



Report on the social inclusion and social protection of disabled people in European countries

Country: Slovenia
Author(s): Darja Zaviršek, Katarina Gorenc

Background:

The Academic Network of European Disability experts (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the Thematic report on the implementation of EU Social Inclusion and Social Protection Strategies in European countries with reference to equality for disabled people.

The purpose of the report (Terms of Reference) is to review national implementation of the open method of coordination in Social inclusion and social protection, and in particular the National Strategic Reports of member states from a disability equality perspective, and to provide the Commission with useful evidence in supporting disability policy mainstreaming.

The first version of the report was published in 2008. This is the second version of the report updated with information available up to November 2009



Summary of changes since 2008

Housing, homelessness and disabled people

There are no quantitative data in the Slovenian country report on housing and homelessness in regard to disabled people.¹ The Slovenian Housing Act² recognises »priority categories« which include disabled people. In cases where a disabled person is scored with the same sum of points as a non-disabled person, the former has the priority over the latter for social housing, non-profit housing or non-profit rent. The national and some of the local Housing Funds have an open tender on yearly basis for non-profit housing, which people can either buy or rent. Currently, there are four types of non-profit housing: social flats; flats which may be bought for a non-profit price; flats for rent at a non-profit-price and grants for non-profit rents.

New strategies and action for the inclusion of disabled people

In 2004 the Employment and Vocational Rehabilitation Act³ was passed, which introduced a quota system for the employment of disabled people, employment companies and protected workplaces. Companies which employ more than 20 workers are obliged to employ persons with disabilities (the quota varies from 2 – 6 %, depending on the sort of business). The new law also introduced a fund for the collection of fines from companies that do not fulfil the quota and incentives for employers. In 2008 Slovenia ratified the UN Convention on the Rights of Persons with Disabilities.

Change in incomes, benefits, pensions

The main problem remains that there are different benefits for disabled people, awarded according to different laws.

Actual benefits are connected to the disability status of a person and not to the needs of an individual, meaning that two persons can have similar assistance needs but receive very different benefits.⁴ Some of these benefits are very low and often do not ensure a decent living.⁵

¹ The Social protection Committee SPC/0903/2REV1: Activities related to the social inclusion thematic focus on "Homelessness and Housing Exclusion".

² Official Gazette of RS 69/2003, article 87.

³ Official Gazette of RS Official Gazette 18/76, 8/90, 63/2004.16/2007; 23. 2. 2007.

⁴ To show this fragmentation: *Acts that regulate the benefits are:*

-Social care of physically and intellectually disabled persons Act (Official Gazette of the RS, 41/1983, and the following);

-Pension and Invalidation Insurance Act (Official Gazette of RS, [106/1999](#));

-Parental Protection and Family Benefit Act (Official Gazette of RS, [97/2001](#));

-Social Security Act (Official Gazette of RS [54/1992](#), 56/1992 corr.).

According to the *Social care of physically and intellectually disabled persons Act*, a person is entitled to:

- protection in general or special social institutions
- protection in another family
- compensation in another family
- assistance and attendance allowance

The law was passed in 1983. It is discriminatory and dated because it states that a person who receives the status of disabled person under this law is not capable of independent living and work and can be directed only into training programs or sheltered workshops.

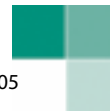
Benefits:

- Disability allowance
- Assistance allowance

According to the *Pension and invalidity insurance Act*

Beneficiaries: Persons who were at the time of injury or illness that caused disability insured by The Institute for Pension and Invalidation Insurance (employed, self-employed, farmers,...)

Benefits:



Change in long term care and support

The type of care and long term support has been slightly changed: there is an increased number of sheltered workshops used by people who either live in boarding schools, semi-open public care institutions or at home. The number of persons living/working in sheltered workshops has doubled since 2006 (from 1.587 in 2006 up to 3.016 in 2008). In 2008 there were 3.016 persons working in sheltered workshops (some of these sheltered workshops exist within larger semi-open public care institutions), which is a 15% increase compared with 2007.

Since 2006 the government has been drafting a Long-term Care Insurance Law, which is expected to be finished in 2010. The law is supposed to make possible that older persons and people with disabilities could live in the community instead of nursing homes. It is based on a medical model of nursing care.

