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Legal regulation of training of social workers in the Czech Republic



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ABSTRACT

In recent times, the training of social workers in the Czech Republic has undergone extensive changes. From a content perspective, the authors have prepared a comprehensive overview of the legislation of the issue of training social workers in the Czech Republic, wherein mandatory training of employees is reflected in the activities of officials of both state administration and local authorities, whilst taking into consideration the specifics of the field of social work. This article is based on doctrinal analysis of the legal regulation in relation to defining terms such as social services, and of the authorities supporting the social and legal protection of children and their compulsory training. The subject of the doctrinal investigation is, in particular, the obligations established for employers and employees in social work regarding compulsory training in the social sphere. This article goes beyond the doctrinal analysis and evaluates qualitative interview research. The doctrinal legal analysis reveals that the newly adapted training concept builds on the extensive legislation associated with the preparation of Civil Code No. 89/2012 Coll., as amended, and its related legal regulations, which fundamentally affect all areas of social services, including an increased demand on the expertise of officials. The regulation of compulsory training has also become one of the important areas for evaluating social services standards. The application of the new legislation in specific conditions is monitored from an employer's perspective, and from the perspective of the employees, but also in terms of the professional umbrella organization – the Association of Workers in the Authorities for the Social and Legal Protection of Children (OSPOD).

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Introduction

The aim of this paper is to analyze, on the basis of a comprehensive analysis of legislation of the given issue, the

impact of the obligations imposed on employees and employers in terms of compulsory social services training, and, specifically, on authorities for the social and legal protection of children. The paper will be focused on specific forms of training, based on an analysis of the needs in the relevant area.

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A partial aim is to define forms of compulsory training in relation to the preparation and processing of individual further training plans for employees, in order to ensure professional growth based on an assessment of the training needs of the employer and the employees.

The importance of both the practical and theoretical education of social workers and the necessity of formal and legal regulation of such an education has been recognized worldwide. Wayne et al. point to the importance of the education of social workers and relate education in this field to other fundamental areas of social activity such as: clergy, nursing, and in particular, law [1]. They suggest that social workers should be able to employ legal reasoning, despite coming from various professional backgrounds [1].

Typically, universities offer undergraduate theoretical courses in social work, which are followed by practical education that leads to professional accreditation [2]. It has been acknowledged by researchers in numerous countries, including Australia and the United Kingdom, that practical experience, i.e. learning by “doing” [3] is vital to the preparation of social workers, and that the quality of the student-supervisor relationship and the ability of the supervisor to be a role-model for the trainee is of extreme importance for the efficacy of the training [2–4].

Materials and methods

The authors used a method that analyzed scientific literature and valid legislation in the relevant area [5–10]. They also assessed findings obtained from semi-structured interviews, both with a person cooperating with the association of childcare workers, and with the head employee of the childcare division of the social affairs department of the municipal office, which represents the view of the employer. This assessment of interview responses enabled the authors to evaluate the impact of compulsory training on professional growth and possible further training needs. The views of the employees are monitored using the focus group method, which involves 5 employees in the childcare division of the social department of a “municipal office with extended powers” (a municipal authority with relatively high powers in the system of Czech administrative law – “municipal office with extended powers” hereinafter). The use of qualitative methods, such as semi-structured interviews, focus groups and quasi-experimental longitudinal design is common in recent international social work research [11–14].

Social services

The concept of “social services” is defined in terms of legal regulations by Act No. 108/2006 Coll., on Social Services [9], which states that a social service “shall mean an activity or a set of activities according to this Act, ensuring the assistance and the support to persons for the purposes of their social integration, or prevention of their social exclusion” (Section 3a). Social exclusion “shall mean the exclusion of a person from the common life of society and the impossibility of integration into this life due to an adverse social situation” (Section 3f). Both of the aforementioned concepts are directly

linked to the social law, which is a summary term for the legal regulation of social protection systems. These include social assistance, social insurance, social maintenance, and the protection of employees under labour law. It must be emphasized that the field of social services is still rapidly developing, both in the Czech Republic and worldwide. It has been recorded and analyzed by researchers on numerous occasions that underestimating the importance of social services and a lack of admission of possible failures can lead to tragic outcomes [14–17].

Koldinská stated that social services are integral to the entire social protection system, “which usually supplement or alternate the function of systems” [6]. Social services are divided into social counselling, social care services and social prevention services. Social services can also be divided according to the place where they are provided, i.e. in the field; ambulatory and residential. The Act on Social Services [9] exhaustively lists the following social services facilities: “day services centres, day care centres, week care centres, homes for the disabled, homes for the elderly, special regime homes, protected housing, asylum houses, half-way houses, crisis centres, low-threshold day centres, low-threshold facilities for children, youth hostels (homeless shelters), therapeutic communities, social counselling facilities, social therapeutic workshops, social rehabilitation service centres, early care facilities, intervention services centres and after-care facilities” (section 34, paragraph 1). In relation to the previous note on the stressfulness of the profession, we would like to emphasize the particular fastidiousness of social work in child protection. This fact has been revealed by previous research carried out by Coffey et al., on the well-being and happiness of social workers, which measured areas such as job satisfaction, mental well-being, absenteeism from work and organizational constraints scales [18].

The activities that are a part of the social services provided include, for example, basic social counselling, assistance in coping with everyday personal care, assistance in running a household, social and therapeutic activities, as well as upbringing, educational and motivational activities. Tröster states that “the concretization of providing individual types of social services is contained in implementing legislation, specifically in Decree No. 505/2006 Coll., by which are implemented some provisions of the Act on Social Services, wherein social services quality standards are regulated” [8].

Training in social services

A social worker is a person who carries out social investigations and ensures social agendas. This includes addressing social-legal issues in facilities that provide social services, social-legal counselling, analytical, methodological and conceptual activities in the social sector, professional activities in facilities that provide social prevention services, screening activities, the provision of emergency assistance, social counselling, social rehabilitation, ascertaining the needs of people in the local community and the region, and coordinating the provision of social services (Section 109, Act No. 108/2006 Coll.). In order for an individual to carry out the work of a social worker, the individual must be fully legally competent, irreproachable and physically and professionally

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