of Electronic Services (hereinafter the "Diia Portal"), an electronic system or another information system integrated with them.

However, this provision has not been implemented in practice; social service recipients and providers alike currently lack technical means that would allow for its implementation.

The absence of such an option does not allow individuals to quickly and conveniently notify the relevant authorized bodies of the need to receive a social service, including in cases of emergency.

In this case, the situation can be rectified by means of development and provision of the needed technical functionality by the Ministry of Digital Transformation of Ukraine. Besides, the Ministry of Social Policy of Ukraine, together with the Ministry of Digital Transformation of Ukraine, can develop a procedure for submission and review of e-applications through administrative service centres for their further processing and referral to the relevant authorized bodies.

Further to that, we would like to draw attention to the fact that in the course of working with communities and studying applicable national legislation, we have identified **imperfections in the social service of emergency (crisis) intervention**. According to the Classifier of Social Services approved by Order of the Ministry of Social Policy of Ukraine No. 429 of June 23, 2020 [5], such a social service does not include transportation of the person in need of help, which may be necessary and appropriate.

Therefore, it is important to revise the current Classifier of Social Services and add the social service of transportation to the description of the classifier code assigned to the social service of emergency (crisis) intervention, which is provided on an emergency basis.

In general, there is a regulated procedure for the provision of social services. The Law defines the organizational framework for the provision of social services and sets deadlines for review of applications and decision-making; provides a list of factors that may entail difficult circumstances to be prevented or overcome by means of provision of social services; defines the rights and responsibilities of social service recipients, the tasks assigned to social service providers, as well as a list of basic social services to be provided by the Kyiv City State Administration and executive bodies of city councils of cities of regional significance, village and town councils of territorial communities; it also stipulates the establishment of the Register of Social Service Providers and Recipients.

In order to implement the Law, the Cabinet of Ministers of Ukraine has adopted relevant resolutions, and the Ministry of Social Policy of Ukraine has issued orders governing, in particular, the organization and provision of social services and relevant decision-making, requirements for social service providers, payment for social services, social services commissioning from NGOs, as well as establishing the classification of social services. Particularly, the Procedure for Organization of the Provision of Social Services (hereinafter "the Procedure") approved by the Resolution of the Cabinet of Ministers of Ukraine No. 587 of June 1, 2020 [6], defines the mechanism for identification of persons/families finding themselves in difficult circumstances or being exposed to the highest risk of falling into such circumstances, and regulates the organization of provision of social services to them in accordance with their individual needs.

However, the survey of employees of structural units of departments of social protection and municipal institutions providing social services has shown that the **existing system of social services is too bureaucratic**. This issue was discussed and further confirmed at the regional roundtable "Issues in organization of the provision of social services in the territorial communities of Dnipropetrovsk region and solutions proposed to address them" held by the charitable foundation Right to Protection on February 17, 2023 in Dnipro. Among other things, employees of social service institutions report that the questionnaire for recipients of social services alone spans 45 pages of A4 paper.

Moreover, according to employees of social protection departments, they have to manually process personal files of all social service recipients every year and generate a separate request to the State Tax Inspectorate for each of the recipients in order to obtain data on the income of persons receiving social services.

Such procedures require a lot of time for doing the paperwork, while this time could be used to the benefit of ongoing work, e.g. for interaction with social service recipients.

Based on the above, we see the need to recommend that central executive authorities consider simplification of the bureaucratic approach to procedure for the provision of social services and to interaction with other institutions and organizations in terms of data exchange in order to optimize these processes and ensure their efficiency.

Further to the topic, it is also worth noting that in the course of the study, during local roundtable meetings held on December 15, 2022 in Makariv (Kyivska oblast), as well as regional roundtables held on February 17, 2023 in Dnipro (both arranged by the charitable foundation Right to Protection), the issue of the **lack of an efficient mechanism for data exchange between the structural units of departments of social protection, the State Tax Service of Ukraine and the Pension Fund of Ukraine** has been raised. It turned out that, in accordance with the requirement set out in para. 7 of the Resolution of the Cabinet of Ministers of Ukraine on Approval of the Procedure for Establishment of a Differentiated Fee for the Provision of Social Services No. 429 of June 1, 2021, [7], the differentiated fee for the provision of social services is to be established on the date of the conclusion of a social service agreement and reviewed annually.

Hence, due to the hampered access to databases (and therefore due to the lack of automated exchange of available data between information and telecommunication systems of authorities, enterprises, institutions and organizations), employees of social protection departments of territorial communities have to re-register all cases manually and send requests to the State Tax Service of Ukraine and the Pension Fund of Ukraine in order to obtain data on the financial and property status of social service recipients. As mentioned above, this procedure consumes significant amounts of time and resources alike.

It should also be noted that the system of access to information databases has not been regulated properly, which in effect has made it an obstacle slowing down the work of specialists when re-registering cases.

It is advisable to revise the mechanism and tools for data transfer between agencies.

It is worth noting that Article 17 of the Law stipulates that social services must be provided in accordance with the approved state standards for such provision.

At the same time, one of the most significant challenges the social services sector is currently facing is the massive increase in the number of IDPs who have escaped from combat zones, lost their relatives and/or property and are at risk of social exclusion due to the war.

In view of this fact, it is important to review state standards regulating the area and align them with the challenges of today and the current state of affairs in the country.

The risks of social exclusion of IDPs are primarily related to their inability to satisfy their own basic social needs (resulting in lack of housing, limited access to social benefits and healthcare, difficulties with finding a job, etc.) and caused by mental stress and the lack of acceptance in the new environment. It is within territorial communities that identification of persons/families in need of social services seems the most realistic and effective [8].

