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LEGISLATIVE PRINCIPLES OF ORGANIZING VOLUNTEER ACTIVITIES IN THE SPHERE OF SOCIAL PROTECTION

Annotation. The article analyzes the research of Ukrainian scientists and reveals that various aspects of the development of the volunteer movement in Ukraine are being studied, and at the same time, there is a need to generalize the activities of volunteer initiatives in the field of social protection. The purpose of the article is to carry out an analysis of the regulatory and legal support of volunteer activities in Ukraine regarding social services for vulnerable categories of citizens. Research methods are studying the materials of the official websites of the Ministry of Social Policy of Ukraine, the Verkhovna Rada of Ukraine, the National Social Service Organization of Ukraine, related to the activities of volunteer organizations in Ukraine. It was found that volunteer organizations are among the entities providing social services. Their activities are aimed at helping people overcome difficult life circumstances, minimize the consequences of such life circumstances, and draw society's attention through educational activities to the needs of vulnerable categories of citizens. Volunteer activity at the state level is supported not only by the existence of specific legislation, but also by the inclusion of volunteer organizations in the Register of Social Service Providers and the National Social Service Organization of Ukraine. Among the areas of activity, the Ministry of Social Policy envisages support of the volunteer movement, as well as its coordination through the formation of the Council for Coordination of Work on Providing Volunteer and Charitable Assistance. Among the main directions of state policy in the field of providing social services there is involvement of public associations, charitable and religious organizations. An important sign of the sustainability of civil society is functioning of civil society institutions, through which citizens and social groups ensure self-organization, representation, realization and protection of rights and interests. Civil society is the expression and defender of the interests and aspirations of various social groups and citizens. Civil society can make a significant contribution to the sustainable development of the state by providing social services. Prospects for further research are the study of foreign legislation of European countries regarding volunteering, the analysis of local documents and social programs of individual communities on the support of volunteer organizations, the generalization of their experience in social protection of vulnerable categories of citizens.

Keywords: social work, volunteering, social services, volunteer, community.

INTRODUCTION

International legal acts became the basis for the development of Ukrainian legislation regulating volunteer activities: The general declaration of volunteers, adopted on September 14, 1990 in Paris at the XI World Conference of the International Association of Voluntary Efforts; Declaration on volunteering, adopted in January 2001 at the XVI World Conference of Volunteers; Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states dated June 27, 2014 No. 984_011; Convention on the promotion of transnational long-term voluntary service of youth, adopted by the Council of Europe on May 11, 2000 (Guide to volunteering in Ukraine: legislation, management, best practices, 2023).

In the European Social Charter, which was opened for signature in Turin on October 18, 1961, the member states of the Council of Europe agreed to ensure for their population the social rights defined in these documents in order to improve the standard of living and social well-being of their population (Guide to volunteering in Ukraine: legislation, management, best practices, 2023). The parties recognize as the goal of their policy, which they will implement by all appropriate means, both national and international, the achievement of conditions under which the following rights and principles can be effectively exercised: all workers and employers have the right of associating in national or international organizations to protect their economic and social interests (Guide to volunteering in Ukraine: legislation, management, best practices, 2023).

ANALYSIS OF RECENT RESEARCH AND PUBLICATIONS

Among the Ukrainian researchers in the field of social work who study the peculiarities of volunteering there are: Z. Bondarenko who analyzed the theoretical and practical aspects of the organization of volunteer work of future social pedagogues during their higher education in this specialty (Z. Bondarenko "Organization of volunteer work of future social pedagogues in the conditions of a higher educational institution"); T. Liakh who determined, theoretically substantiated and experimentally tested the conditions for ensuring the social-and-pedagogical activity of student volunteer groups (T. Liakh "Social-and-pedagogical activity of student volunteer groups"); N. Hovorukha who highlighted the historical aspects of developing the volunteer movement in Ukraine, revealed the prerequisites for its emergence, outlined the conditions for further progress (N. Hovorukha "Social and pedagogical conditions for the development of the volunteer movement in Ukraine (end of the 20th - beginning of the 21st century)"); M. Motorna who identified the social-and-cultural component of the volunteer activity of a social worker (M. Motorna "Volunteering as a component of training a future social worker (social and cultural work)"); V. Dubosaru and N. Koliada who analyzed the state of development of inclusive volunteering in Ukraine, found out the conditions under which inclusive volunteering develops as a social phenomenon (V. Dubosaru, N. Koliada "Inclusive volunteering as a direction of volunteer activity").

The analysis of research by Ukrainian scientists revealed that various aspects of the development of the volunteer movement in Ukraine are being studied, while at the

same time, there is a need to generalize the activities of volunteer initiatives in the sphere of social protection.

