

LAW OF GEORGIA ON SOCIAL WORK

Chapter I - General Provisions

Article 1 - Scope of the Law

1. This Law lays down basic principles of social work, the legal status, social guarantees, functions and rights and obligations of a social worker, and measures to be implemented by a social worker.
2. The provisions of this Law shall apply to social workers employed in public institutions and in legal entities under private law, and to self-employed social workers, carrying out practical activities and their professional supervisors, except in cases provided for by this Law.

Article 2 - Definition of terms used in the Law

For the purposes of this Law, the terms used herein have the following meanings:

- a) beneficiary - a natural person who benefits from social work provided for by this Law or who is determined by a social worker to be in need of social work as defined in this Law;
- b) best interest of a beneficiary - the interest of a beneficiary in relation to social security, full integration into society, welfare, development or any other interest provided for by the aims of this Law that do not contravene the legislation of Georgia and universally recognised moral norms;
- c) urgent case - a condition posing an immediate threat to the best interest of a beneficiary;
- d) grounds to believe - a fact(s) or information that would be sufficient for an objective observer to make a conclusion with due consideration of circumstances;
- e) person in conflict with the law - a person in respect of whom there is a reasonable belief that he/she committed a crime provided for by the Criminal Code of Georgia; a person against whom a judgment of conviction has been delivered; a minor in conflict with the law provided for by the Juvenile Justice Code; a person who is in such a situation or who shows such antisocial behaviour as to create reasonable grounds to believe that he/she will commit a crime (a person at risk of committing a crime);
- f) legal act - a binding act issued by an authorised institution for the purposes of this Law;
- g) threat - a condition when there are reasonable grounds to believe that, in the case of an obstructed course of expected developments, there is a high probability of prejudice to the best interest of a beneficiary;
- h) social worker - a person who performs social work as defined in subparagraph (i) of this article with a target group of beneficiaries and who has received academic or other education provided for by this Law;
- i) social work - work in a specialty field which is based on a practical activity and which aims to promote the free development and integration of individuals into society, and which serves to improve the welfare of society through supporting said individuals;
- j) socially vulnerable group - a group consisting of persons addicted to drugs, alcohol and/or gambling, socially disadvantaged persons, persons with disabilities, elderly persons, minors, large families, single parents, internally displaced persons, homeless persons, persons in conflict with the law, persons with serious health conditions, beneficiaries of support, victims of violence, and other persons who, based on the circumstances, are likely to be at a risk similar to that of the said group;
- k) elderly person - a natural person aged 65 or more.

Article 3 - Purposes of the Law

The purpose of this Law is to establish such a system of social work as to serve to:

- a) ensure that an individual lives a successful life, and ensure his/her independence and decent life through self-help and self-development;
- b) ensure that an individual sustainably integrates into society, maintains broad personal autonomy and fully enjoys the public good;
- c) introduce structural changes to prevent marginalisation and social division;
- d) contribute to social security;
- e) ensure the support of the State for the strengthening of family and society.

Article 4 - Legal grounds for social work

1. The legal grounds for social work are: the Constitution of Georgia, the international agreements of Georgia, this Law, other legislative acts of Georgia, subordinate normative acts and other legal acts issued on the basis thereof.
2. Social workers shall be subject to the provisions of this Law and other legislative acts and subordinate normative acts of Georgia.
3. Social workers employed in the system of the Ministry of Corrections and Probation of Georgia shall be subject to the provision of this Law unless otherwise provided for by the Imprisonment Code, the Law of Georgia on Special Penitentiary Service, the Law of Georgia on the Procedure for Enforcing Non-custodial Sentences and Probation, the Law of Georgia on State Compensation and State Academic Stipends, and subordinate normative acts issued on the basis of said laws.

Chapter II - Basic Principles of Social Work



Article 5 - Binding nature of the principles of social work

1. In carrying out social work, a social worker is obliged to take account of the following principles: respect for human rights, social justice, equality, sectoral competence, proportionality, individualisation, the observance of good faith and professional ethics, and systemic social work.
2. The violation of the principles of social work by a social worker shall give rise to liability provided for by the legislation of Georgia.