It is likely that if social service providers were assigned personal responsibility for ensuring prevention of difficult circumstances and proper identification of persons suffering from them within a respective community, this would help reduce the number of social service recipients, and, accordingly, the burden on social workers and local budgets.

One of the ways to meet the social needs of IDPs is to open comprehensive support centres where social workers, psychologists and volunteers would assist IDPs in their social integration and development of relations within the host community. Such centres would serve as spaces that naturally create a nurturing environment for establishing contacts and building relations between the host community members and displaced persons. Therefore, both the state and territorial communities should consider this option and ensure the creation and operation of such centres, which requires a separate in-depth study, as it can be a promising area that will help persons/families to overcome difficult circumstances faster.

Successful community operation requires involvement of all social groups in its activities. We believe that further improvement of Ukraine's social service system primarily depends on the development of effective and efficient mechanisms for the provision of social services, taking into account the specifics of their receipt.

One of such mechanisms is the identification of community residents' needs for social services, which is the basis of any social service system. It ensures a skilled and individual approach to each recipient, as well as efficient use of local budget funds. Using a set of methods chosen for this study (including fieldwork meetings and roundtables), we have found that **most communities have never conducted an assessment of community residents' needs for social services.**

As per the Procedure for Identification of the Needs of Residents of an Administrative Division for Social Services, approved by Order of the Ministry of Social Policy of Ukraine No. 28 of January 20, 2014 (hereinafter "the Order") [9], structural units for social protection established within district state administrations, district state administrations of Kyiv and Sevastopol, as well as structural units for social protection established within executive committees of the respective councils are to identify local residents' needs for social services.

As per para. 3.1 of the Order, structural units for social protection established within district state administrations, district state administrations in Kyiv and Sevastopol, as well as structural units for social protection established within executive committees of the respective councils must, based on information received, carry out a summary data analysis, identify local residents' needs for social services, summarize information on potential and current recipients of social services, entities providing such services within an administrative division, as well as a level of satisfaction with social services and submit the gathered data for further examination and generalization to the Ministry of Social Policy of the Autonomous Republic of Crimea, structural units for social protection established within regional state administrations, as well as to the Kyiv and Sevastopol city state administrations, every year by April 1.

For instance, if a community does not make an effort to identify the local residents' needs for social services, it violates the law and, moreover, such a community cannot properly identify which social services it can provide and which should be procured from the other providers. Also, failure to assess local residents' needs for social services adversely affects the efficiency of the use of local budget funds and the ability to approve tariffs for social services, as they simply cannot be set in the absence of reliable data on the relevant needs. An important point in this regard is that currently there is no mechanism in place for holding responsible persons accountable for failing to identify the local residents' needs for social services.

In the course of applying the complex research methodology, it was also found that in the pre-war period, territorial communities poorly informed their residents about social services rendered by social service providers. The lack of a unified approach to organization of operation of the social service system in communities and the absence of a single interface for providing information on the provision of social services on the official web portals of territorial communities makes local residents who have never needed or used social services before perplexed as to specific social services they need and state bodies they have to apply to receive those services. This conclusion is confirmed by the survey findings (see p. 18 hereof).

An equally important problem in the social services sector is the chronic shortage of staff. This is due to many factors, including harsh working conditions associated with constant emotional and moral stress, low pay, lack of prestige of the profession and limited prospects for professional growth. Russia's aggression against Ukraine has exacerbated the issue, making many social workers flee abroad or move to other regions of the country. Currently, social service institutions barely have multidisciplinary social workers who could ensure the simultaneous provision of quality, targeted and inclusive provision of social services of several different types.

Community leaders' responsible and caring attitude towards the social sector, an up-to-date approach to management of the work of social service providers, professional training, educational work, incentive programs, increase in the types of social services provided and other measures aimed at raising prestige of the profession could help reduce the outflow of staff.

In fourth and fifth paragraphs of subsection 2.3, section 2 of the reasoning part of the Decision of the Grand Chamber of the Constitutional Court of Ukraine [No. 5-r/2018](#) of May 22, 2018 concerning the petition filed by 49 members of Parliament of Ukraine on the constitutionality of para. 12, Section I of the Law of Ukraine on Amending and Invalidating of Certain Regulations of Ukraine No. 76-VIII of December 28, 2014, the Constitutional Court of Ukraine notes that the Constitution of Ukraine obliges the state to establish an effective social protection system. The social protection measures implemented within the framework of such a system are to be based on the notions of social solidarity and justice, and aimed at protecting and defending individuals in the event of social risks occurrence.

According to the Constitutional Court of Ukraine, it is entitled to address social issues at its sole discretion, based on its current financial and economic capabilities. In other words, in the event of a significant deterioration of the financial and economic situation, declaration of martial law or state of emergency, the need to protect Ukraine's national security, modernization of the social protection system, etc., the state may redistribute its expenditures accordingly in order to maintain a fair balance between the interests of an individual person and the society. However, the state cannot resort to restrictions that violate the essence of social rights of individuals enshrined in the Constitution, namely the state's obligation to ensure adequate living conditions compatible with human dignity under any circumstances.

Therefore, as the powers associated with the provision of quality, inclusive and targeted social services have been delegated to the local level, executive bodies of territorial communities are obliged to properly fulfil their duties and ensure an adequate standard of living for residents of their respective territorial communities [10].

Despite the remarks and shortcomings identified through the use of a set of research methods, also worth noting are positive changes in the statutory regulation of the provision of social services that have occurred since the start of the full-scale invasion and significantly impact the quality and timeliness of the provision of social services.