Influenced by the strong advocacy of the disability activist organisation YHD, the government has started to work on a separate law on Personal Assistance, which would regulate all personal assistance not only the assistance related to basic nursing needs and which would be based on the principles of independent living and self-determination. Advocates of the law are concerned about its political vulnerability.

One of the promising changes is that in 2009 the Institute of the Republic of Slovenia for Vocational Education and Training (*Center RS za poklicno izobraževanje, CPI*)⁶ started to develop a proposal for the establishment of a professional profile for a new registered vocation/profession called “personal assistant” (*osebni asistent/asistentka*). The new profession will be part of a new Law on Personal Assistance. The Institute has shown good practice on three levels:

- ensuring the actual participation of different stakeholders during the process;
- development of the profile itself, which is in line with the principles of independent living and self-determination;
- developing a set of competencies for personal assistants, which ensure that not only the basic nursing needs of the person will be met but also social, cultural and personal needs as a whole.

The new proposal has to pass different decision levels and it is expected to come into force in 2010. So far it cannot be predicted how the final profile will differ from this proposal.

The economic crisis

Since September 2008 the unemployment rate has increased. Some measures have been taken to address these processes.

-
- Disability pension
 - Invalidity for physical impairment
 - Assistance allowance
 - Right to work part-time and partial disability pension
 - Right to occupational rehabilitation, and allowance during the occupational rehabilitation
- According to the Social Security Act disabled people are entitled to:
- Assistance at home – maximum up to 20 hours/week;
 - Institutional care;
 - Care and employment under special condition (sheltered workshops);
 - Family helper which is a novelty since 2005.

⁵ Leskošek, Vesna et.al (2009), “The causes and the extend of the phenomena of the working poor “. Ljubljana, September 2009. Unpublished report.

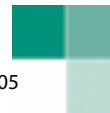
⁶ Cf. <http://www.cpi.si/> (accessed 16. Nov. 2009).



The Employment Service of Slovenia, together with the Ministry of Labour, Family and Social Affairs has increased funds for the Active Labour Market Policy programmes for 2010.

These programmes aim to provide employment subsidies for employers who employ workers from vulnerable groups, including disabled people and to subsidise programmes for self-employed disabled people.

The measure "employment subsidies for vulnerable groups" provides employment subsidies to vulnerable groups for 1 or 2 years. In 2009 and 2010 the allocated funds for these measures have been increased in comparison with previous years.



PART ONE: SOCIAL INCLUSION PLANS (GENERAL)

Action Programme for Persons with Disabilities 2007-2013.⁷

On 30 November the Government of the Republic of Slovenia adopted the Action Programme for Disabled Persons 2007-2013, which is aimed at promoting, protecting and providing full and equal implementation of human rights for disabled persons, and at encouraging respect for their dignity. It is a programme of measures for all disabled persons, regardless of the type of their disability or their age, in all fields which considerably influence their lives (education, employment, health, culture, accessibility, self-organisation in organisations for the disabled). The programme includes the following 'general principles and obligations« based on international and national acts:

- respect for difference and acceptance of disability as part of human diversity and
- assurance of equal opportunities: the principle ensures positive measures for
- ensuring equal opportunities in all areas necessary for enjoying full citizenship;
- non-discrimination: the principle of non-discrimination shall ensure that persons with disabilities are not treated as different, excluded or restricted in enjoying the rights that are guaranteed to all other members of the community;
- on the level of society, ensure full and effective participation and inclusion in society: persons with disabilities shall have equal opportunities as other citizens for effective participation in the development of the community they live in on the local, regional and state levels and to take responsibilities for its development;
- at the level of an individual ensure respect for human rights - dignity and autonomy of persons including freedom of their own choice and independence;
- individualized approach to the provision and performance of services and programmes intended for persons with disabilities;
- accessibility as a prerequisite for exercising rights and social inclusion.⁸

Major positive policy changes

In 2007 Employment and Vocational Rehabilitation Act⁹ was passed which introduced the quota system for the employment of disabled people, employment companies and protected workplaces. Companies which employ more than 20 workers are obliged to employ persons with disabilities (the quota varies from 2 – 6 % , depending on the sort of business). The new law also introduced the fund for the collection of fines for companies that do not fulfil the quota and for incentives for employers.