Article 6 - Principle of respect for human rights

1. Social work shall be based on respect for the dignity and other fundamental rights of every person.
2. Not only shall a social worker refrain from violating human rights but he/she shall also contribute to the exercise of fundamental human rights.

Article 7 - Principle of social justice

1. A social worker shall serve to ensure the achievement of social justice in public relations.
2. A social worker shall contribute to social progress and the elimination of social inequality in society.

Article 8 - Principle of equality

1. Social work shall be based on the principle of equality.
2. When exercising professional powers, any discriminatory treatment on the grounds of race, skin colour, gender, origin, ethnicity, language, religious or political or other views, social affiliation, property or titular status, place of residence, or on any other grounds, shall be inadmissible.

Article 9 - Principle of sectoral competence

1. A social worker shall carry out social work according to sectoral competence. Sectoral competence may be acquired in carrying out practical activities.
2. Academic or other educational courses shall ensure that a social worker receives education according to sectoral competence and further improves it.

Article 10 - Principle of proportionality

1. A measure to be implemented by a social worker shall serve to protect the best interest of a beneficiary. The selected measure shall be appropriate, necessary and proportionate.
2. A measure to be implemented by a social worker is appropriate if it makes it possible to protect the best interest of a beneficiary.
3. A measure to be implemented by a social worker is necessary if no other means can be used which would cause less harm to both an addressee of the action and another person in protecting the best interest of a beneficiary.
4. A measure implemented by a social worker is proportionate if the damage caused to legal interests protected by law does not exceed the importance of the interests which the measure was implemented to protect.

Article 11 - Principle of individualisation

1. Social work shall be oriented to an individual.
2. A social worker shall support the individual social needs of a beneficiary, and shall identify the cause of a social problem and shall facilitate the implementation of actions addressing the problem.

Article 12 - Principle of observance of good faith and professional ethics

1. A social worker shall carry out social work in accordance with the purposes of this Law, and values and ethical principles.
2. A social worker shall act in good faith and shall perform his/her duties responsibly.
3. The norms of professional ethics for a social worker shall be based on an obligation to maintain confidentiality, a relationship established under the principle of respect for the dignity of an individual, a recognition of the right of a beneficiary to make a decision and a recognition of his/her self-determination, and a recognition of the best interest of a beneficiary in carrying out social work.

Article 13 - Principle of systemic social work

Social work shall be carried out on a systemic basis, at three levels: individually - at the micro level, publicly - at the meso level, and for the formulation and development of policy - at the macro level.

Chapter III - Functions of a Social Worker

Article 14 - Basic and sectoral functions of a social worker

1. A social worker shall have basic and sectoral functions.
2. Bachelor's and master's degree and doctoral educational programmes shall ensure that a social worker acquires all basic and some relevant sectoral skills for carrying out social work.

Article 15 - Basic functions of a social worker

1. One of the main functions of a social worker shall be to carry out preventive social work.



2. Irrespective of the specialisation of a social worker, his/her basic functions shall be to:
- implement measures provided for by this Law and other normative acts as part of social work;
 - take care of the protection of the best interest of a beneficiary, including his/her rights;
 - take care of the welfare of a beneficiary, provide advocacy to and protect the rights of a beneficiary;
 - provide consultations to a beneficiary, prevent crisis and intervene in a crisis in good time, and support a beneficiary, within his/her competence;
 - plan and implement the process of social work with the direct participation of a beneficiary;
 - work on social issues;
 - identify problems in the field of social welfare, develop professional initiatives and find ways to resolve problems;
 - cooperate with representatives of other professions employed in the social field, as well as with private and public institutions;
 - initiate and introduce beneficial changes;
 - intensify the aspiration of individuals, groups, organisations and society for social development;
 - self-assess professional activity, as well as participate in the supervision process within his/her competence.