In particular, on April 27, 2022, the Law of Ukraine on Amendments to Certain Laws of Ukraine on the Provision of Social Services in the Event of a State of Emergency or Martial Law in Ukraine or in Certain Areas Thereof No. 2193-IX of April 14, 2022 [11] passed by the Parliament of Ukraine, came into force, which:

1) extends the powers of military administrations and local governments in order to ensure effective response to difficult conditions occurring due to martial law and state of emergency, particularly:

- taking into account the provisions of subpara. 15, para. 2, Article 15 of the Law of Ukraine on the Legal Regime of Martial Law No. 385-VIII of May 12, 2015, military administrations are vested with the authority to manage educational institutions, educational institutions, healthcare, cultural, physical culture and sports institutions, *social service providers* belonging or transferred to territorial communities, youth and adolescent institutions at the place of residence; organize their logistic and financial support; and *organize the provision of services by them, including social services*;
- taking into account the provisions of subpara. 12–1, para. 3 of Article 11 of the Law of Ukraine on Social Services No. 2671-VIII of January 17, 2019, the powers of the Council of Ministers of the Autonomous Republic of Crimea, regional, Kyiv and Sevastopol city state administrations were supplemented by the *definition of the peculiarities of the procedure for organizing the provision of social services in the territory of a relevant administrative division (or at the regional level) in the event of a state of emergency or martial law in Ukraine or some of its localities*;
- taking into account the provisions of subpara. 5–1, para. 4, Article 11 of the Law of Ukraine on Social Services No. 2671-VIII of January 17, 2019, the powers of district state administrations, district state administrations in Kyiv and Sevastopol, executive bodies of city councils of cities of regional significance, and councils of amalgamated territorial communities were supplemented by the *definition of the peculiarities of the provision of social services in the territory of a relevant administrative division / territorial community in the event of the introduction of a state of emergency or martial law in Ukraine or some of its localities*.

2) changes the term and procedure for determining the average monthly total income of a person and clarifies the procedure for determining the amount of compensation for care provided to individuals:

- to determine the average monthly total income of a low-income person, data *for one quarter preceding the month preceding the month of application* for social services is taken into account, not exceeding two subsistence minimums for a relevant category

of persons. The method of calculating the average monthly total income of a person shall be done *by automated exchange of available data between information and telecommunication systems of authorities, enterprises, institutions, organizations* and shall be calculated by dividing the average monthly total income of his/her family by the number of family members included in it;

- the amount of compensation for care payable to individuals who provide social care services in accordance with the Law of Ukraine on Social Services No. 2671-VIII of January 17, 2019 without carrying out entrepreneurial activities on a non-professional basis, regardless of the number of persons under care, shall be calculated as the difference between the subsistence minimum per person per month established by law as of January 1 of the calendar year in which social services are provided and the average monthly total income of an individual social service provider *for one quarter preceding the month preceding the month of filing a statement of consent to provide social services*. The average monthly total income of an individual social service provider shall be determined by automated exchange of available data between information and telecommunication systems of authorities, enterprises, institutions, organizations and shall be calculated by dividing the average monthly total income of his/her family by the number of family members included in the family. In the event of the introduction of a state of emergency or martial law in Ukraine or some of its localities, compensation for care provided for in this part shall be assigned and paid to internally displaced persons at their new place of residence/stay together with the persons they care for in the manner established by the Cabinet of Ministers of Ukraine.

3) expands social service providers' rights associated with decision-making, particularly:

- in case of declaration of state of emergency or martial law in Ukraine or some of its localities for the urgent provision of social services, the structural unit for social protection established within the authorized bodies of the social service system must be authorized to grant *to state/community social service providers the right to make decisions on the provision of social services on an emergency (crisis) basis* (counselling, shelter, care, supported accommodation, short-term accommodation, in-kind aid, transportation services, etc.) to persons/families that found themselves in difficult circumstances due to damage caused by fire, natural disaster, catastrophe, hostilities, terrorist attack, armed conflict, or temporary occupation;
- authorized bodies of the social service system have the right to make decisions, *including in the event of the introduction of a state of emergency or martial law in Ukraine or some of its localities*, on the provision of social services and/or to the categories of persons other than those provided for in part two of this Article at the expense of budgetary funds. Social services provided during martial law in Ukraine or some of its localities by social service providers of state/municipal ownership (shelter, care, supported accommodation, in-kind aid, transportation services, etc.) to internally displaced persons at their new place of residence/stay who found themselves in difficult

circumstances due to damage caused by hostilities, terrorist acts, armed conflict, or temporary occupation shall be financed in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

4) changes the approach to payment for social services, particularly:

- established that *all social services shall be provided at the expense of budgetary funds*, regardless of the income of the recipient of social services, to persons who have suffered damage as a result of fire, act of God, disaster, hostilities, terrorist act, or temporary occupation;
- clarified that the average monthly total income of a social services recipient qualifying them to receive social services at the *expense of budgetary funds or subject to the establishment of a differentiated fee* is to be determined by automated exchange of available data between information and telecommunication systems of authorities, enterprises, institutions, and organizations for one quarter preceding the month preceding the month of application, and shall be calculated by dividing the average monthly total income of his family by the number of family members included in it.