In 2008 Slovenia ratified the UN Convention on the Rights of Persons with Disabilities.

Both of the documents have a positive effect on people with disabilities, but it will take a long time since the legislation will have a stronger effect on the everyday discriminations of people with disabilities.

In spite of the Employment Act examples of everyday discrimination are unofficially reported from persons with disabilities, but because of the lack of Anti Discrimination Act, there are no officially reported cases of discrimination against disabled people.

⁷ Action Programme for Persons with Disabilities 2007-2013. The Government of the Republic of Slovenia adopted on 30 November 2006.

http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/api_07_13_en.pdf (accessed 30.oct. 2009).

⁸ Ibid.

⁹ Official Gazette of RS, Nr.: 16/2007, 23. 2. 2007.



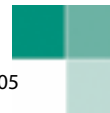
Examples

1. A young social worker with speech impairments (with an award received for the high quality of her diploma thesis) was looking for a job in welfare agencies during 2008. Jobs were offered to her before the employers realised that she has mild speech impairments, and afterwards employers changed their minds (personal communication, D.Z., 2009).
2. Another young diploma social worker with restricted growth has been looking for a job in 2008 within welfare agencies and was often refused with words: 'What do you want? You are a dwarf!' Afterwards she got a full time job at the enterprise for disabled persons called invalid company (*invalidsko podjetje*) as an accountant within the administration. After a year of intensive work outside her professional expertise, she experienced her first epileptic episode, but the invalid enterprise is not interested to give her another job within the company (personal communication, D. Z., 2009).

1.3 What is the most recent research about disabled people's equality and social inclusion in your country?

The most recent research of relevance to disabled people's equality and social inclusion in Slovenia is the *Evaluation of the Resolution of the National Programme of Social Security 2006-2010* (2008)¹⁰. The annex includes information on social security programs and services for 'vulnerable groups', including disabled people. For example, this showed 10,346 disabled people amongst the unemployed in 2007 (14.5%), an increase of two percentage points on the previous year (continuing a trend established in 2005-6).

¹⁰ [Spremljanje učinkov izvajanja Resolucije o nacionalnem programu socialnega varstva 2006 – 2010, Inštitut RS za socialno varstvo] Institut of the RS for Social Protection;
http://www.irssv.si/index.php?option=com_docman&task=doc_download&gid=81 (accessed 29. Oct. 2009).



PART TWO: INCOMES, PENSIONS AND BENEFITS

2.1 Research publications (key points)

The *Evaluation of the Resolution of the National Programme of Social Security 2006-2010 (2008)*¹¹ report partially addresses social security payments to disabled people. The figures which are presented in the report are given without any interpretation in regard of disabled people's vulnerability to poverty.

The figures show that regardless the law under which the person gets invalid pensions/disability pension [*invalidska pokojnina*] and other social transfers, there is very likely that the person's monthly income will be below the monthly minimal poverty line. The newest poverty line in Slovenia in December 2009 is €562 per month. According to the Pension and Disability insurance Act [*Zakon o invalidskem in pokojninskem zavarovanju*] there were 93,339 persons who got invalid pension in 2008¹². The approximate invalid pension in 2008 was €483.65 per month, which is below the monthly poverty line. The disability pension in the country is 53.8 percent of the approximate salary in Slovenia. The approximate salary in Slovenia in the year 2008 was €898.97.

According to the same law, some of the people with disabilities (depending on disability itself) also have the right for invalidity money [*invalidnina*]. In 2008 there were 55,914 persons with disability, which is almost half of all those with disability pension, who also had the right to invalidity money. The invalidity money in 2008 was between €27.35 and €93.76 per month¹³. People who become disabled on the work place get higher amount of invalidity money than those who become disabled outside the work place. The majority of people do not get the highest amount of monthly invalidity money, and some persons with disabilities do not get it, at all. This shows that the income of the vast majority of people with disability pension according to the Pension and Disability Insurance Act Law, does not reach the poverty line or get above it and proves the vulnerability of disabled people to poverty. Similar figures can be found in case of those people with disability who get social transfers according to the *Act on Social care of physically and intellectually disabled persons*¹⁴.