Article 16 - Social work in the field of child care, family care and guardianship/custodianship/support

1. Social work in the field of child care, family care and guardianship/custodianship/support shall include:

- participating in the process of child adoption;
- supporting a child, protecting his/her best interests, providing his/her guardianship, custodianship and procedural representation;
- participating in the process of appointing a guardian/custodian or awarding support, supervising the activities of a guardian/custodian/supporter, issuing a recommendation on disposing of a property right of a ward;
- taking measures to protect a child from violence and neglect;
- identifying the needs of a street child and his/her family;
- implementing and monitoring preventive measures to keep a child within his/her biological family;
- supporting a family, ensuring prevention, reintegrating a person from a specialised institution and monitoring his/her condition, and implementing measures associated with the 24-hour care system;
- facilitating the inclusion of victims of human trafficking and victims of violence, including children, in a relevant service;
- assisting victims of domestic violence in using a shelter service;
- planning and implementing various measures to integrate victims of domestic violence into society and assist them;
- taking measures to protect a child from violence, to protect a person from domestic violence and to protect women from violence, and taking care of their rehabilitation and ensuring their integration into society and monitoring the same;
- providing elderly persons and person with disabilities with information on day care centres and long-term shelters and appropriate social and medical services and services under preferential terms;
- assisting mothers and children in using shelter services;
- implementing and monitoring measures for placing children in 24-hour state care (including foster care);
- in the case provided for by the legislation of Georgia, participating in court proceedings during family disputes or the limitation/deprivation of parental rights for the purpose of protecting the legal interests of minors and issuing an appropriate opinion;
- providing information on social and medical services to persons in need of guardianship/custodianship and persons with psychosocial needs and facilitating their placement in appropriate day care centres and shelters;
- performing other functions within the powers provided for by relevant legal acts.

2. Paragraph 1 of this article shall not apply to social workers employed in the system of the Ministry of Corrections and Probation of Georgia.

Article 17 - Social work with persons in conflict with the law

Social work with a person in conflict with the law shall include the following, within the relevant scope of competence, and in accordance with the procedures established by the legislation of Georgia:

- providing consultations to accused and convicted persons placed in a penitentiary institution within the Ministry of Corrections and Probation of Georgia, identifying vulnerable groups and facilitating their psychosocial rehabilitation;
- in order to prevent a convict from committing a new crime, assessing risks related to him/her and assessing his/her needs, drawing up an individual plan, providing him/her with a rehabilitation service, and supervising the process of his/her rehabilitation and managing crisis situations;
- studying the social environment, skills and individual needs of a minor in conflict with the law, obtaining information in order to prepare an individual assessment report about him/her, and managing his/her individual case as part of diversion programmes;
- working with a person at risk of committing a crime, in order to provide appropriate assistance for the referral system;
- facilitating the rehabilitation and resocialisation of a convicted minor or adult;
- exercising the rights and performing the duties provided for by the Law of Georgia on the Procedure for Enforcing Non-custodial Sentences and Probation and the Law of Georgia on Special Penitentiary Service and by subordinate normative acts issued on the basis thereof.

Article 18 - Social work in general educational institutions

Social work in a general educational institution shall include:

- raising the awareness of pupils, carrying out preventive work to reduce cases of bullying and ensuring their management,



including work with parents, families, school administration and teachers of pupils;

b) identifying social problems in general educational institutions, and pupils in conflict with the law, pupils having behavioural and emotional problems, as well as pupils with inclusive and special educational needs and providing them with social services, including managing the difficult behaviour of pupils and providing consultations to their families;

c) ensuring the involvement of pupils in the general education process and in the formal and informal educational processes and facilitating their civil integration;

d) identifying and ensuring an appropriate response to facts of violence and neglect.

Article 19 - Social work in the field of healthcare

Social work in the field of healthcare shall include social work with a beneficiary in the process of protecting his/her health, including in the process of providing him/her with mental health services, in particular:

a) assessing the condition of a beneficiary, identifying and ensuring the meeting of his/her needs;

b) providing a beneficiary with consultations and educational assistance, including supporting/encouraging his/her healthy behaviour for the purposes of treatment and the preservation of health, providing crisis intervention, and ensuring psychosocial support for and the rehabilitation of a beneficiary.

