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IMPROVING THE SYSTEM OF SOCIAL PROTECTION OF PERSONS WHO REQUIRE SUPPORT FROM THE STATE

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УДОСКОНАЛЕННЯ СИСТЕМИ СОЦІАЛЬНОГО ЗАХИСТУ ОСІБ, ЯКІ ПОТРЕБУЮТЬ ПІДТРИМКИ З БОКУ ДЕРЖАВИ

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СОВЕРШЕНСТВОВАНИЕ СИСТЕМЫ СОЦИАЛЬНОЙ ЗАЩИТЫ ЛИЦ, ТРЕБУЮЩИХ ПОДДЕРЖКИ СО СТОРОНЫ ГОСУДАРСТВА

The article deals with the process of improving the system of social protection of persons who need state support. The present state of social protection of the population is analyzed. The normative-legal regulation of social protection of the population in Ukraine is considered. The research explores the legislative acts in which establish numerous state social support of citizens and normative and legal documents defining the bases of social protection and guaranteeing social security by providing privileges, benefits and state social support to the participants of the antiterrorist operation and members their families. The modern system of providing social support in Ukraine and social rehabilitation of people who have returned from the ATO area have been characterized. The system of social protection of people in need, supported by the state, on the basis of Chernihiv region is investigated. Information and legal assistance as a mechanism for improving the quality of social support is considered. Measures to improve social protection of persons in the Chernihiv region are proposed through the development, approval and implementation of appropriate programs, which will be financed by regional and district budgets. These measures include: granting the status to ATO participants who directly participated in hostilities in the volunteer battalions that were not included in the bodies specified by the legislation of Ukraine; payment of one-time help to families of deceased veterans; free accommodation in hostels of family members of deceased ATO participants attending full-time professional and higher education institutions for professional or higher education. It is proposed to develop an effective mechanism for the implementation of social protection in this area and to create a single state body that will be responsible for the effective implementation of the state strategy of social protection of veterans. The proposals on improving the social support system through social rehabilitation and information and legal assistance were formulated, measures were taken to improve the social protection of those in need in Chernihiv region.

Key words: social sphere, social policy, social protection, social guarantees, social insurance, social justice, legal provision of social protection of the population, state social standards, social norms.

У статті досліджується процес удосконалення системи соціального захисту осіб, які потребують підтримки з боку держави на сучасному етапі. Аналізується сучасний стан соціального захисту населення. Розглянуто нормативно-правове регулювання соціального захисту населення в Україні, законодавчі акти в яких встановлено численну державну соціальну підтримку громадян та нормативно-правові документи, які визначають основи соціального захисту і гарантують соціальну захищеність шляхом надання пільг, переваг та державної соціальної підтримки учасників антитерористичної операції та членів їх сімей. Охарактеризовано сучасну систему надання соціальної підтримки в Україні та соціальної реабілітації осіб, які повернулись із зони АТО. Досліджено систему соціального захисту осіб, які потребують підтримки з боку держави, на базі Чернігівської області. Розглянуто інформаційно-правову допомогу, як механізм підвищення якості соціальної підтримки. Запропоновано заходи щодо вдосконалення соціального захисту осіб в Чернігівській області шляхом розроблення, затвердження та впровадження відповідних програм, які фінансуватимуться за рахунок обласного та районних бюджетів. Ці заходи передбачають: надання статусу учасникам АТО, які безпосередньо брали участь у бойових діях у складі добровольчих батальйонів, які не були включені до органів, визначених законодавством України; виплата одноразової допомоги сім'ям померлих ветеранів; безкоштовне проживання в гуртожитках членів сімей померлих учасників АТО, які відвідують повний робочий день у професійних та вищих навчальних закладах з метою отримання професійної або вищої освіти. Пропонується розробити ефективний механізм реалізації соціального захисту у цій сфері та створити єдиний державний орган, який буде відповідати за ефективне здійснення державної стратегії соціального захисту ветеранів. Сформовано пропозиції щодо удосконалення системи надання соціальної підтримки через соціальну реабілітацію та інформаційно-правову допомогу, обґрунтовано заходи щодо вдосконалення соціального захисту осіб, які цього потребують, у Чернігівській області.