2.2 Type and level of benefits (key points and examples)

According to the *Act on Social care of physically and intellectually disabled persons*¹⁵

This Act assigns the status of disabled person to children with moderate, severe or profound intellectual disability who cannot qualify for independent living or work and where it was determined that disability originated in childhood (up to the age of eighteen) or in continuous full-time education up to the age of twenty-six. If the person also fulfils other conditions of law (e.g. permanent residence in the Republic of Slovenia) they have the right to the following forms of social security:

- protection in general or special social institutions
- protection in another family
- compensation in another family
- assistance and attendance allowance

¹¹ [Spremljanje učinkov izvajanja Resolucije o nacionalnem programu socialnega varstva 2006 – 2010, Inštitut RS za socialno varstvo] Institut of the RS for Social Protection;

http://www.irsv.si/index.php?option=com_docman&task=doc_download&gid=81 (accessed 29. Oct. 2009).

¹² Institute for Pension and Invalidity Insurance of Slovenia [Zavod za pokojninsko in invalidsko zavarovanje]; Annual Report for 2008. http://www.zpiz.si/src/letno_porocilo/2008/ (accessed 24. 3. 2010).

¹³ Ibid.

¹⁴ http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/zdvdt.pdf

¹⁵ http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/zdvdt.pdf



The law was passed in 1983 and is discriminatory and old-fashioned because it defines those who gain the status of disabled person in this way as incapable of independent living or work. This means that they may only be directed into training programs or sheltered workshops. They can be employed only if they give up their disability status, but in that case they lose their rights to subventions and social security benefits provided under this law.¹⁶

Disability allowance (*nadomestilo za invalidnost*)

This is defined as a kind of 'compensation' for disability and amounts to 35 % of average net salary in Slovenia. Since July 2009 it amounts to €284.11 per month.

Assistance allowance (*dodatek za tujo nego in pomoč*)

If a beneficiary who is entitled to disability allowance needs assistance of another person in performing basic life functions, he or she is entitled to assistance allowance. The amount depends on whether person needs assistance in performing all or most life functions. According to this it amounts 20% or 10% of average net salary in Slovenia. Since July 2009 the higher amount is €162.34 and the lower amount is €81.18 per month.

According to this Act, the beneficiary's costs of obligatory health insurance are covered from the state budget.

According to the Pension and invalidity insurance Act¹⁷

Beneficiaries: Persons who were insured by The Institute for Pension and Invalidity Insurance (employed, self-employed, farmers, etc) at the time of an injury or illness that caused disability.

The Pension and Invalidity Insurance Act presents a definition of disability in article 60: invalidity shall be ascertained if due to changes in health condition which cannot be reversed by treatment or by measures of medical rehabilitation and have been ascertained pursuant to the present Act, the capacity of an insured person to secure or keep a job or to advance in career has been reduced.

Invalidity is classified according to the following official categories:

- Category I – if an insured person has lost the capacity to engage in organized gainful employment or, if he suffers from occupational invalidity, he has lost the remaining capacity for work.
- Category II – if an insured person's capacity for work in the occupation he was trained for is impaired by 50% or more.
- Category III – ascertained if an insured person, after prior occupational rehabilitation or without such occupational rehabilitation, has lost the capacity to work full time, but is capable of working at a certain job on a half-time basis at the least, or, if an insured person's capacity for work in the occupation he was trained for is impaired by less than 50% or he can continue to work in his occupation on a full-time basis, but he has lost the capacity for work at the job he has been assigned to.

'Occupation he was trained for' shall be considered to be work at a job to which an insured person has been assigned and all the jobs which correspond to his physical and mental capacities and for which he has acquired relevant qualifications, supplementary training and work experience required for particular works in accordance with laws or collective agreements.

¹⁶http://www.mddsz.gov.si/si/delovna_podrocja/sociala/nadomestilo_za_invalidnost/

See also: *Rights of People with Intellectual Disabilities Slovenia* (2005) Access to Education and Employment: EU Monitoring and Advocacy Program, Budapest and New York: Open Society Institute.

¹⁷ http://zakonodaja.gov.si/rpsi/r01/predpis_ZAKO1431.html (accessed 16. March 2010).