Article 20 - Other functions

1. A social worker shall perform special functions to be performed within the powers provided for by the legislation of Georgia and other legal acts, which are not expressly provided for by this Law but arise from the principles, powers and functions established by this Law and serve the best interest of a beneficiary.

2. In the case of social workers employed in public institutions, the powers provided for by paragraph 1 of this article shall be determined by the Government of Georgia, and, in the case of social workers employed in legal entities under private law, the said powers shall be determined by an employer.

Chapter IV - Rights and Obligations of a Social Worker

Article 21 - Supporting the activities of social workers

1. In order to carry out social work effectively, a social worker shall have the right to have personal, technical, infrastructural, informational and departmental support, taking into account the resources of the institution where he/she is employed.

2. The limits of state support necessary for a social worker employed in a public institution and the procedure for providing such support shall be determined by a legal act of the institution that the social worker is subordinate to.

3. In carrying out practical activities, a social worker shall be guided by established professional standards for service delivery and the norms of professional ethics.

Article 22 - Independence

1. It shall be inadmissible to influence the independence of a social worker.

2. In the light of the principles of social work and the best interest of a beneficiary, within the limits established by the legislation of Georgia, a social worker shall determine together with a beneficiary the type of service to be provided and its availability, except in a case which falls within multilateral or interdisciplinary cooperation.

Article 23 - Obligation to provide a beneficiary with information

1. A social worker is obliged to carry out social work for a beneficiary in an open manner, having provided him/her with information and obtained his/her consent. In an urgent case, the consent of a beneficiary shall not be required.

2. A social worker is obliged to provide a beneficiary with detailed information about a needed service, and existing risks and obstructions.

Article 24 - Representation in court

1. A social worker is obliged to participate in court proceedings in the case provided for by the legislation of Georgia or on the basis of a court decision/ruling.

2. In the light of the best interest of a beneficiary, a social worker may participate in judicial mediation.

3. A social worker is obliged to participate in juvenile justice procedures and ensure the preparation of an impartial psychosocial opinion on a case or on a beneficiary.

Article 25 - Obligation to maintain confidentiality

1. A social worker is obliged to maintain confidentiality in relation to information which he/she becomes aware of in the course of carrying out social work.

2. The obligation to maintain confidentiality shall not apply to the activities of a social worker if:

a) a beneficiary releases a social worker from this obligation and the disclosure of the information does not harm the best interests of the beneficiary. If a beneficiary is a minor, he/she releases a social worker from said obligation with the consent of his/her legal representative;

b) the obligation of notification provided for by the legislation of Georgia obliges a social worker to disclose information;

c) the non-disclosure of the information a social worker has become aware of harms more important legal interests.

3. A social worker shall be subject to an obligation to maintain confidentiality even after the completion of the social work.



Article 26 - Obligation to issue information

1. An institution where a social worker is employed is obliged to familiarise the beneficiary, his/her representative or the person as defined by the legislation of Georgia, with information about the beneficiary that exists in the institution.
2. The procedure for issuing information, and appropriate guarantees for data protection and grounds for refusing their issuance, shall be determined by the Law of Georgia on Personal Data Protection.

Article 27 - Obligation to maintain documentation

1. A social worker is obliged to maintain the personal files and documentation of beneficiaries in accordance with the procedure established by the legislation of Georgia, within his/her competence.
2. The documentation provided for by paragraph 1 of this article shall include data about the beneficiary (except in the case where the beneficiary does not have identification documents), grounds for applying a measure, a detailed description of the measure's plan, parties to the measure, the progress of the measure by stages, interim opinions, the duration of the measure, an outcome and a final assessment.
3. Where a social worker completes social work or moves to another job, he/she is obliged to hand over the data on a beneficiary to his/her substitute or to his/her immediate supervisor.
4. The procedure and the form of maintaining documentation shall be determined by a legal act of the institution where a social worker is employed.
5. The employer of a social worker is obliged to keep the processed documents in the course of social work, as well as after its completion, for a reasonable period necessary for carrying out the social work, in order to protect the best interest of the beneficiary and to fulfil obligations determined for institutions by the legislation of Georgia. The time limit for keeping documentation shall be determined by the institution in question.