The purpose of the article is to carry out the analysis of the regulatory and legal support of volunteer activities in Ukraine regarding social services for vulnerable categories of citizens.

Research methods are studying the materials of the official websites of the Ministry of Social Policy of Ukraine, the Verkhovna Rada of Ukraine, the National Social Service of Ukraine, related to the activities of volunteer organizations in Ukraine.

PRESENTATION OF THE MAIN MATERIAL

The social policy of the state is formed and developed in accordance with international legislation. Ratification of the European Social Charter is an important factor for law-making in Ukraine. And in this regard, the adoption of a new edition of the Law of Ukraine "On Social Services" (2019), which defines the basic organizational and legal principles of providing social services aimed at preventing difficult life circumstances, overcoming or minimizing their negative consequences, to individuals/families who are in difficult life circumstances, became innovative in this regard (On social services, 2019).

Providers of social services are legal persons, natural persons and natural persons - entrepreneurs, included in the section "Providers of social services" of the Register of providers and recipients of social services. Social service providers can unite as a public association, the founders and members of which are social service providers, the purpose of which is to protect the rights and interests of social service providers (On social services, 2019).

Among the main directions of state policy in the field of providing social services there is the involvement of public associations, charitable and religious organizations in the implementation of this Law (On social services, 2019).

In accordance with the Law of Ukraine "On social work with families, children and youth", volunteers in the field of social work with families, children and youth are defined among the subjects. In accordance with Article 12, the tasks of subjects of social work with families, children and youth are to participate in the implementation of national, regional and other programs of social support for families, children and youth; to provide social services, social assistance, social support for families, children and youth with the aim of restoring their social functions, implementing a system of measures to prevent negative phenomena and overcome them, preventing families, children and youth from falling into difficult life circumstances; to implement social and preventive work among children and youth and to implement a system of measures in order to prevent negative phenomena and overcome them; to implement state standards of social services, new forms, methods of conducting social work with families, children and youth; to implement international cooperation, study and dissemination of best international experience in matters of social work with families, children and youth; to perform other powers in the field of social work with families, children and youth in accordance with the legislation (On social work with families, children and youth, 2001).

According to Art. 7 of this law, among the main directions of state policy in the field of social work with families, children and youth there is assistance to public organizations, other associations of citizens, individuals in the implementation of their own socially significant initiatives and projects in the field of social work with families, children and young people in the way determined by legislation; development and support of the volunteer movement in the field of social work with families, children and youth (On social work with families, children and youth, 2001).

The Law of Ukraine "On Charitable Activities and Charitable Organizations" defines the general principles of charitable activities in Ukraine, provides legal regulation of relations in society aimed at the development of charitable activities, the affirmation of humanism and charity, provides favorable conditions for the formation and operation of charitable organizations. A charitable organization can be created as a charitable society, a charitable institution or a charitable foundation, taking into account the features defined by this Law and other laws of Ukraine (On charitable activities and charitable organizations, 2012).

The spheres of charitable activity have a wide range of directions, including social protection, social security, social services and poverty alleviation (On charitable activities and charitable organizations, 2012).

The Law of Ukraine "On Volunteering" defines volunteering as a voluntary, socially oriented, non-profit activity carried out by volunteers through volunteer assistance. Volunteer activity is a form of charitable activity (On volunteering, 2011).

Volunteer activity is carried out in the following directions:

- providing volunteer assistance to the low-income categories of people, the unemployed, those with many children, the homeless, persons in need of social rehabilitation, persons in difficult life circumstances;

- providing care for the sick, disabled, lonely, elderly and other persons who, due to their physical, material or other characteristics, need support and assistance;

- providing volunteer assistance to citizens who suffered from an emergency situation of a man-made or natural nature, the action of a special period, legal regimes of emergency or martial law, conducting an anti-terrorist operation, implementing measures to ensure national security and defense, repelling and deterring the armed aggression of the Russian Federation in the Donetsk and Luhansk regions, taking measures necessary to ensure the defense of Ukraine, protecting the safety of the population and the interests of the state in connection with the military aggression of the Russian Federation against Ukraine and/or another country against Ukraine, from social conflicts, accidents, as well as to victims of criminal offenses, refugees and internally displaced persons;

- providing volunteer assistance to persons who, due to their physical or other disabilities, are limited in performing their rights and legitimate interests;

- carrying out activities related to the protection of the natural environment, preservation of cultural heritage, historical and cultural environment, historical and cultural monuments, burial places;

- assistance in conducting events of national and international importance, related to the organization of sports, cultural, youth and other spectacular and public events;