The causes of occurrence of invalidity are as follows:

- employment injury
- occupational disease,
- illness,
- off-the-job injury

When disability status is recognized pursuant to the Act, the person has right to services of vocational rehabilitation pursuant to the Act, and the following benefits:

Invalid/Disability pension [invalidska pokojnina]

Number of beneficiaries:

Year	2004 (dec)	2005 (dec)	2006 (dec.)	2007 (avg.)	2008 (avg)
Number	96.892	96.600	95.637	94.372	93.338

Source: The institute of pension and invalidity insurance of Slovenia – www.zpiz.si

According to The institute of pension and invalidity insurance of Slovenia in 2007 there were on average 94,511 beneficiaries, and the average disability pension was €446.48 per month.¹⁸

Invalidity for physical impairment

An insured person can receive a monthly allowance if the impairment occurred during the time of insurance or pension entitlement. There were 55,575 beneficiaries on average in 2007. In 2008 invalidity payment for employed persons ranged from €39.85 to €95.64 per month, and €27.90 to €66.95 per month for unemployed.¹⁹

Assistance allowance

This allowance is available to:

- Persons who receive old-age, disability or widowers pension
- Blind and partially sighted people who are employed or self-employed or receive pension
- Physically disabled persons whose mobility is reduced to 30% or less, but are employed for at least 20 hours per week.

In 2008 the lower amount was €139.47, higher amount €278.94, and the highest amount for the most severely disabled (€398.48).²⁰

Right to work part-time and partial disability pension

A disabled person who is insured by The institute for pension and invalidity insurance has the right to a partial disability pension if he or she is no longer capable of working full-time, but can still work at least 20 hours/week.

In 2007 there were 6,057 beneficiaries and the average partial disability pension was €259.58 per month. In 2008 there were 7,720 beneficiaries, with an average pension of €275.19 per month.²¹

Right to occupational rehabilitation, and allowance

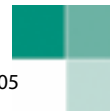
This is an allowance that the person is entitled to during a period of occupational rehabilitation. In 2008 it amounted on average to €403.23 per month (267 beneficiaries received it on average).

¹⁸ Evaluation of the Resolution of the National Programme of Social Welfare 2006-2010 (2008), Institut of the RS for Social Protection; [Spremljanje učinkov izvajanja Resolucije o nacionalnem programu socialnega varstva 2006 – 2010, Inštitut RS za socialno varstvo] p. 97. access 29. Oct. 2009: <http://www.irsv.si/publikacije/leto-2008/index.html>

¹⁹ http://www.zpiz.si/att/publikacije/piz_in_numbers_2008.pdf, p. 25

²⁰ http://www.zpiz.si/att/publikacije/piz_in_numbers_2008.pdf, p. 25

²¹ Ibid. pp. 21 - 23.



According to Parental Protection and Family Benefit Act²²

In addition to other rights, a parent who cares for a disabled child has the right work part-time until the child is 18 years old. The state covers the difference to the full amount of social, health and pension insurance cost.

The family is entitled to Care allowance for a child that needs care (if the child is not in institutional care). In 2007 this was €90 (the lowest amount) and €180 (the highest amount).

According to the Social Security Act²³

Disabled people are entitled to:

- Assistance at home (*pomoč na domu*) – maximum up to 20 hours/week;
- Institutional care;
- Care and employment under special conditions (sheltered workshops);
- Family helper (*družinski pomočnik*) which is a new provision since 2005.

A family helper is an alternative to institutional care and can be carried out by a person (a family member), who lives at the same address as the disabled person, is unemployed and a formal job seeker. In case the family member wants to become a family helper he or she should have left their job or have only a part-time job in order to care for a disabled family member. Most often the person who becomes a family helper is the parent. The state pays a minimal wage and social insurance, but the disabled person loses eligibility for care allowance and has to contribute his/her own financial resources or property toward the payment of the family helper.²⁴ The local municipalities, which are obliged to pay for the family helpers, have limited resources and the number of family helps has decreased in the last two years.

2.3 Policy and practice (summary)

In spite of different welfare transfers the medical model is predominant, as there are few community services for people with disabilities except for family helper and personal assistance schemes which cover a rather small number of people. Disability organisations offer some activities, but are not geographically accessible for everyone and offer selective activities such like sport and computer skills (Zaviršek 2007).