Another regulation that improved the procedure for the provision of social services in wartime is the Resolution of the Cabinet of Ministers of Ukraine No. 560 of May 07, 2022 (which entered into force on May 18, 2022), which amended the [Procedure for the Provision of Social Services to Persons with Disabilities and elderly Persons Suffering from Mental Disorders](#) (hereinafter the "**Procedure 1**"), approved by the Resolution of the Cabinet of Ministers of Ukraine No. 576 of June 26, 2019 [12] and the Procedure for Organizing the Provision of Social Services (hereinafter the "**Procedure 2**"), approved by the CMU Resolution No. 587 of June 1, 2020 [13] to regulate the provision of social services during the period of emergency and/or martial law. These bylaws and regulations, in particular:

1) change the approach to the provision of social services on an emergency (crisis) basis:

- para. 5–1 of the Procedure 1 and para. 34 of the Procedure 2 set out the grounds for providing social services on an emergency (crisis) basis, as well as expand the types of such social services and determine the procedure for their provision;
- paras. 12, 13, 14 of the Procedure 2 set out an approach to identification of the needs for social services.

2) expand the list of persons entitled to identify people with disabilities and the elderly: in the first item of para. 6 of the Procedure 1 and para. 5 of the Procedure 2, *volunteers* were added to the list of entities identifying the persons with disabilities and elderly persons;

3) settle the issue concerning procedure for the submission of e-documents when applying for social services, including using a mobile application, and expanded the list of documents attached to the application and confirming the status of a person with a disability in need of social services, namely a pension certificate or a certificate for receiving benefits by persons with disabilities who are not entitled to a pension or social assistance

issued by structural units for social protection established within district state administrations, district state administrations in the cities of Kyiv and Sevastopol, the executive body of the city council, or a certificate confirming the assignment of social aid in accordance with the Law of Ukraine on State Social Aid to Persons with Disabilities Since Childhood and Children with Disabilities, as well as the Law of Ukraine on State Social Assistance to Persons Not Entitled to Pensions and Persons with Disabilities (para. 8 of the Procedure 1 and para. 28 of the Procedure 2);

- 4) settle the issue of the provision of social services to persons with disabilities and the elderly lacking an identity document and proof of Ukrainian citizenship:** it is envisaged that for persons with disabilities and the elderly lacking an identity document and proof of Ukrainian citizenship and being in need of social services, the decision on the provision of social services is to be made without their application at the request of such persons or their legal representatives or pursuant to notification of the guardianship and trusteeship authority (for incapacitated persons). At the same time, the social service provider shall assist a person with a disability or an elderly person with filling out an application and/or documents to apply to a territorial body / territorial unit of the SMS, an administrative service centre, a state enterprise belonging to the SMS or its structural unit for the re-issue of lost documents in the prescribed manner. However, within one month after the termination/liquidation of the state of emergency or martial law in Ukraine or in some of its regions, a person with a disability, an elderly person receiving social services, or his/her legal representative, or an authorized representative of the guardianship and trusteeship authority (for incapacitated persons who have not been appointed a guardian or who have lost contact with him/her during the state of emergency or martial law in Ukraine or in some of its regions) in order to confirm the information required for making a decision on the provision of social services, shall provide the authorized agency with required documents which have not been provided earlier (para. 8 of the Procedure 1 and para. 25 of the Procedure 2).
- 5) settle the issue of territorial affiliation of social service recipients:**
- should a social manager / social worker identify a person/family belonging to vulnerable populations or affected by factors that may lead to difficult circumstances, they shall inform the authorized body or social service provider *at the person's declared/registered place of residence (stay)* about the same by sending a notice in writing or by means of telecommunication, in particular electronic and telephone means, no later than on the next working day (para. 7 of the Procedure 2);
 - applications filed by a person or their legal representative and notices of an authorized person of the guardianship and trusteeship authority on the provision of social services may be accepted by the administrative service centre *at the declared/registered place of residence (stay) of the person (at the place of application of the person during the state of emergency or martial law in the territory of Ukraine or an administrative division)* (para. 26 of the Procedure 2).

Changes to the procedure for providing such social services as in-kind aid are also positive. Specifically, according to the Order of the Ministry of Social Policy of Ukraine on Approval of Amendments to Certain Orders of the Ministry of Social Policy of Ukraine [No. 147 of May 11, 2022](#), the State Standard of Social Service of In-kind Aid, approved by the Order of the Ministry of Social Policy of Ukraine No. 147 of March 25, 2021, was supplemented with a new section on the peculiarities of providing this social service on an emergency (crisis) basis in a state of emergency or martial law. Thus, the ground for receiving a social service shall be a decision to provide a social service, which shall be made by a structural unit for social protection or a social service provider in accordance with the Law of Ukraine on Social Services. The decision to provide such a social service must be made immediately and its provision ensured within one day. The term of provision of the social service of in-kind aid is to be determined on a case-by-case basis [14].

Section 3

BEST PRACTICES AND APPROACHES TO THE PROVISION OF SOCIAL SERVICES IN UKRAINE UNDER MARTIAL LAW

As mentioned above, as per the Law, extensive powers in the field of social services have been delegated to territorial communities. Such changes in statutory regulation of the provision of social services are aimed at bringing social services closer to people, i.e. to recipients.

The expert discussion during the National Round table meeting titled “Development of Social Services in Times of War: Challenges and Opportunities” held on June 30, 2023 by Right to Protection as a member of UKRAINE RESPONSE CONSORTIUM under the leadership of the international charitable organization ACTED and with the support of USAID Bureau for Humanitarian Assistance highlighted lack of awareness of the key issues related to social services in Ukraine in both recipients and providers of social services.

In particular, social service recipients need more information on the opportunities and ways to access social services. At the same time, social service providers need information support on the development of a market for social services. Local governments need guidelines indicating effective tools and a step-by-step algorithm for implementation of the Procedure for Identification of the Needs of Residents of an Administrative Division for Social Services, approved by Order of the Ministry of Social Policy of Ukraine No. 2 of January 20, 2014.

Based on the outcomes of the roundtable, in order to further educate social service providers, it is suggested that the National Social Service of Ukraine conducts an awareness-raising campaign for the public and employees of local governments to empower communities in the area of social services.