Article 28 - Multilateral and interdisciplinary cooperation

A social worker is obliged to cooperate in accordance with the procedure established by the legislation of Georgia, within his/her competence, with other social workers, state and local self-government bodies, public organisations, natural and legal persons, as well as with professional groups directly involved in the process of supporting a beneficiary and with persons whose cooperation aims to improve the condition of a beneficiary.

Article 29 - Acting in the best interest of a beneficiary

1. A social worker is obliged to carry out social work taking into account the best interest of a beneficiary and the legislation of Georgia.
2. A social worker shall facilitate the self-actualisation of a beneficiary and the improvement of his/her capacities and the ability to defend his/her own interests.

Article 30 - Impartiality

1. A social worker is obliged to be impartial and be guided by the best interest of a beneficiary when exercising his/her powers.
2. It shall be inadmissible for a social worker to be a party to any transaction or to act according to subjective interests.
3. A social worker shall raise an issue of self-recusal before his/her employer if there are circumstances which will prevent the social worker from impartially exercising his/her powers in relation to a specific case. The social worker shall provide reasons for self-recusal to the employer.
4. Where the situation provided for by paragraph 3 of this article obtains, a third person shall have the right to raise an issue of recusal of a social worker before his/her employer.
5. A decision on the recusal of a social worker shall be made by his/her employer.

Article 31 - Analysing information

1. A social worker shall have the right to analyse information and provide data on the results of analysis to his/her immediate supervisor, in order to reduce and resolve existing social problems, to improve the functioning of the social system and to support changes.
2. The form of analysing information provided for by paragraph 1 of this article and the respective requirements shall be determined by a legal act of the institution to whom the social worker is immediately subordinate.

Article 32 - Continuing professional development of a social worker

1. Taking account of the objectives of social work, a social worker is obliged to develop his/her professional abilities, improve skills and deepen knowledge through participation in offered professional development programmes.
2. An employer shall facilitate the participation of a social worker in continuing professional development.

Article 33 - Inviolability of professional identity

A social worker shall have the right to maintain professional culture, and the method and the instrument of performing work, determined by the professional standards for social work.

Article 34 - Responsibility of a social worker

For the failure to fulfil, or the improper fulfilment of, his/her duties, a social worker shall be subject to disciplinary liability as



Chapter V - Measures to be Implemented by a Social Worker

Article 35 - Measures

In order for the functions and duties of a social worker to be performed, measures provided for in this chapter shall be implemented.

Article 36 - Prevention

A social worker shall deliver a respective service to a beneficiary where no threat is present but, from the point of view of an objective observer, there is a high probability that one will arise, taking into account all the circumstances.

Article 37 - Identifying a problem

1. If a threat exists, a social worker shall identify the problem of the person in need of assistance.
2. A problem shall be identified on the basis of an interview with the person in need of assistance, his/her family members, close circle and other relevant persons, taking into account all the circumstances.
3. On the basis of the analysis and assessment of the case, a social worker shall continue to work with a beneficiary independently, and, if necessary, shall identify an appropriate specialist or agency that will provide support to the beneficiary and shall refer the beneficiary to him/her/it.

Article 38 - Assessment of needs

1. On the basis of comprehensive information on the individual problem and the environment of a beneficiary, a social worker shall systematically study his/her condition.
2. A social worker shall take account of factors preventing the support of a beneficiary, and of resources and capabilities necessary for his/her support, and shall assess the needs of the beneficiary.