Ключові слова: соціальна сфера, соціальна політика, соціальний захист, соціальні гарантії, соціальне страхування, соціальна справедливість, правове забезпечення соціального захисту населення, державні соціальні стандарти, соціальні нормативи.

В статье исследуется процесс совершенствования системы социальной защиты лиц, нуждающихся в поддержке со стороны государства на современном этапе. Анализируется современное состояние социальной защиты населения. Рассмотрено нормативно-правовое регулирование социальной защиты населения в Украине, законодательные акты в которых установлено многочисленную государственную социальную поддержку граждан и нормативно-правовые документы, определяющие основы социальной защиты и гарантируют социальную защищенность путем предоставления льгот, преимуществ и государственной социальной поддержки участников антитеррористической операции и членов их семей. Охарактеризована современная система предоставления социальной поддержки в Украине и социальной реабилитации лиц, вернувшихся из зоны АТО. Исследована система социальной защиты лиц, нуждающихся в поддержке со стороны государства, на базе Черниговской области. Рассмотрена информационно-правовая помощь, как механизм повышения качества социальной поддержки. Предложены меры по совершенствованию социальной защиты лиц в Черниговской области путем разработки, утверждения и внедрения соответствующих программ, которые будут финансироваться за счет областного и районных бюджетов. Эти меры предусматривают: предоставление статуса участников АТО лицам, которые непосредственно участвовали в боевых действиях в составе добровольческих батальонов, которые не были включены в органы, определенные законодательством Украины; выплата единовременного пособия семьям умерших ветеранов; бесплатное проживание в общежитиях членов семей умерших участников АТО, которые посещают полный рабочий день в профессиональных и высших учебных заведениях с целью получения профессионального или высшего образования. Предлагается разработать эффективный механизм реализации социальной защиты в этой сфере и создать единый государственный орган, который будет отвечать за эффективное осуществление государственной стратегии социальной защиты ветеранов. Сформированы предложения по совершенствованию системы оказания социальной поддержки через социальную реабилитацию и информационно-правовую помощь, обоснованы мероприятия по совершенствованию социальной защиты лиц, которые в этом нуждаются, в Черниговской области.

Ключевые слова: социальная сфера, социальная политика, социальная защита, социальные гарантии, социальное страхование, социальная справедливость, правовое обеспечение социальной защиты населения, государственные социальные стандарты, социальные нормативы.

Problem statement. Recent years of the development of independent Ukraine are characterized by difficult socio-economic conditions, a permanent deterioration of the medical and demographic situation, the quality of health and life of citizens complicated by the conduct of the anti-terrorist operation (ATO). As a result: significant destruction of infrastructure in the temporarily occupied territories, violation of the usual, coherent life of thousands of Ukrainians, the emergence of victims and migrants, an increase in the number of military personnel, the loss of life and health of thousands of citizens, etc. Expansion of the categories of people who need state support and the emergence of a new range of needs of the population of Ukraine substantially actualize the need to review issues related to state social support of the population in general, participants in the antiterrorist operation and their families in particular, with compulsory study and taking into account the real conditions of life the country and its inhabitants. In connection with the emergence in Ukraine of a new category of citizens - participants of the antiterrorist operation - there was a need to determine the peculiarities of their legal status and level of social protection. The study of the state of social protection of the participants in the antiterrorist operation is very relevant, since many questions arise as to who is a participant in the antiterrorist operation, which normative acts define their legal status, which types of social protection and which benefits members of the ATO and their families get, where and how they can be received.

Analysis of recent research and publications. The problems of improvement of the system social protection of persons in need of support from the state were studied in many scientific works of domestic scientists including: A. Alexandrova, A. Basiluk, N. Boretska, L. Vernigora, V. Volyk, D. Gallagher, B. Zaichuk, I. Kalachova, V. Kirilenko, E. Libanova, M. Liborobin, B. Nadtochiy, V. Skuratsky, M. Hansley Terence, J. Hendshel, P. Townsen, Y. Shklarsky and many others.

Allocation of the unsolved earlier parts of the overall problem. Degree of the study the system of social protection of persons does not meet the need of a modern practice that does not allow operatively and constructively solve the current problems. In spite of thorough researches the system of social protection of persons the processes of improvement of the system of social protection of persons in need of support from the state insufficiently studied. Therefore, it should be noted that there is a need for further developments in determining the features building a social protection system in Ukraine.