The results of the 2009 Eurobarometer “Poverty and Social Exclusion” show interesting differences in the opinion among EU-27 and Slovenia in regard of poverty and people with disability²⁵. Being disabled, long-term ill and having mental health problems is for Slovenian respondents more often than for the EU-27 the reason for the poverty risk. In Slovenia 39% of the respondents compared with 29% EU-27 answered that disabled are “most at risk of poverty” and 19% Slovenians compared with 13% of the EU-27 responded that mental health problems cause the “risk of poverty”. The very similar situation is observed in the question “why are people poor”. The Slovenians saw disability and long-term illness as the causes of poverty more often (SLO= 26%) than EU-27 (18%), and similarly mental health problems (SLO= 11%; EU-27= 5%). These differences could be interpreted twofold: with the traditional belief system and with the actual economic situation of these particular groups of people. According to the belief system disability, long-term illnesses and mental health problems are perceived as main causes of poverty.

²² Official Gazette RS, No. [97/2001](#).

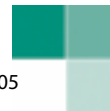
²³ Official Gazette RS, No. [54/1992](#) (56/1992 corrected).

²⁴ More on that see Rights of People with Intellectual Disabilities Slovenia (2005) Access to Education and Employment: EU Monitoring and Advocacy Program, Budapest and New York: Open Society Institute.

²⁵ Eurobarometer (2009), Poverty and Social Exclusion, Eurobarometer EU-27, SLO, European Commission. http://ec.europa.eu/public_opinion/archives/ebs/ebs_321_fact_si_en.pdf (accessed 24. 03. 2010).



Disability and poverty were historically inevitably connected, and paid work and disability were seen as incompatible. Disability was seen as the cause of poverty without blaming the victim, since disability and illnesses were seen as something “objective” and unavoidable. At the same time, the figures of monthly incomes and social transfers of people with disabilities in Slovenia today actually show that many people with disabilities in fact live below the poverty line.



PART THREE: CARE AND SUPPORT

3.1 Recent research publications (key points)

The most recent research is an action research and an experiment at the same time which shows the effectiveness of individualised and community based care²⁶. It presents different models of individualised care across Europe and focuses on the individualised services, community based care and direct funding and payment in Slovenia. The action research has involved a small number of long term service users with different disabilities and mental health problems. Based on the individualised care plans each individual has received a detailed financial plan and a personal package of services and costs. The personal packages of monthly costs consists of living costs, costs for services needed and the costs for the management (of the package and the pilot project at the same time). The action research has shown that the personal packages cost less than public care institutions, 84% of the public care spending for individual person in institution. The research has shown that an average package of care has 74 hours for an individualised care per month.

This figure was negatively received by those who have developed the model of personal assistance and who worry that this research will help the government to terminate personal assistance. The advocates of personal assistance refuse the “model of packages of care”, which might be used when accepted widely, against individual needs of a particular person.

3.2 Types of care and support (key points and examples)

There are still a rather large number of people with disabilities living in six public care institutions (*javni socialnovarstveni zavodi*) and 8 units for special forms of care for adults (based within old people's homes).²⁷ In the so called ‘special public care institutions’ (*posebni socialnovarstveni zavodi*) there were 2,478 persons permanently living there in the 2008.²⁸ This number shows a modest move towards deinstitutionalisation although there are 2 % fewer people living in the special public care institutions than in 2007.²⁹ It could be concluded that the number of persons living in public care is slowly decreasing. There is an equal proportion of men and women living in special public care institutions.

One of the most important types of care and support which has been extensively increased in recent years are sheltered workshops/centres for protection and training (*varstveno delovni centri*). Some of them are part of special public care institutions where the residents permanently live and work, while the others take the form of a day care sheltered workshop. The number of persons living/working in sheltered workshops has doubled since 2006 (from 1,587 in 2006 up to 3,016 in 2008). In 2008 there were 3,016 persons living in sheltered workshops, which is 15% more than in 2007.³⁰ There are more men than women living and working in the sheltered workshops. The majority of people in the sheltered workshops in 2008 were not older than 45 years (81.7% of the total number), and the largest group of people were aged 26-35 years (41.7%).³¹

²⁶ Flaker, Nagode, Rafaelič, Udovič, 2009.