Article 39 - Planning social work

1. With a view to preventing a threat or responding to a problem, a social worker shall, in agreement with a beneficiary, develop an individual action plan for social work or a development plan ('a plan').
2. A plan shall specify objectives, a required strategy and stages of action.
3. Changes may be introduced into a plan within the established time limit, with due consideration of the age and the development of the beneficiary and with the consent of persons participating in the plan.
4. In the cases provided for by paragraphs 1 and 3 of this article, where the beneficiary does not agree to the plan or part thereof, a social worker shall have the right to approve the plan or part thereof against the will of the beneficiary if, otherwise, the best interest of the beneficiary were jeopardised.
5. The provisions of this article shall not apply to the case of crisis intervention. After the threat ceases to exist, a social worker is obliged to draw up a plan, as appropriate.

Article 40 - Support

1. A social worker shall act for the implementation of and in accordance with a plan.
2. A social worker shall support the identification and development of the abilities of a beneficiary in accordance with the best interest of the beneficiary, in order to improve his/her social competence in society.
3. At any stage of the implementation of a plan, a social worker shall, on the basis of the analysis and assessment of the case, identify an appropriate specialist or agency that will provide support to a beneficiary and refer the beneficiary to him/her/it, and shall specify the progress status of the case.

Article 41 - Other measures

A social worker shall be entitled to implement a measure which is not provided for by this Law but which ensures the prevention of a threat to the beneficiary and serves the integration of the beneficiary into society.

Chapter VI - Professional Qualification of a Social Worker

Article 42 - Main requirements established for the professional qualification of a social worker

1. A social worker may be a person who meets the following requirements:
 - a) he/she is of full age;
 - b) he/she knows the official language;
 - c) in the field of social work, he/she holds an academic degree of a bachelor, a master, a degree equivalent to a master's degree or a doctoral academic degree, or a certificate of social worker provided for by this Law;
 - d) he/she has competencies determined by Article 43 of this Law;
 - e) his/her personal qualities correspond to the profession of social worker;
 - f) he/she meets other requirements established by the legislation of Georgia.
2. A social worker shall not be at the same time an official defined in Article 2 of the Law of Georgia on Conflict of Interest and Corruption in Public Institutions, or any other person who is prohibited from carrying out social work in accordance with the



legislation of Georgia.

3. The compliance of the skills, abilities and competencies of a social worker with the requirements provided for by paragraph 1 of this article shall be determined by the institution to which the social worker will be immediately subordinate upon being recruited.

4. When recruiting a social worker to a public institution, the provisions provided for by the legislation of Georgia shall apply.

Article 43 - Competencies of a social worker

1. In order to exercise the powers provided for by this Law, a social worker shall have the following competencies:

- a) strategic competence - the strategic planning of his/her own activities on the basis of result-oriented goals and objectives, with due consideration of the best interest of a beneficiary;
- b) competence of using methodology - carrying out social work using social work methods and psychosocial concepts, with due consideration of the best interest of a beneficiary;
- c) socio-pedagogical competence - carrying out pedagogical and educational work with target groups of beneficiaries;
- d) legal competence - providing consultations on legal issues to a beneficiary and keeping necessary documents by means of a legal base important for social work;
- e) administrative competence - carrying out targeted and coordinated work with governmental and non-governmental organisations in order to ensure the meeting of the special needs of a beneficiary;
- f) personal competence - taking care of upgrading personal skills in order to improve their own professionalism;
- g) communication competence - carrying out social work with a beneficiary using verbal and non-verbal forms of communication;
- h) professional ethics competence - carrying out social work on the basis of the norms and values of professional ethics;
- i) professional development competence - taking care of their own continuing professional development, in order to improve social work with beneficiaries.

2. The competencies defined by paragraph 1 of this article shall be taken into account when recruiting a social worker and awarding a bachelor's, master's or doctoral academic degree in the field of social work, as well as issuing a certificate of social worker as provided for by this Law.

Article 44 - Certificate of social worker

1. A certificate of social worker is a document certifying that an applicant for the position of social worker has necessary knowledge, unless this person holds a bachelor's, master's/master's equivalent or doctoral academic degree, in the field of social work. The certification shall be carried out in order that a person acquires basic academic knowledge.