Local institutions and municipal social services also need guidelines on implementation of relevant national legislation. Therefore, SMEs are proposed to provide such support through monthly online and offline meetings, webinars and coordination meetings.

In order to enhance the involvement of NGOs in the development of the market for social services, local governments are proposed to stimulate the development of NGOs providing social services at the local level by holding information meetings, seminars and workshops for residents of territorial communities and for civil society organizations. Best practices of social service provision, which will be discussed below, may prove instructive for this endeavour.

In the course of communication with employees of institutions providing social services in local communities, field meetings, roundtables, activities aimed at monitoring and analysis of social media content, we have analysed various practices in the field of social services, the best of which, in our opinion, are the following.

COMMUNITY INVOLVEMENT IN IMPROVEMENT OF MATERIAL INFRASTRUCTURE OF A LOCAL SOCIAL SERVICE CENTRE (SOSNYTSKA TERRITORIAL COMMUNITY OF CHERNIHIVSKA OBLAST) [15].

In 2019, the Sosnytska Village Council participated in training concerning the implementation of social services in Ukraine organized by the Polish Solidarity Foundation. The village council have submitted and application for funding of a project aimed at establishment of a permanently operating social service system in the community. Under this project, a seven-seat car has been purchased among other things. Moreover, the Centre for the Provision of Social Services (a local municipally-owned institution) has a multidisciplinary team comprising a nurse, shoemaker, hairdresser and social worker, which is now able to provide services as close to people as possible, owing to the project.

COMMUNITY INVOLVEMENT IN PROVISION OF SUPPORT TO IDPs. PARTICULARLY REMARKABLE IS THE RECHI.SUPPORT SOCIAL INITIATIVE AIMED AT PROVIDING IDPs WITH ESSENTIALS, CLOTHING AND HOUSEHOLD APPLIANCES THROUGH SOCIAL MEDIA [15].

The rechi.support project has created a resource bringing together people in need of help and those who can provide it. The key implementation tool is a social media page. From the very beginning, the project author has been posting requests for items needed by a particular family.

IDPs visit the rechi.support project page and describe their needs (from clothes to home appliances) in personal [messages](#). Ukrainians can submit requests for all family members, regardless of the age or gender. Requests are fulfilled anonymously. The items donated are immediately sent to the family by other people or by a single donor, which is convenient and does not require additional funding.

As of November 2022, about 800 families have received a full package of assistance ranging from ordinary items to essential household appliances. Most of the families included 3 to 8 persons.

MENTAL HEALTH AND GENERAL HEALTHCARE ASSISTANCE PROJECT MY HEART IMPLEMENTED IN FASTIVSKA COMMUNITY OF KYIVSKA OBLAST [16].

Under this project, war-affected children and their families receive mental health and general healthcare assistance. Children are provided with comprehensive assistance, including medical treatment and rehabilitation. The first part of the project has already been successfully implemented in the community: help seekers have access to quality mental health and general healthcare assistance, as well as to a safe play space for children, where specialists can identify health issues threatening the children while they are playing.

THE FAMILY 4.5.0. CENTRE FOR SUPPORT AND MEDICAL AND MENTAL REHABILITATION FOR MILITARY PERSONNEL AND THEIR FAMILIES IN FASTIVSKA COMMUNITY OF KYIVSKA OBLAST [16].

This project is aimed at the creation of a single application window for war veterans, i.e. a place where military personnel can receive a range of social services, fill out documents/requests required for social benefits, etc.

METHODOLOGY FOR IDENTIFICATION OF THE NEEDS OF LOCAL RESIDENTS OF BOYARSKA COMMUNITY OF KYIVSKA OBLAST

The methods used to collect information to identify the needs of local residents of the Boyarka community, which included broad public involvement in the identification of such needs, are remarkable. The information gathered serves as the basis for subsequent budgeting and use of funds within the community.

For instance, the staff placed announcements in local media, on community bulletin boards and social media sites, and surveyed the locals. This allowed to collect a large amount of data, which helped to obtain data more accurately indicating the needs of residents of the community.

THE SOCIAL TAXI PROJECT IMPLEMENTED IN THE SOLONE COMMUNITY OF THE DNIPROPETROVSK OBLAST [17].

With the support of Right to Protection, Solonyanska community was able to receive a car to implement the Social Taxi project. Now, every resident of the community can file a written application and submit the required documents to the Social Service Centre (a local municipally-owned institution).

The application is processed by a specialist of the Centre and submitted to the Director for decision-making.

DEVELOPMENT OF THE STRATEGY FOR THE DEVELOPMENT OF THE SOCIAL SERVICE SYSTEM OF THE ZHOVTOVODSKA TERRITORIAL COMMUNITY OF DNIPROPETROVSKA OBLAST.

In order to develop the system of social services, achieve the goals of reducing the number of persons/families in difficult circumstances, as well as participate in and implement projects to improve the social protection of community residents, the Strategy for the Development of the Social Service System was developed and adopted by the City Council (decision of the session of Zhovti Vody City Council of the Kamianske district, Dnipropetrovska oblast, No. 511–13/VIII of September 29, 2021). According to the Strategy, "The development and adoption of the Strategy for the Development of the Social Service System of the Zhovti Vody town territorial community will allow achieving a unified, systematic and consistent approach to planning and organizing the social service system in the community. It will allow creating new social institutions and applying new forms of social support, facilitate the provision of professional assistance and exercising of the constitutionally established and legally defined rights of the residents of

Zhovtovodska territorial community to social protection, to receive professional social services by representatives of all vulnerable categories of the community's population in accordance with needs identified on a case-by-case basis, using a targeted approach, in a comprehensive manner and in compliance with the principles defined in the state standards for social services."