The objectives of the article. The purpose of this study is to synthesize theoretical approaches, analyze the current state and develop proposals for improving the system of social protection of people in need of state support at the present stage of state formation. The object of the study is the process of improving the system of social protection of the participants in the antiterrorist operation and members of their families, at the present stage of state-building. The subject of the study is theoretical and methodological aspects of the improvement of the system of social protection of the participants of the antiterrorist operation and members of their families, at the present stage of state formation.

The main results of the study. Social protection is a system of state measures and institutions that provide decent material and social status of citizens, optimal living conditions. Social guarantees are a system of obligations of the state to its citizens in order to meet their vital social needs. As a state's activity, social protection is one of the areas of social policy, such as employment, health care system, housing policy, education, etc.

The strategy of social protection is aimed at the welfare of people. There are four strategies for social protection aimed at improving well-being:

- 1) growth (acceleration of economic development);
- 2) redistribution (horizontal and vertical);
- 3) social security and solidarity (redistribution of income of the person between different periods of his life, assistance provided to a person in distress, social insurance as a product of solidarity and mutual assistance);
- 4) collective approaches (actions aimed at supporting society as a collective body) [9].

The four categories presented can be divided into two main strategies for social protection aimed at improving well-being:

1) Growth. This implies an acceleration of economic development, which is the main task of economic policy, but is directly related to social protection, since the relationship between them is quite tight. The most widespread arguments are as follows: countries that are characterized by the most active growth of the national product spend the most on social protection; Countries that are able to maintain a high level of taxation are more likely to provide wider social benefits; rich countries are much closer to equality than the poor.

2) Redistribution. This strategy includes all types of resource redistribution: vertical (when resources are passed from rich to poor or vice versa); horizontal (from one group to another: from families that do not have children - from parents, from men to women, from healthy to disabled people); redistribution of resources from one phase of the life cycle of an individual to another. This strategy involves both redistribution through social insurance and redistribution through the general tax system.

In connection with the continuation of the antiterrorist operation in Ukraine, the number of families who have been in difficult life circumstances is increasing, their material and moral and psychological situation deteriorates. In connection with the military conflict, Ukraine suffered not only human losses, but also significant psychological and social deformations, and increased the incidence of post-traumatic stress disorder not only among the members of the ATU, but also members of the families of servicemen whose emotional state is affected by severe psychological stress. This led to the emergence of a new category of personnel - servicemen who perform tasks in the area of the anti-terrorist operation. Therefore, there is a need to provide social guarantees to ATO members, members of their families, wounded servicemen, as well as families whose members died during the ATO, in particular, in terms of improving social protection and financial and material conditions of these categories of persons.

The Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine and the public during the 2014-2016 years laid the foundations for a legal framework for the social protection of anti-terrorist

participants and members of the families of the victims. The implementation of state policy in the field of social protection and retirement provision of veterans is currently carried out by 19 entities: 4 state agencies with special status, 7 ministries, 8 other central executive authorities, as well as local executive bodies and local self-government bodies. The State Service for War Veterans Affairs and ATO Participants are the central executive body of Ukraine, whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Social Policy. During 2014-2016, measures were taken to increase the level of social and legal guarantees to ATO participants and members of their families.

In accordance with the Procedure for granting the status of a participant in the fighting to persons who defended the independence, sovereignty and territorial integrity of Ukraine and took direct part in the antiterrorist operation, ensuring its implementation (Resolution of the Cabinet of Ministers of Ukraine dated August 20, 2014 No. 413) by the State Service for War Veterans and participants Antiterrorist operation, an interdepartmental commission for consideration of materials on the recognition of participants in hostilities was established [4].

The Unified Register of Anti-Terrorist Participants includes information on the provision of the status of a participant in hostilities to persons who participated in the anti-terrorist operation in the different departments (Table 1).

