

UNICEF BULGARIA COUNTRY OFFICE
Terms of reference
Consultant on Social Services Act By-laws Development

Start date of consultancy:	September 2019
End date consultancy:	December 2019
Reporting to:	Child Protection Specialist

1. Background.

On 7th March 2019 the Bulgarian Parliament adopted the Social Services Act which is in line with the international and European standards related to human rights and social services such as the Convention on the Rights of the Child, the Convention on the Rights of People with Disabilities, the EU Charter of Fundamental Rights, etc. The new law introduces the main principles of the voluntary European Quality Framework for Social Services and envisages:

- better access to services (development of a national map of social services, introduction of universal services and specialized services, etc.),
- new approach to defining services and integrated approach to their provision;
- focus on effectiveness (quality standards of social services, new standards for social services financing, control and monitoring system (introduction of an Agency for the Quality of Social Services), investment and obligation for the development of the social service workforce, case management, etc.);
- efficiency and effectiveness of public resource use (opportunities for better management of services and their diversification, integrated support, introducing new forms of public-private partnerships, etc.).

Paragraph 40 of the Additional regulations to the Act envisages all secondary legislation to be developed within the next 6 months:

§ 40. (1) Within three months of the entry into force of this Act, the Council of Ministers shall adopt:

1. Rules for Implementation of the Social Services Act;
2. Ordinance on the planning of social services;
3. Ordinance on the quality of social services;
4. Ordinance on the labor remuneration standards of the employees, performing social service activities financed by the state budget;
5. Statutory Rules of the Agency for the Quality of Social Services;
6. Tariff for the fees for issuing and renewal of a license for provision of social services;
7. amendments and supplements to the Regulations for the implementation of the Law on Social Assistance and the Child Protection Act and in the Regulations of the State Agency for Child Protection and the Agency for Social Assistance.

(2) Within 6 months of the entry into force of this Act, the Minister of Labor and Social Policy shall approve:

1. Code of Ethics for employees performing social service activities;
2. Workload standards for employees performing social service activities and for employees from the Social Assistance Directorate and the municipalities that carry out the referral activity for the use of social services.

2. UNICEF'S role.

Currently, UNICEF Bulgaria is in the second year of implementation of the Country programme (CPD) for the period 2018 - 2022. The overall goal of the country partnership is to support Bulgaria in its efforts all children and adolescents in the country, including the most disadvantaged, to enjoy their rights and develop to their full potential in an inclusive and protective society. Although not identified as a separate thematic area in the CPD, support to strengthening social protection in country is a cross-cutting priority for UNICEF as social protection has a powerful role to play in addressing child poverty, economic and social vulnerabilities, and ultimately in transforming the lives of children and families.

UNICEF Bulgaria CO supported the drafting of the Law on Social Services through contribution to the development of a Concept and a Road map for its development as well as active participation in the working group for drafting of the texts, established by the Government. The development of the new Social Services Act was based on evidence and took into account relevant analyses and lessons learned, followed a rights-based approach and was carried out with active participation of all stakeholders.

3. Overall objective of the assignment.

The main objective of the consultant will be to provide technical assistance and advice to UNICEF Bulgaria in the development of the necessary by-laws.

4. Scope and specific objectives of the assignment.

The consultant will have to complete the following specific tasks:

- Participate in the meetings of the Working Group, established by MLSP as well as other workshops and seminars related to the development of the secondary legislation to the Social Services Act and keep relevant programme colleagues informed of developments, key issues discussed, and necessary actions required.
- Co-ordinate UNICEF's input and provide support in drafting suggestions for concrete texts to ensure the relevant secondary legislation applies a comprehensive and consistent approach based on UNICEF experience with modelling innovative services and regional planning of services; Monitor whether the draft texts discussed and the relevant by-laws are in line and follow the international and European standards related to children's rights such as CRC, CRPD, the EU Chapter on Fundamental Rights, etc.
- Support the review and identify relevant social and child protection, education and health legislation which needs to be amended in line with the philosophy and principles envisaged in the Social Services Act and the relevant secondary legislation.
- Draft reports, statements and other papers as required by UNICEF.

5. Timeframe and duration of the assignment.

It is expected that the assignment will take place in the period September 2019 – December 2019.

6. Required education, experience and competencies.

The consultant is expected to meet the following criteria:

- Advanced university degree in social sciences, law or relevant related discipline.
- In-depth knowledge and understanding of social protection system and social services in Bulgaria and other European countries.
- A minimum of 5 years of professional experience working in social protection development.
- Experience in social services researches, analysis and assessment will be considered an advantage.
- Excellent verbal and written communication skills.
- Energy and enthusiasm; ability to work under pressure; good negotiation, communication and presentation skills. Pro-activity and strong orientation towards results.
- Fluency in English will be an advantage.
- Willingness and availability to travel across the country.

7. Remuneration.

The Consultant will be paid against provision of timesheets and a written approval by the Supervisor of a monthly report. It's envisaged that the consultancy will be up to 30 working days for the whole period September – December 2019.

8. Management, monitoring and evaluation of the assignment.

The selected consultant will work under the direct supervision of the UNICEF Child Protection Specialist and Local Services Officer (as alternate).