This Strategy allows participating in programs and projects, including those of international donors, more effectively and efficiently.

Section 4

KEY FINDINGS OF THE SOCIOLOGICAL SURVEY ON THE ACCESSIBILITY OF SOCIAL SERVICES FOR IDPS AND WAR-AFFECTED PERSONS IN UKRAINE

A sociological survey was conducted to identify how the TCs where this project is being implemented assess the effectiveness of the procedure of social service provision and their quality, as well as to identify the needs of persons/families who found themselves in difficult circumstances or are fleeing the war. The study examined the opinion of adults (aged 18 or above) years old living in Dnipropetrovska, Kyivska and Chernivetska oblasts, who found themselves in difficult circumstances and in need of social services.

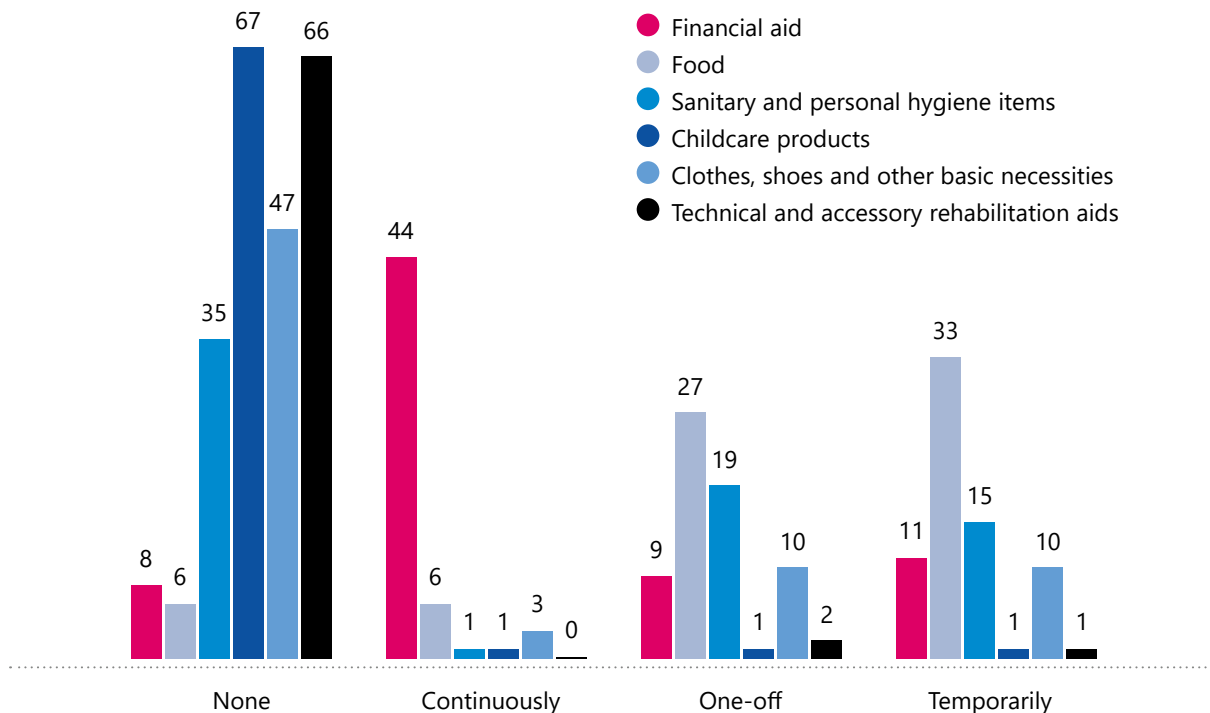
As part of this sociological study, 131 respondents were surveyed. 41 respondents were representatives of social service providers, while the remaining 90 respondents (79 women and 11 men) were social service recipients. The survey has been conducted from December 05, 2022 to January 05, 2023 in 61 settlements in 13 communities in 3 regions where the project was implemented, namely:

- **4 communities of Dnipropetrovska oblast** (Sofiyivska territorial community of the Kryvyi Rih district, Ternivsky district of the Kryvyi Rih City Council, Pavlohradska territorial community of the Pavlohrad district, Ternivska territorial community of the Pavlohrad district)
- **7 communities of Kyivska oblast** (Baryshivka territorial community of the Brovarsky district, Byshivska territorial community of the Fastivsky district, Vasytkivska territorial community of the Obukhivsky district, Volodarska territorial community of the Bilotserkivsky district, Makarivska territorial community of the Buchansky district, Fastivska territorial community of the Fastivsky district, Yahotynska territorial community of the Boryspilsky district)
- **2 communities of Chernivetska oblast** (Hertsaivska territorial community of the Chernivetsky district, Kelmenetska territorial community of the Dnistersky district).

The non-representative survey was conducted during the mobile teams' visits by psychologists and social workers operating in respective regions.

The surveyed social service recipients reported **the greatest demand for in-kind aid:** food, sanitary and personal hygiene products, clothing, footwear and other necessities, which are received mostly on a one-off or temporary basis.

Figure 4.1. **Material support**



According to the survey of social service recipients, we observe that the following **basic, comprehensive and technical services** are the most demanded social services (see Fig. 4.2, 4.3 and 4.4).