2. A certificate of social worker shall be issued after a person has successfully completed certification.

3. A person who works as a social worker in the territory of Georgia, or a person who does not work as a social worker but has at least one year's experience of carrying out social work, shall have the right to undergo certification.

Chapter VII - Social Guarantees of a Social Worker

Article 45 - Creating safe and necessary working conditions for a social worker

1. A social worker shall have the right to enjoy safe working conditions and to receive the organisational and technical means necessary for performing his/her functions, taking into account the resources of the institution where he/she is employed.

2. In order to provide a comprehensive and efficient consultation to a beneficiary, the employer of a social worker is obliged to ensure the allocation of an appropriate place and the creation of a working environment.

3. An institution shall ensure the equal and fair treatment of social workers in terms of human resources management, labour conditions, reimbursement and legal protection issues.

Article 46 - Safety of a social worker

1. An institution where a social worker is employed is obliged to develop and introduce a safety rule for social work in order to reduce to minimum the health and safety risks of a social worker.

2. When developing the safety rule defined by paragraph 1 of this article, the sources of all potential risks shall be taken into account, according to the level of threat and possible consequences. The said safety rule shall provide for respective preventive measures.

3. A case management standard established by an institution shall provide for a procedure for taking preliminary measures necessary to ensure safety when carrying out social work. It shall also provide for criteria to determine the need to cooperate with law enforcement bodies, and for the distribution of functions and a mechanism to eliminate an existing threat.

4. A social worker is obliged to strictly observe binding instructions determined for ensuring his/her safety.

Article 47 - Working time and rest time of a social worker; procedure for carrying out overtime work by a social worker and reimbursing overtime work

1. The working time and rest time of a social worker, and the procedure for carrying out overtime work by a social worker and reimbursing overtime work, are determined by this article and by the legislation of Georgia.

2. Along with paragraph 1 of this article, in the light of the complexity of the work of a social worker, a limited number of active cases is determined. The number of cases shall not exceed 50. The number of cases provided for by additionally received cases shall not exceed one third of the limited number.

3. A procedure for reimbursing overtime work performed by a social worker shall be determined by the legislation of Georgia.



4. Overtime work performed by a social worker shall be reimbursed, according to the choice of the social worker, either by paying the social worker an increment or granting him/her additional rest time proportionate to the overtime work.

Article 48 - Assistance in the case of the death of a social worker or his/her recognition as a person with limited disability

1. If a social worker dies in the line of duty, his/her family shall be paid a one-time allowance of GEL 10 000 from the State Budget, irrespective of the place of employment of the social worker.

2. If a social worker is injured as a result of an assault in the line of duty and is maimed or declared disabled, he/she shall be paid a one-time allowance of not more than GEL 5 000, irrespective of his place of employment.

Chapter VIII - Authorised Institutions

Article 49 - Powers of the Parliament of Georgia and parliamentary control

1. A state policy on social work shall be determined by the Parliament of Georgia.

2. The Parliament of Georgia shall exercise parliamentary control in the field of social work.

Article 50 - Powers of the Government of Georgia

1. The Government of Georgia shall be authorised to draft legislative acts and subordinate normative acts in the field of social work, as appropriate.

2. The Government of Georgia shall be authorised to determine by a subordinate normative act the powers of a public institution as provided for by Article 20(1) of this Law.

Article 51 - Powers of the Ministry of Labour, Health and Social Affairs of Georgia

1. In the field of social work, the Ministry of Labour, Health and Social Affairs of Georgia shall:

a) determine the necessity and the number of social workers in health care institutions and inpatient and outpatient facilities, and shall regulate the procedure for carrying out social work;

b) supervise the Legal Entity under Public Law called the Social Service Agency ('the Social Service Agency'), a central guardianship and custodianship body under the state control of the Ministry of Labour, Health and Social Affairs of Georgia;

c) within its powers, take care of improving social policy and developing respective initiatives with the participation of social workers;

d) exercise other powers provided for by the legislation of Georgia.