Table 1

Information on the provision of the status of a participant in hostilities
to persons who participated in the anti-terrorist operation

Department	Number of participants
Ministry of Defense	186 418
Ministry of Internal Affairs	31 031
National Guard	24 386
Security	7 847
Foreign Intelligence Service	36
Administration of the State Border Guard Service	15 985
Administration of the State Special Transport Service	1 234
Department of state security	422
Administration of State Special Communication	649
State Emergency Services	3 774
General Prosecutor of Ukraine	143
National Police of Ukraine	2265
Employees of enterprises, institutions and organizations	247

The Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Amendments to Article 11 of the Law of Ukraine "On Social and Legal Protection of Servicemen and their Family Members", which provides for mandatory psychological, psychosocial rehabilitation of participants of the ATO after the fulfillment of tasks in combat conditions in the respective Centers with reimbursement of the cost of travel to these centers and back [2].

The Service for War Veterans and participants in the anti-terrorist operation includes 5 centers of social and psychological rehabilitation of the population. For the purpose of professional adaptation,

the Service has created and updated a database of institutions, organizations, institutions in the management of the Ministry of Health, the Ministry of Social Policy, the Ministry of Defense, the Ministry of Internal Affairs, other law enforcement agencies, as well as oblast, Kyiv city, state administrations and have the opportunity to provide services on social and professional adaptation of participants in the antiterrorist operation.

Chernihiv oblast received more than UAH 38,000 in 2017 in order to pay participants to the anti-terrorist operation to compensate for travel expenses to rehabilitation institutions for psychological rehabilitation. In addition, in order to provide psychological assistance to ATO participants and their families members, the local departments of social protection of the population of the region have established cooperation with health authorities, education and public organizations to attract specialists from psychologists. An anti-crisis council was established in Chernihiv, which systematically conducts training with military personnel on the prevention of post-traumatic syndrome. Assistance in acquiring behavioral skills in combat stress is provided. On the basis of the communal medical and preventive institution "Chernihiv Regional Hospital of Veterans of War" the Center for Medical Rehabilitation for participants of the antiterrorist operation operates [1].

The program of social support for the participants of the antiterrorist operation and their family members in the Chernihiv region for 2017-2018 was approved by the decision of the ninth session of the regional council of the seventh convocation on May 17, 2017. Conclusions and suggestions. The program was developed to fulfill the tasks specified in the Decree of the President of Ukraine No 150 of March 18, 2015 "On additional measures for the social protection of the participants of the antiterrorist operation", the order of the Cabinet of Ministers of Ukraine dated March 31, 2015, No. 359-p "On approval of the plan of measures for medical, psychological, professional rehabilitation and social adaptation of the participants in the antiterrorist operation" [5, 6].

The program takes into account a set of measures aimed at social, financial, legal and psychological support of ATO participants and their families, social adaptation, professional rehabilitation of servicemen, provision of social and household care to their families, monitoring and quality control of various types of services. Within the framework of the Program implementation additional financial mechanisms are envisaged for solving problems of this category of citizens at the expense of the regional budget. Also, local programs of social protection of certain categories of citizens have been developed. They support participants of antiterrorist operations and members of their families. The privileges for payment of housing and communal services to certain categories of citizens and families of participants of the ATO have been approved and implemented in the oblast.

Also, in order to increase the level of awareness of the population of the region, in particular ATO members and members of their families on issues of information and legal protection and provision of all guarantees provided by the state in accordance with the current legislation of Ukraine, the Program provides, at the expense of the regional budget, the development and distribution among the demobilized participants of the ATO legal collections and social advertising on relevant topics.

Implementation of the Program will promote medical and social adaptation, psychological rehabilitation, vocational training and retraining of ATO participants, social protection of members of their families, as well as provision of financial support to members of families of deceased ATO participants. The implementation of the tasks and activities of the Program envisages the restoration and prevention of violated functions resulting from injury, the optimal realization of the physical and socio-psychological potential of the troops participating in the ATO, with a view to their rapid integration into society.

Social rehabilitation of people who returned from the ATO zone should include the possibility of sending servicemen to special rehabilitation centers where psychologists, psychotherapists, social workers would work with them. Especially for this purpose it is necessary to create centers of recreational therapy, which would carry out recover's measures.

Particular attention is also needed to improve the military medical service, an important component of the armed forces, which cares about the preservation and strengthening of health and the combat capability of the troops, since the human resource is the most important. Physical, moral and psychological preparation, training is a contribution to the successful activity of the Armed Forces of Ukraine.

In order for people to benefit from social assistance, they must be provided with information on where and on what conditions they can get it. The main task of providing information and legal assistance is: to improve the awareness of the population about the main directions of implementation and the state of implementation of reforms in Ukraine; ensuring the coverage by the mass media activities of executive authorities and local self-government bodies, and disclosing of socially important topics [7].