- providing volunteer assistance in eliminating the consequences of man-made or natural emergency situations;

- providing volunteer assistance to the Armed Forces of Ukraine, other military formations, law enforcement agencies, state authorities during a special period, the legal regime of emergency or martial law, conducting an anti-terrorist operation, implementing measures to ensure national security and defense, repelling and deterring the armed aggression of the Russian Federation in the Donetsk and Luhansk regions, taking measures necessary to ensure the defense of Ukraine, protecting the safety of the population and the interests of the state in connection with the military aggression of the Russian Federation against Ukraine and/or another country against Ukraine;

- providing volunteer assistance in overcoming the consequences of hostilities, a terrorist act, an armed conflict or temporary occupation;

- assuring Ukrainian national and civil identity;

- providing volunteer assistance in overcoming the consequences of the armed aggression of the Russian Federation against Ukraine and/or another country against Ukraine, as well as in the post-war recovery and development of Ukraine;

- providing volunteer assistance to persons/families who find themselves in difficult life circumstances due to damage caused by hostilities, a terrorist act, an armed conflict, temporary occupation, armed aggression of the Russian Federation against Ukraine and/or another country against Ukraine;

- support of the authorized body on probation issues in supervision of convicts and conducting social and educational work with them;

- assistance to central and local bodies of executive power, local self-government bodies, enterprises, institutions and organizations, associations of citizens, as well as individuals who provide social patronage, in carrying out measures aimed at the social adaptation of persons who have served a sentence of restriction of liberty or deprivation of liberty for a certain period, as well as those exempted from further serving the specified types of punishments on the grounds provided by law;

- providing volunteer assistance to persons affected by infectious (dangerously infectious, especially dangerous infectious) diseases and epidemics;

- providing volunteer assistance related to the protection and rescue of animals;

- providing volunteer assistance in other areas not prohibited by law (On volunteering, 2011).

Resolution No. 78311 of the Cabinet of Ministers of Ukraine dated August 26, 2020 defines the powers of the National Social Service of Ukraine as a body authorized to implement state policy in the field of volunteer development.

The National Social Service of Ukraine, in accordance with the norms of the Law of Ukraine "On Volunteering", as the central body of the executive power implementing state policy in the field of volunteering, performs a number of powers:

- ensures the implementation of state policy in the field of volunteering;

- takes other measures to develop and popularize volunteer activities;

- promotes dissemination of information about volunteering;

- supports public associations and charitable organizations in their activities aimed at the development of volunteer activities;

- disseminates information about implementation of sectoral and regional programs for the promotion and support of volunteer activities;

- publishes on its website available information about organizations and institutions that involve volunteers in their activities, in particular, information about

organizations and institutions that involve foreigners and stateless persons for volunteering on the territory of Ukraine, within three working days from obtaining relevant information;

- promotes international cooperation on volunteer activities, summarizes and spreads experience in this field (National Service Organization of Ukraine, 2024).

The National Strategy for Promoting the Development of Civil Society in Ukraine for the period of 2021–2026 and the Action Plan until 2024 for the Implementation of the National Strategy for Promoting the Development of Civil Society in Ukraine for the period of 2021–2026, which includes, in particular, a number of activities aimed at the development of volunteering in Ukraine, became an important document in this field.

According to the Strategy, an important feature of the sustainability of civil society is the functioning of civil society institutions through which citizens and social groups ensure self-organization, representation, realization and protection of rights and interests.

Civil society is the expression and defender of the interests and aspirations of various social groups and citizens. Civil society can make a significant contribution to the sustainable development of the state by providing social services.

The purpose of implementing the Strategy is to create favorable conditions for the development of public initiative and self-organization, for formation and activity of civil society institutions, the establishment of interaction between citizens, the mentioned institutes and bodies of state power, local self-government bodies, as well as for the implementation and protection of human and citizen rights and freedoms, satisfaction of public interests, ensuring public participation in the adoption and implementation of government decisions (On the National Strategy of Promoting the Development of Civil Society in Ukraine for years 2021-2026, 2021).

A separate strategic direction is "3. Stimulating the participation of civil society institutions in the social-and-economic development of Ukraine". The strategic tasks are:

- to create legal, regulatory and economic conditions for the participation of civil society institutions in providing socially significant services (social, rehabilitation, services in the field of education, culture, health care, environment, public order and others) at the expense of budget funds, by:

- involving civil society institutions in the evaluation according to the principle of subsidiarity of needs of socially significant services, in particular social services, publicizing information about its results and planned expenditures;

- promoting the participation of civil society institutions in public control, monitoring and quality assessment of the provision of socially significant services at the expense of state and local budgets;

- not including the cost of social services provided and received by persons included in the Register of Providers and Recipients of Social Services in the total monthly (annual) taxable income of the individual income of tax payer - recipients of social services;

- transparent definition of criteria for the competitive selection of civil society institutions as executors of state, regional and local programs (including targeted ones) and recipients of budget funds within such programs (On the National Strategy of Promoting the Development of Civil Society in Ukraine for years 2021-2026, 2021).

