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SYSTEM OF SOCIAL SERVICES IN THE CONTEXT OF POSSIBLE CHANGES DUE TO THE INFLUENCE OF ENTREPRENEURSHIP ACTIVITIES

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Abstract

In Europe and also in Czechia, we can observe the recent trend of social services maintained by entrepreneurship companies. Mainly, it involved private companies focused on providing social services. Even though the number of social services has grown, the capacity that is provided is not sufficient, and there is still a lack of these services. This is caused due to the changes occurring in social services. In the majority of European countries, there is a growing trend of privatizing and marketizing these services – mainly within the providers of residential services and long-term services. That directly leads towards the growth of the number of private providers while the number of public providers is lowering. On the other hand, private providers can be found in other spheres of the market. The aims of this article are to

shed light on primary institutions, whose understanding is crucial in their realizations, and to critically evaluate this recent society's status.

Keywords: enterpriser, non-income sector, provider, registration, social service, state, types of social services.

1. INTRODUCTION

Nowadays, no society can survive without social services as an individual's problem means, in the end, an issue for the whole society. By overlooking social services, not only does an individual suffer, but the whole society as well. People in the worst situations of life cannot participate in public life, and they weaken society. Furthermore, they need help, and often, the result of a lower social situation is social exclusion.

Social exclusion is discussed by Daněk, Klugerová (2023). Social exclusion is a major issue that modern society is attempting to address. It has negative impacts not only on a local level but also on a national, European, and even global scale. In today's interconnected society, it is important to recognize that social exclusion issues in other countries or on other continents will have an impact on us. Therefore, it is crucial to strive for the elimination, prevention, and combat of social exclusion through all possible means.

Therefore, it is obvious that the main aspect of social services is to help people who are in lower social situations to stay equal members of society while using their resources, to help them live independently, and to stay in contact with people from another environment but also from their own environment. Currently, securing social services is the responsibility of the state and of the private social care sector as well. However, the private sector has transformed it into entrepreneurship.

Aging is a natural physiological process that involves a number of changes affecting the organism. Changes in the physical field are reflected in education primarily by worsening resistance to adverse and disruptive influences, loss of energy, by reducing sensory capacity (Španteková, Smékalová, 2015; Na et al., 2024; AlZubi, 2023; Kusuma et al., 2022).

Demographic scientists suggest that in Czechia, around six thousand people will be older than 80 years. This means that the demand for social services providing residential services will grow. It has been observable for a few years already that these services are entrepreneurship companies invest money in as they view these services as the only opportunity to earn money. Unfortunately, this trend will keep growing.

The quality of care for elderly people is, as mentioned, one of the signs of a mature society. Due to the ageing society, care for elderly people will become one of the most required services in the near future. Thus, if someone is looking for a sustainable entrepreneurship concept, this might be interesting for them.

While in 2010, people older than 65 years were only 15% of Czech society, in 2030, they will represent 23% of inhabitants. Further, in 2050, elderly people will represent one-third of Czech society. Relatively the fastest will be the number of the eldest people. In demographic prognosis, there will live around half a million people older than 85 years in 2050 (Ondrušová, Krahulcová, 2019).

With smaller numbers of multi-generational families and with recent changes in lifestyle that force young people to move into cities to get a job, more families have started to use services provided by houses for elderly people, such as assistance services and others. It seems that starting a business in care services for elderly people is a new market chance. However, one must face many obstacles while working with elderly people, and very aware of these are people who already work with this group of clients.

2. WHAT IS SOCIAL SERVICE?

The responsibility of each European state is to maintain the rights of every inhabitant through equal solidarity between their inhabitants. This mainly includes the provision of health care, education, social services, etc. By social service, we mean the systematic activity of a subject (social care provider) towards the social object (the care receiver). The provision of social care originates from philosophy, humanitarian, religious and democratic ideals, which aim to fulfil human needs and to develop human potential.

With regards to law no. 108/2006 coll. Social services: should these services work as a tool to provide help and support to those who are in harder life situations, as a tool to achieve social integration, and prevent social exclusion? The provision of social services reacts to the needs of socially excluded people or people who are in danger of getting socially excluded. Also, it reflects negative social phenomena. The most endangered and the most sensitive people are those who are endangered by social exclusion, such as seniors, homeless people, people who fulfilled their imprisonment, people who might be discriminated against, people who are in danger of poverty, long-term ill people, disabled people, young people and children from incomplete families, and people from rural areas.