Figure 4.2. **Basic services**

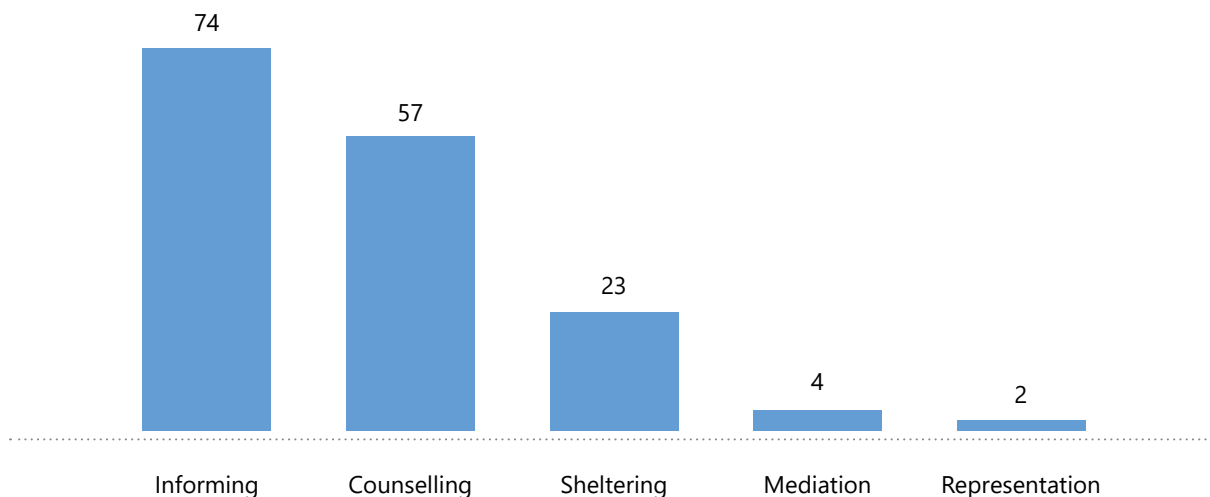
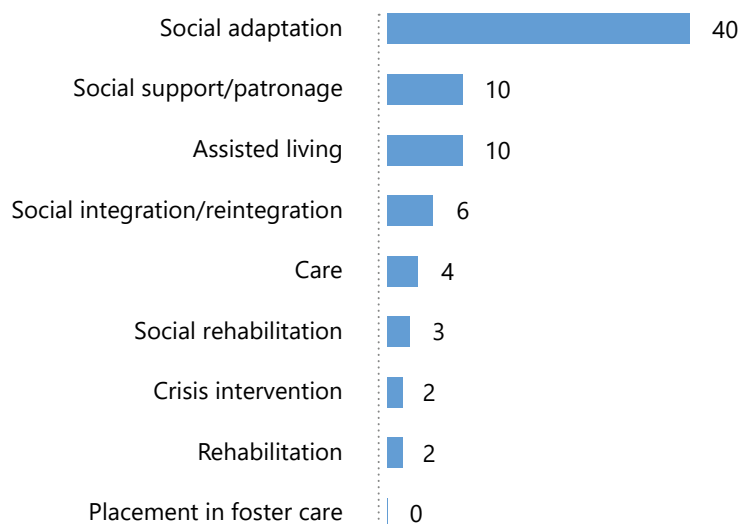
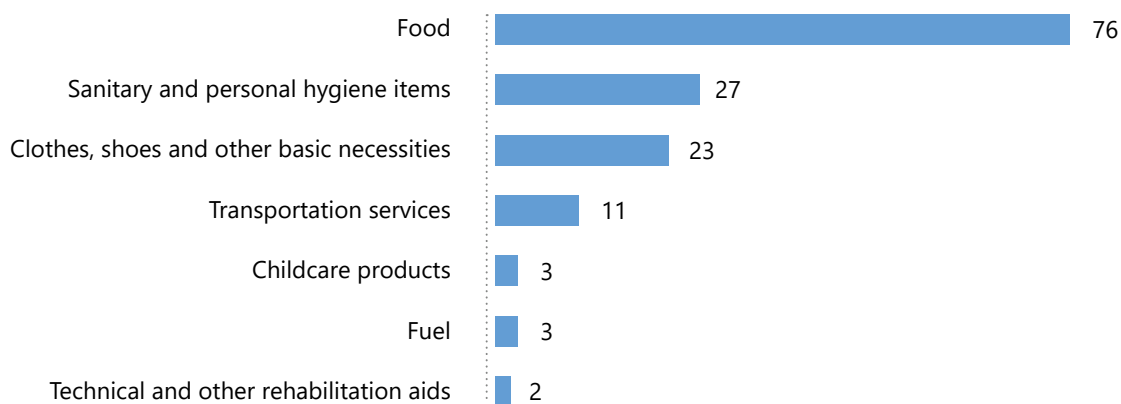


Figure 4.3. **Comprehensive services**Figure 4.4. **Technical services**

When asked what they would like to see improved to make social services better, there were different answers, but most commonly respondents emphasized that they need more:

- humanitarian aid
- housing (free/social/temporary, including the desire to receive such housing)
- social institutions/agencies
- employees providing social services
- informing about social institutions that provide social services
- logistic base of institutions and establishments
- methodological support from central authorities

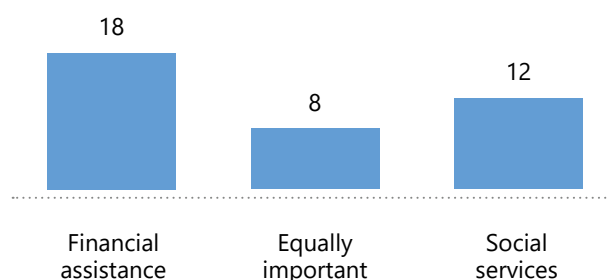
According to social service recipients, the **following institutions are needed the most in the community** (see Fig. 4.5).