In order to coordinate the work the Council for the Coordination of Work on Providing Volunteer and Charitable Assistance was established (On the approval of the Regulation on the Council for the coordination of work on providing volunteer ..., 2015).

By order of the Ministry of Social Policy - dated 18.05.2015 No. 516, which was registered in the Ministry of Justice of Ukraine on 04.06.2015 under No. 649/27094, the Regulation on the Council was approved.

The regulation defines the procedure of work in the coordination council on providing volunteer and charitable assistance under the supervision of the Ministry of Social Policy of Ukraine, which is a permanent advisory body of the Ministry of Social Policy. It is formed with the purpose of ensuring the interaction of state authorities with charitable and volunteer organizations, providing assistance to the elderly, disabled grown-ups, disabled children, orphans, children deprived of parental care, families in difficult life circumstances, and internally displaced persons, participants of the anti-terrorist operation (On the approval of the Regulation on the Council for the coordination of work on providing volunteer ..., 2015).

The main tasks of the Council are:

- to determine the needs of the elderly, disabled grown-ups, disabled children, orphans, children deprived of parental care, families in difficult life circumstances, internally displaced persons, participants of anti-terrorist operations;
- to ensure the coordination of work of regional councils in providing volunteer and charitable assistance;
- to carry out analysis and summaries of work of regional councils;
- to determine ways, mechanism and methods of solving problematic issues that arise during the organization of volunteer and charitable assistance;
- to work out proposals for amendments to Ukrainian legislation on volunteering and charity;
- to hold the annual contest "Volunteer of the Year" (On the approval of the Regulation on the Council for the coordination of work on providing volunteer ..., 2015).

CONCLUSIONS AND PROSPECTS FOR FURTHER RESEARCH

Therefore, the analysis of Ukrainian legislation in the field of social protection makes it possible to find out that volunteer organizations are among the subjects who provide social services. Their activities are aimed at helping people overcome difficult life circumstances, minimize the consequences of such life circumstances, and draw society's attention through educational activities to the needs of vulnerable categories of citizens.

Voluntary activity at the state level is supported not only by the presence of legislative acts, but also by the inclusion of volunteer organizations in the Register of Social Service Providers and the National Social Service Organization in Ukraine. Among the areas of activity, the Ministry of Social Policy envisages support of the volunteer movement, as well as its coordination through the formation of the Council for the Coordination of Work on Providing Volunteer and Charitable Assistance.

Prospects for further research are to study foreign legislation of European countries regarding volunteering, to analyze local documents and social programs of

individual communities on the support of volunteer organizations, to summarize their experience in social protection of vulnerable categories of citizens.

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ЗАКОНОДАВЧІ ЗАСАДИ ОРГАНІЗАЦІЇ ВОЛОНТЕРСЬКОЇ ДІЯЛЬНОСТІ У СФЕРІ СОЦІАЛЬНОГО ЗАХИСТУ

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***Анотація.** У статті здійснено аналіз досліджень українських вчених і виявлено, що вивчаються різні аспекти розвитку волонтерського руху в Україні, водночас потребує узагальнення діяльності волонтерських ініціатив у сфері соціального захисту. Мета статті: здійснити аналіз нормативно-правового забезпечення волонтерської діяльності в Україні щодо соціального обслуговування вразливих категорій громадян. З'ясовано, що серед суб'єктів надання соціальних послуг є волонтерські організації. Їхня діяльність спрямована на допомогу людині подолати складні життєві обставини, мінімізувати наслідки таких життєвих обставин, звернути увагу суспільства шляхом просвітницької діяльності на потреби вразливих категорій громадян.*

Волонтерська діяльність на державному рівні підтримана не лише наявністю окремого законодавства, а й внесенням волонтерських організацій до Реєстру надавачів соціальних послуг та Національної соціальної сервісної служби в Україні. Міністерство соціальної політики серед напрямів діяльності передбачає підтримку волонтерського руху, а також його координацію через утворення Ради з координації роботи щодо надання волонтерської та благодійної допомоги.

***Ключові слова:** соціальна робота, волонтерська діяльність, соціальні послуги, волонтер, громада.*

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