Social services are defined by law no. 108/2006 coll. about social services. The law states conditions for providing care and support towards people in harder life situations through social services. This law presents the primary law definition, which should secure help and support in unpleasant life situations. The law is not in the original statement, and of course, it is influenced by newer laws such as law no. 189/2016 coll. which raises the financial support for care. Further, it maintains the conditions for residential services provision (law no. 189/2016 coll.). It is crucial to mention that nowadays, there is a new law being prepared, which has a lot of opponents from academia as well as from general society. Plus, it should be mentioned that this law is not discussed with private social care providers even though they are a significant part of this resort.

The Czech legislative system defines social services as: “activities that provide help and support to people with the aim to support their social inclusion or to prevent social exclusion”. In social systems security, social services are included in the group of social help.

The main aims of social services are to provide help during care after oneself, such as the provision of food, housing, security, housekeeping, help with upbringings, provision of contacts for the social environment, counselling, psychological and sociological help, and legal advice. For the majority of social services clients, it means helping them maintain their independence, returning to their home environment, developing their skills to allow them to live independently, and lowering social and health risks related to their lifestyle.

The area of social care is defined similarly as an area of social services by law. The main law is law no. 108/2006 coll. about social services, and law no. 505/2006 coll. which is maintained by several parts of the law about social services. The main aim of these laws is to provide sufficient life standards without being socially excluded. Thus, people do not need to be worried about being faced with sudden life situations that would result in them being socially excluded. Although, if it happens, the law should save them for a few months.

The significant changes were brought up by law no. 108/2006 coll. about social care working since 1st January 2007. Its main aim is to maintain support and help people in unpleasant life situations through a new definition of social service's spectrum. By helping, it is understood that those activities are necessary for the inclusion of people into society and dignified conditions responding to the life standard of society.

The system of social care helps to provide the basic life needs of people in situations of absolute poverty when they are not able by their help and help from their families are not able to maintain elementary human needs. These needs are understood to be the physical, psychological, and social needs.

3. TYPES OF SOCIAL CARE

Social care involved according to law no. 108/2006 coll. about social care:

- Social counselling – this can be divided into primary social counselling, which provides people with needed information to help solve their complicated life situations. Further, it can be specialized social counselling, which is provided with stress on the needs of specific areas of social care, or to concrete groups of social care clients, for example, in partnerships counselling, family counselling, counselling for people with some handicaps, or elderly people.
- Social care services help clients gain physical or psychological independence so they can live their lives. These services include personal assistance, care services, emergency care, support for independent living, lightening services, guiding services, day-care services, day or week stationary services, residential services for people with handicaps and elderly people, and residential services with special regimes.
- Social services of social prevention – these services help to prevent social exclusion of people who might be in danger of social exclusion due to their life habits or lifestyle, which leads to conflicts with society and people living with a client. For prevention services, we can include early social care, mobile crisis help, interpreter services, asylum housing, house on halfway, contact centres, crisis help, intervention centres, low-threshold centres for children and young people,

sleeping centres, services of continuous care, social active centres for families with children, social active centres for elderly people and people with some handicaps, social-therapeutical workshops, therapeutical communities, terrain programs, and social rehabilitation.

- Social services can be provided in these forms:
- Housing – by this, we understood services connected with housing in social services.
- Ambulant – by this, we understand services that a client visits or they are transported by it to social services centres; housing is not part of these services.
- Terrain services – these services are provided to a client in their natural habitat (law no. 108/2006 coll. about social services).

4. PROVIDING SOCIAL SERVICES

Social services can be provided in centres that are defined by law no. 108/2006 coll. in paragraph 34. There are defined centres that are suitable and dedicated to providing social services to provide social services based on permission to provide these services. The permission can be gained based on registration, which is decided by the regional court. However, there are cases when permission is given by the Ministry of Labour and Social Affairs, and that applies to those services that are maintained by the Ministry of Labour and Social Affairs. There is a small number of these services. The law sets several criteria that need to be met for registration and provision of social services. Based on not meeting these criteria, some penalties can be given, and if the standards are not met, even the permission to run a social service can be taken away.