Figure 4.5. **Social institutions needed in the community**



According to respondents representing social service providers, the **greatest demand they have is for financial assistance**, while social services are in less demand (see Fig. 4.6).

Figure 4.6. **Types of assistance in the greatest demand among the population**



Thus, based on the survey findings, we can conclude that, given the conditions of martial law, the results provide a clear understanding of what persons/families in difficult circumstances and persons fleeing the war need the most. As we can see, the issues highlighted in this study regarding the lack of a proper system for organization of the provision of social services, informing local residents about the types of social services and institutions providing them, etc. were supported by the survey findings.

We also observe that the recipients are in greater need of humanitarian aid and free housing, which may also be the result of the fact that the recipients are unable to integrate actively into their new living conditions.

CONCLUSIONS AND RECOMMENDATIONS

The expected results of any reform of the social services sector should be an increase in the quality of life and the exercising of the constitutional rights of people by organizing the social services system in a way that meets the needs for quality, affordable and targeted social services. The recently implemented changes, such as the delegation of powers to provide social services to territorial communities, should not be an exception to this rule. However, as the study findings show, there is a number of problems that need to be further studied and addressed in order to ensure timely and unimpeded access to all social services guaranteed by the state.

Thus, in order to solve the problem of the **lack of a unified approach to the organization of the structure of the system of social services** in different territorial communities, it would be advisable to define a single or several possible options for the structure of the system of social services at the level of a subordinate regulation. This will ensure a uniform approach for its implementation by all territorial communities, and the implementation of the state's social policy in the field of social services will be able to avoid the current chaos.

To eliminate the existing problem of the **lack of technical capability to submit an application in electronic form for social services to an administrative service centre**, the Ministry of Social Policy of Ukraine, jointly with the Ministry of Digital Transformation of Ukraine, are proposed to develop a procedure for submitting e-applications through administrative service centres, their subsequent processing and transfer to the relevant authorized bodies. Further to that, the Ministry of Digital Transformation **should ensure that applications for social services can be submitted through the Diia Portal**, as stipulated in para. 25 of the Procedure.

In order to improve the process of **providing the social service of emergency (crisis) intervention, which currently does not provide for the possibility of transporting a person**, based on the provisions of the Classifier of Social Services approved by Order of the Ministry of Social Policy of Ukraine No. 429 of June 23, 2020, it would be advisable to review and amend the said Classifier, supplementing the description of such a service with the possibility of transporting a person if required.

With regard to the identified problem of the **lack of a working mechanism for data exchange between the structural units of the social protection department, the State Tax Service of Ukraine and the Pension Fund of Ukraine**, the Ministry of Social Policy of Ukraine, jointly with the Ministry of Finance of Ukraine and the Ministry of Digital Transformation of Ukraine, should develop a procedure for providing information on the amounts/sources of paid income and withheld taxes from the State Register of Individual Taxpayers at the request of officials of a territorial centre or department of social protection regarding recipients of social services with whom a relevant agreement on the provision of social services is being or has already been concluded.

Another problem that exists in most communities and needs to be resolved as soon as possible is that **the needs of the community population in social services are not being identified**. The first thing that needs to be done is to revise and amend the Procedure for Identification of Needs of Residents of an Administrative Division for Social Services approved

by Order of the Ministry of Social Policy of Ukraine No. 28 of January 20, 2014, to prescribe a practical procedure (instruction) for identifying the needs of local residents. At the same time, it is advisable to simultaneously develop the instruction and provide all possible guidance to communities in order to ensure that the needs of the community population in social services are identified. It would also be advisable to amend the current Law of Ukraine on Social Services by imposing personal responsibility on local community officials for failure to conduct a community needs assessment for social services. It may also be advisable to entrust the control of annual identification of the community's population needs for social services directly to the National Social Service of Ukraine.

People surveyed for this study feel that there is a **weak guidance and coordination of central government agencies when organizing work in the field of social services at the local level**, i.e. in communities. This conclusion is also confirmed by the analysis of the study findings. These issues need to be addressed urgently, as approaches to the provision of social services during martial law are different from those used in peacetime. Accordingly, best practices in the application and implementation of legislation, explanations of the provisions of relevant regulations and practical experience in their implementation should be disseminated and communicated downwards, from the central government to the local level. This problem can be solved by strengthening communication between communities, on the one hand, and the Ministry of Social Policy of Ukraine and departments of social protection established within regional state (military) administrations, on the other hand, in particular, to disseminate information about such best practices. This problem can also be solved by introducing a new approach to strengthening the capacity and interaction of communities with public authorities by introducing a staffing unit at departments of social protection of regional state (military) administrations, such as a social advocacy adviser (mentor) in the field of social services. This will allow communities to strengthen their communication with other social service providers and public authorities, enhance their capacity to implement national legislation at the local level, and adapt more quickly to current changes in state social policy.

Poor public awareness of available social services and the lack of a uniform interface on community websites to display information on the provision of social services. It is important to focus on social and legal protection of people by raising their awareness of their rights to receive social services, as well as of their accessibility. This is especially true for persons/families that have not previously been in difficult circumstances and had no need for social services, and who are unaware of their rights and opportunities to receive social services available to them and guaranteed by law. To solve this problem, it is necessary to develop and implement a uniform approach to information for all communities with the same website profile so that help seekers, including internally displaced persons, can quickly navigate and understand where to go and what social services to apply for.

Staffing problem. In today's context, social service providers need to have a multidisciplinary team and/or multidisciplinary motivated specialists who can provide social services in a professional, skilled and custom-based manner. To solve this problem, it is required to organize trainings and educational activities for social workers to improve their professional and personal qualities.

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