²⁷ Disabled Persons, the elderly and other persons with special needs in Slovenia (2007): edited by Petronela Vertot, Ljubljana Statistical Office of the Republic of Slovenia. Issued by the Statistical Office of the Republic of Slovenia.

<http://www.stat.si/doc/pub/invalidi-2007-ANG.pdf> (accessed 20. Oct. 2009).

²⁸ Public care institutions, Slovenia 2006-2008. 24. September 2009; First release. [Javni socialnovarstveni zavodi, Slovenija, 2006 – 2008, 24. September 2009, Prva objava] http://www.stat.si/novica_prikazi.aspx?id=2638 (accessed 20. 10. 2009).

²⁹ Ibid.

³⁰ Ibid.

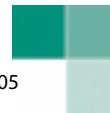
³¹ Ibid.



The programme on personal assistance for people with different disabilities developed by the Association for the Theory and Culture of Handicap (YHD) in 2002 is a significant form of support in the community but it is not yet recognised in legislation or a long-term option for people with disabilities.³² YHD was the first organisation in Slovenia to start an Independent Living Programme and has been organising training for people wanting to become personal assistants for persons with disabilities in their homes (Pečarič 2002; Independent Living of Disabled People 2004). Currently there are 95 persons across Slovenia who live at home with personal assistance instead of being removed into public care institutions.

In the last couple of years a working group is working on a new long-term care insurance law, which is supposed to regulate personal assistance. The law is not yet passed.

³²<http://www.yhd-drustvo.si/eng/article.php?story=TheProgrammeIndependentLivingOfDisabled> (accessed 10. Oct. 2009).



PART FOUR: SUMMARY INFORMATION

4.1 Conclusions and recommendations (summary)

There is an urge to speed up the process of deinstitutionalisation for people with disabilities who have the right to live in the community, rather than in institutions. The Government should prioritise the construction of small group homes for people with disabilities, as an alternative to institutional care, and develop community-based care systems throughout the country. The programme on personal assistance for people with different disabilities, like that developed by the Association for the Theory and Culture of Handicap (YHD), needs to become part of the legislation and a long term option for people with disabilities.

Direct payments schemes need to become part of the Social Security Act and other legislation, to permit people with disabilities to make choices about their care and to encourage independent living. Direct payments should be available for people with different disabilities, including intellectual disabilities, living throughout the country.

Article 10 of the Act on the Vocational Rehabilitation and Employment of People with Disabilities 2004 needs to be amended in order to ensure that the provisions of this Act, particularly on supported employment and the right to vocational rehabilitation, apply to *all* people with disabilities including intellectual disabilities and those with an 'invalid status' under the Social Care Act.³³

4.2 One example of best practice (brief details)

The non-governmental organisation of disabled students (*Društvo študentov invalidov*) made a theatre play with a title: 'Everything you wanted to know about us, but were afraid to ask! A sit-down comedy!'. The play was performed in Cankarjev Dom the most prestigious Cultural Center in Slovenia on the 19 Oct. 2009. The play was performed by students with disabilities led by a Slovenian artist. The play shows the everyday life of young people with disabilities including everyday discrimination. In the Slovenian daily newspapers such like *Delo* and *Dnevnik* the play got a highly positive resonance and was generally well received by the general public.

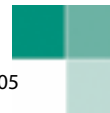
In 2009 the Institute of the Republic of Slovenia for Vocational Education and Training (*Center RS za poklicno izobraževanje, CPI*)³⁴ began to develop the document for the establishment of the professional profile for a new registered vocation/profession called 'personal assistant' (*osebni asistent/asistentka*). The new profession will be part of a new Long-term care insurance law, which is supposed to regulate personal assistance. The law is not yet made. The Institute has shown good practice on three levels:

- ensuring the actual participation of different stakeholders during the process;
- the development of the profile itself;
- developing the set of competencies of the personal assistant.

The Institute has developed the profile together with a working group, which is an example of good practice in the active and actual participation of different stakeholders during the whole planning process.

³³ More on that see Rights of People with Intellectual Disabilities Slovenia (2005) Access to Education and Employment: EU Monitoring and Advocacy Program, Budapest and New York: Open Society Institute.

³⁴ Cf. <http://www.cpi.si/> (assessed 16. Nov. 2009), the site exists only in Slovenian language.