As mentioned, these services are provided in the form of housing services, ambulant services, or terrain services. The providers have, by law, stated requirements that must be fulfilled. Help should be available from a financial perspective as well as from the type of help provided. The reason is that clients should be able to afford the services; they should be able to get to the centre safely and without complications. Thus, the help should be provided near their housing or in place of their housing. Also, the type of help should be available, and an equal amount of information about the service should be available.

The services should be effective. That means the client can benefit from it, and mainly, it is suitable for them. In other words, the service should be created for the services, not the other way around. One of the principles of social care is the quality of the provided series. It should be provided in a responsible manner and in a volume that originates from current knowledge and opportunities in society. Further, in a manner that responds to current knowledge and abilities of social care.

The last criterion defined by law is economical manner. Public and private finances should be used effectively and economically during the care as well as during its preparation.

The provider signs a contract with the client, and based on this contract, the services are provided. The contract closure is defined by law, and it is the provider's responsibility to do it before providing the care. The contract does not need to be in paper form. However, it is the provider's responsibility to do it when providing residential services or services to fulfil the primary human needs. The contract protects both subjects who close it against possible misunderstandings or disagreements, and

it defines the form of provided care. This regulation has defined a completely new type of contract relation in the Czech Republic.

5. THE PROVIDERS OF SOCIAL CARE

The organisers who provide social services can be towns, regions, and the Ministry of Labour and Social Affairs, which are providers of social services, which means contribution-based organisations, or they can be presented as providers without law subjectivity (Vrbický, 2014). The significant groups of organisers are non-state, not contribution-based organisations and physical persons who provide social services. Contribution-based organisations are physical people who are not funded with the aim of gaining something. In the Czech Republic, social services as not contribution-based organisations are generally beneficial to companies, civics movements, churches, and foundations (Malýková, 2020). Social services can be provided only with permission for registration, which is discussed in a separate chapter. Further, the providers are responsible for closing the actuarial contract in case of responsibility for damage caused while providing social services (Law number 108/2006).

The task of town offices and regional offices is to secure provision of social services and their coordination. The regions and the Ministry of Labour and Social Affairs are responsible to create semi-long plan for development of social services. The towns do not have similar responsibility assigned but they can create semi-long-term plan facultatively.

6. REGISTRATION OF SOCIAL SERVICES PROVIDER

Not only the principles of contracts are defined by the law no. 108/2006 coll. about social services but also the registration principle. One of the expectations was that the new regulations about social services providers will be transferred mainly onto non-state subjects. However, there was not any law maintaining the regulations and legal perspective about social services providers, so the new law needed to be prepared.

Since the law became active so 2007 the social services can be provided only with this registration that must be obtained after meeting defined condition. The registration can be obtained after gaining the decision about registration (Matoušek, 2011).

Subject (in private sector we can say entrepreneur) who want to become social service provider must submit written request for registration to region court. When the Ministry of Labour and Social Affairs is provider then it also decides about the registration (Křížová, 2023).

7. THE NEED FOR LEGISLATIVE CHANGES

The law no. 108/2—6 coll. about social services when it was released was revolutionary as it influenced all perspectives of and systems of social services. however, the development of society is

crucial and thus it is important to continue with improvements. The novel of law no. 108/2006 coll. is long-term topic which still does not change the reality.

Into priorities that are possible and needed we include these:

1. Support for informal care – adding care givers to aimed group for the law including the definition in the law.
2. Contribution for care – to add the responsibility of an applicant to provide owner of the account to where the financial contribution is sent.
 - To add responsibility for regional office of Office for Labour of Czech Republic which controls the usage of the financial contribution, to legally define the process of controls.
3. The changes in social services – to add the subsidiarity into primary principles of the law. To define social services of community character. To join the residential service (housing for elderly people, housing with specific regime, and housing for people with health handicap) into new social services “house of social services”. to extend the primary activities of care services to “help while securing the safety and possibility to stay in natural environment”, to extend the asylum housing also for people with addiction for substances and some other services like “learning of skills for gaining independent housing”. To extend the circle of services that are provided without any financial contribution, to broaden the aimed clients’ group of social counselling for people who are in danger of becoming substances addicted and victims of gender violence.
 - The fixing of revealing social service (definition of transition period).
4. To anchor the standard of material, technical, and personal provision for social services (the closer fixture will be provided in legal transcript).
5. To set up the valorisation mechanism for maximal spending for social services. Improving the system for calendar years based on legally defined conditions.
6. Changes in quality of provided services. The revision on provider’s responsibilities which will be followed by change of quality standards + adding the responsibilities focused on protection of clients’ rights. In relation to changes responsibility for modification and origin of new delicts in area of protection client’s right + adjustment of legal definition of quality.
7. Changes in adjustments of clients’ movements. The cancelation of mandatory usage of specific adjustments to limit clients’ aggression towards the care givers in order to respect clients’ individuality. The modification of obligation to use some adjustment. Further, to completely omit the use of adjustments (i.e. usage of medicaments).
8. The changes in area of social services registration. The placement of an extra step for possible clients interested into obtaining the registration. Further, to add more details into responsibilities of a client interested into registration in order to changes of relevant information without previous request of a provider due to changes in primary registration. The changes will affect process of registration, request of a provider to be included into register of social services, records of information and even its separation into private and public part.
9. The change in area of effectivity during provide the social services = securing the social work. Limitation of activities involved in social work and responsibilities of social workers in offices 3rd type involving the definition of term social worker – social curator. The responsibility

of assigned local office to directly search for subject which provide social services without registration.

10. Changes in area of classification for social services provision. Exact definition that social services are provided by social workers assigned by regional office. The adjustment of definition of term social worker based on notes from practice. Also, including new activities which are realised by social workers. The modification of study programs responding to changes conducted within the law. Plus, it is suggested to add more details in area of social workers leaders' work.

8. CONCLUSIONS

Social service are one the most important tools for realisation for social politics while these are the activities that help to provide help and support to people with aim to successfully included them into society and prevent them from social exclusion. Social services are provided to people in unpleasant life situation who live in Czech Republic. Into the biggest groups of receivers of social services we include elderly people, people with health handicap, and even families with children. To receive the social service, one needs to apply for it. For some social services the registration can be given by town or regional office and that happens in legal process. Mainly this includes social care and residential services for people with health handicap or elderly people. If the service is provided by non-state non-contribution-based organisation the client and the provide close a contract between them. In this contract is clearly state the financial participation of a client. In area of social care and its primary fragments of work we cannot omit standards of quality that should be maintained while providing social services. These standards were defined by the Ministry of Labour and Social Affairs. These standards can be applied to all types of social services and its categorisation can be procedural, personal, and operational which describes how should quality social service look like. the quality is then describes by two main criteria which are assumed to fulfil the interest and needs of both involved groups – clients and providers.

In Czech Republic after change of regime in 1989 there were changes in legislation as well. Mainly in social sphere these changes influenced system of social contribution provided by state. Current form of finances provides to social services in very limiting in any further development. Nowadays, the social system is directly linked to state politics and its financial system or on financial system of its providers which are either regions or towns offices. Social services are financed through diverse forms of donations from state budget, from providers' budgets, and from clients' resources. For financial support are often used funds from Structural funds and other programs from Europeans Union which are available for Czech Republic since its memberships in this group. At the begging of new millennium, the trend for decentralisation is observable. Thus, rather employing the smaller regional offices for offering these services. To secure social services more frequently the contracts with private sector are closed, and the private sector becomes more popular and needed for securing these. To achieve the effectivity while offering social service the decentralisation is more required and the coordination of diverse services is still more needed. Currently there are social services of terrain character secured by care services and by house care service; social services of this character