Information and legal assistance should be based on the principles of freedom to create, receive, use and disseminate information; objectivity, authenticity, completeness and accuracy of information; harmonizing the interests of man, society and the state in information activities; the mandatory publication of information that is important public importance; restriction of access to information solely on the basis of law; minimization of negative informational influence and negative consequences of functioning of information and communication technologies; preventing the illegal distribution, use and violation of the integrity of information; harmonization of information legislation and the whole system of domestic legislation [8].

The quality of providing information and legal support depends on:

- Interaction of qualified specialists of executive bodies, local self-government with mass media and public relations;
- Proper maintenance of official websites of executive authorities, local governments, enterprises, institutions and organizations of all forms of ownership, by highlighting the main areas of activity of the body, providing easy access to public information and describing the services provided;
- Placement in the Public reception room, thematic stands about the work of the body;
- Ensuring the uninterrupted operation of the corresponding "hot" telephone lines, where it is possible to solve the issues of the overwhelming majority of citizens promptly;
- Events of information and explanatory, law-education and legal work (organization and holding of conferences, seminars, meetings, trainings and roundtables on topical issues);
- Creation of appropriate conditions for the acquisition of legal knowledge and skills by the population in their application;
- Access to sources of legal information for all citizens, including people with disabilities.

In order to provide qualified legal assistance to counterterrorist operations participants and members of their families on social privileges under imperfect legislation, it is necessary to continue the practice of creating a network of free legal aid. These centers provide free primary and secondary care.

Free primary legal aid covers such types of legal services as providing legal information, advice and legal clarifications, making statements, complaints and other legal documents (other than procedural), providing assistance in securing access to secondary legal aid and mediation .

Secondary legal aid includes protection from prosecution; realization of representation of interests of persons in courts, other state bodies, bodies of local self-government, to other persons; drafting of procedural documents.

Another problem of social protection of the participants in the war for Independence of Ukraine is the lack of an effective mechanism for solving housing problems of veterans of the ATO. Although there is a Comprehensive Program for Housing of Servicemen, Personnel and Chiefs, Customs Officers and their Family Members, in Ukraine, however, due to chronic lack of funding, the effectiveness of the program as a tool for resolving housing problems of military personnel is

extremely low. Therefore, there are examples of housing construction cooperatives, which, on personal transactions, at preferential prices of builders, start their own projects [3].

Particular attention was paid to the issue of the free provision of land plots to the ATO participants, as evidenced by the frequent cases of protest actions of ATO fighters in different regions of the country. Due to the lack of free areas, the problem of speculation with land is increasing in large cities and their suburbs. Instead, there is an alternative; it is possible to replace the land with ATO participants on individual apartments. Obviously, the option with the allocation of apartments - better than the ground, because it sounded quite rightly remarks to the public that to build a house - not cheap pleasure. Not all families, especially the dead ATO participants, have such an opportunity.

Conclusions and suggestions. In Ukraine, in recent years, a new category of people in need of social assistance has appeared - servicemen who perform tasks in the area of the anti-terrorist operation. It is necessary to develop an effective mechanism for the implementation of social protection in this area and to create one state body that will be responsible for the effective implementation of the state strategy of social protection of veterans. Ukraine provides a wide range of social protection systems for this category of citizens. However, in spite of this, in practice, gaining the legal status of the ATO participant, and consequently, the corresponding social protection, is quite difficult in connection with the unclear mechanism for the implementation of legal norms. In addition, the effective implementation of social protection not only ATO participants, but also other citizens directly depends on the financial well-being of the country. It's necessary to improve the social protection of those in need in the Chernihiv region, in particular by developing, approving and implementing appropriate programs that will be financed by regional and district budgets. These measures foresee: granting status to ATO participants who directly participated in hostilities in the composition of volunteer battalions that were not included in the bodies specified by the legislation of Ukraine; payment of one-time assistance to families of deceased combatants after dismissal from service as a result of injury or illness associated with the performance of duties of service; free of charge living in hostels of members of the families of deceased ATO participants who attend full-time study in vocational or higher education institutions for the purpose of obtaining vocational or higher education.

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