The working group consists of: two representatives of the Ministry of Labour, Family and Social Affairs, one personal assistant, one representative of the boarding school for young disabled, one representative of the Faculty of Social Work, University of Ljubljana (working on disability studies), one representative of the Association of the Centres of Social Welfare of Slovenia, three representatives of the disability organisations among whom one was a disabled person herself, two personal assistants from a boarding school for young disabled people.

The working group has also defined the basic competences for the personal assistant, who is supposed to:

- plan and organise the work in the reconciliation process with the service user;
- protect his own health and the health of the others including the environment;
- coordinate his work together with other co-workers, service users, employers;
- rationalise the use of energy, material, sources and time;
- ensures the quality of his work;
- carries out the basic personal (nursing) care in accordance of the needs and wished of the service user;
- offers help in housing work in accordance of the needs and wished of the service user;
- offers help in moving needs of the service user in accordance of the needs and wished of the service user;
- supports the service users in his daily activities in accordance of the needs and wished of the service user;
- offers help in learning process on the work place in accordance of the needs and wished of the service user;
- takes into consideration, supports and respects decisions made by service user and respects his independence.

The new proposal has to pass various decision levels and is expected to come into force in 2010. So far it cannot be predicted how far the final profile will differ from the proposal.

4.3 References

Action Programme for Persons with Disabilities 2007-2013. The Government of the Republic of Slovenia adopted on 30 November 2006.

http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/api_07_13_en.pdf (accessed 30.oct. 2009).

Evaluation of the Resolution of the National Programme of Social Welfare 2006-2010 (2008): Institut of the RS for Social Protection [Inštitut RS za socialno varstvo (2008): Spremljanje učinkov izvajanja Resolucije o nacionalnem programu socialnega varstva 2006 – 2010]

<http://www.irsvv.si/publikacije/leto-2008/index.html>. (Accessed 29. Oct. 2009).

Disabled Persons, the Elderly and other Persons with Special Needs in Slovenia (2007): edited by Petronela Vertot, Ljubljana Statistical Office of the Republic of Slovenia. Issued by the Statistical Office of the Republic of Slovenia.

<http://www.stat.si/doc/pub/invalidi-2007-ANG.pdf> (accessed 20. Oct. 2009).

Eurobarometer (2009), Poverty and Social Exclusion, Eurobarometer EU-27, SLO, European Commission.

http://ec.europa.eu/public_opinion/archives/ebs/ebs_321_fact_si_en.pdf (accessed 24. 03. 2010).



Flaker, Vito and Nagode, Mateja and Rafaeli, Andreja and Udovič, Nataša (2009), *Individual funding of social welfare services: the ambiguities of the long-term care*. Unpublished report. Social Protection Institute of the RS. 186 pages.

Public care institutions, Slovenia 2006-2008. 24. September 2009 First release. [Javni socialnovarstveni zavodi, Slovenija, 2006 – 2008, 24. september 2009, Prva objava] http://www.stat.si/novica_prikazi.aspx?id=2638 (accessed 20. 10. 2009)

Statistični urad RS - Javni socialnovarstveni zavodi, Slovenija, 2006 - 2008.mht

Rights of People with Intellectual Disabilities Slovenia (2005) Access to Education and Employment: EU Monitoring and Advocacy Program, Budapest and New York: Open Society Institute.

Pečarič, Elena (2002): Personal Assistance for Disabled People. Paper presented at the National Congress of Social Work, 'Global-Local-Social: Book of Abstracts'. Ljubljana: University of Ljubljana, School of Social Work, Slovenia Portorose. [Original: Osebna asistenca za hendikepirane ljudi, VŠŠD, Ljubljana].

Zaviršek, Darja (2007): Communities of gatekeepers and communities of advocates: being disabled in Eastern Europe. In: Dominelli, Lena (ed.) Revitalising communities in a globalising world, (Contemporary social work studies). Aldershot: Ashgate, 207-217.

Zaviršek, Darja and Videmšek, Petra (2009): Service users involvement in research and teaching: is there a place for it in eastern European social work. *Journal of Social Welfare [Ljetopis socijalnog rada]*, University of Zagreb. Vol 16: 2; (English and Croatian version).