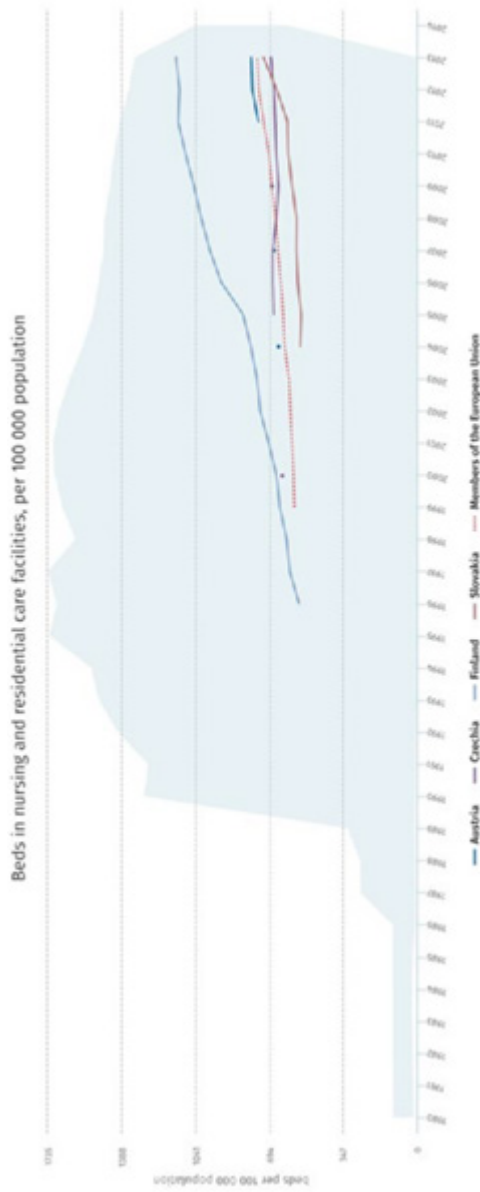


Chart 1 Comparison of the number of beds in long-term care facilities in Austria, the Czech Republic, Finland and Slovakia and the EU average (WHO). (Kolektiv autorů, 2021).

are mainly offered in form of housing for elderly people and people with health handicap, pensions for elderly people.

Since 1st January 2003 these competencies for providing social services were transferred onto regional offices. It is crucial to actively seek for these mechanisms so further the towns are motivated to take over in provision of social services from regional offices. It is crucial to stress enough the reality of need for multi layered finances, so the financial resources are guaranteed. The significant tool for this is socio-demographic analysis which helps to develop plan for development of local social services.

If we can summarize the social services into one compact, then we can say that the system is working but yet it is not sufficient and it needs crucial changes. The average life expanse is getting longer every year. This happens due to medicines and its developments all over the world. Czech Republic is not exception – if the current demographic pace will be the same then we can assume that in 2050 there will be one million of people older than 65 years and 1,5 million of people over age of 80 years. The system of social services has issues even nowadays. The numbers of bed in relevant institutions if lowering every years and current legislation is the most effective solution to this issue. We are talking about maintain current capacities and it is important to mention that some social services are already not sufficient. For example, houses for elderly people are long-termly filled up to 98% and 12% from current services must refuse some clients. The rest of institutions refuses 200-800 clients.

The average capacity of residential services with specific regimes is 93%. To refuse some clients due to capacity issues does not have to only 16%. The rest must in average year refuse up to 560 applications. Better situation is in daily care centres and easing services where the average capacity is fulfilled up to 83% (Kolektiv autorů, 2021).

From available data it observable that numbers of bed in housing services for elderly people and daily care centres are lowering. On the other hand, the capacities in social services provided by private sector are growing up lately, and it is mainly the private sector who reflects the need for bigger capacities is social services. In absolute number of capacities, they do not reach the public sector numbers. It is 70% services that are self-maintained by regions and towns' offices.

However, as the system is currently working in not sufficient, and it does not respect the principles of transparency and effectivity. Even though, it is clearly stated that to enter the system there must be met several conditions from available analysis arise that it is not the practise.

It is necessary to mention the aspect of professional practice and professional training, as stated by Stárek, Klugerová, Víšek (2022) The development and nature of quality work placement is not only the work of the university but also each student, specifically from the perspective of representation of the given university when a student creates the first impression not only in itself but also in the university itself and may thus open or close the gates to undertaking further work placement. The ever-expanding portfolio of institutions with which they collaborate or participate in project activities, conferences, professional seminars generates awareness of the diversity of the profession, but also the interconnectedness and transfer of information that evaluates the student, the university and their expertise or performance.

Sufficiently transparent is not even current system for clients. Although, social services can relatively effectively state who will reflect their need for example information about their rights are not easily

accessible nor understandable. The providers on the other hand do not have options to provide standardised care for similar financial contribution which would respond to individual needs of clients.

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