2. In the field of social work, the Social Service Agency shall:

a) carry out the procedures of child adoption and foster care, within the ambit of the Law of Georgia on Child Adoption and Foster Care;

b) perform guardianship/custodianship/support functions within the ambit of the Law of Georgia on Psychosocial Needs Assessment, in accordance with Section Seven⁴ of the Civil Procedure Code of Georgia;

c) provide relevant procedural representation within the ambit of the Juvenile Justice Code;

d) defend the interests of minors or beneficiaries of support in court proceedings;

e) assess the condition of a beneficiary, identify and determine the need for rendering a service to him/her, provide him/her with a consultation and refer him/her to existing services;

f) manage and supervise cases of violence, including violence against children, and referral procedures for the protection of children;

g) manage and supervise a social rehabilitation and child care state programme within various sub-programmes;

h) supervise the execution of decisions made by the regional councils of a guardianship and custodianship body;

i) assist families in need of support, and persons with disabilities and elderly persons;

j) identify persons competent to carry out social work (social workers);

k) participate in the process of the enforcement of a court decision on the transfer of a child or on the exercise of the right of a second parent and/or other family member to interact with a child;

l) exercise other powers provided for by the legislation of Georgia.

Article 52 - Powers of the Ministry of Justice

1. The Ministry of Justice of Georgia shall be authorised to carry out social work for the purpose of preventing repeated crimes through the resocialisation and rehabilitation of former prisoners, as well as with groups of persons at risk of committing a crime, and for the purpose of enforcement.

2. In the field of social work, the powers of the Legal Entity under Public Law called the Center for Crime Prevention ('the Center') in the direction of the rehabilitation and resocialisation of former prisoners shall be to:

a) develop an individual plan of service on the basis of the biological and psychosocial assessment of beneficiaries, to introduce, find and deliver a psychosocial service tailored to their needs, and to monitor their rehabilitation;

b) carry out work with family members of beneficiaries or their closest circle and to manage problematic cases;

c) take care of solving the physical and mental health problems of beneficiaries;

d) deliver informal education services appropriate to the needs of beneficiaries, and to provide their professional retraining and to promote their employment;

e) plan or find and organise sports and cultural and recreational events for the purposes of rehabilitating and resocialising beneficiaries;



- f) facilitate the resocialisation of minor beneficiaries in conflict with the law;
- g) raise the public awareness of former prisoners about rehabilitation and resocialisation;
- h) exercise other powers provided for by the legislation of Georgia.

3. In the field of social work with groups of persons at risk of committing a crime, the powers of the Center shall be to:

- a) provide a biological and psychosocial assessment of beneficiaries at risk of committing a crime, to develop an individual plan of service and to monitor its implementation, and to introduce, find and deliver services tailored to the needs of beneficiaries;
- b) assess a risk of committing a crime by beneficiaries;
- c) provide consultations to beneficiaries and their family members, as appropriate;
- d) carry out coordinated work with specialists working in the field of child care and family care, as well as hold information meetings with specialists working in a 24-hour state care system about services aimed at secondary crime prevention;
- e) provide specialists working with persons at risk of committing a crime with information about the management of difficult behaviour and other issues related to crime prevention;
- f) identify facts of violence against children and carry out referral procedures;
- g) exercise other powers provided for by the legislation of Georgia.

4. In the process of enforcement, the Legal Entity under Public Law called the National Bureau of Enforcement operating within the governance of the Ministry of Justice of Georgia shall carry out social work with persons at social risk in the following manner:

- a) ensure that enforcement proceedings are conducted in a manner favourably disposed to a beneficiary;
- b) as appropriate, ensure that enforcement actions are attended by a social worker who, within his/her competence, provides consultation to the parties and assists in the reduction of psychological stress;
- c) participate in cases of the return of a wrongfully removed or a wrongfully retained child;
- d) exercise other powers provided for by the legislation of Georgia.

Article 53 - Powers of the Ministry of Corrections and Probation of Georgia

1. The Ministry of Corrections and Probation of Georgia shall be authorised to carry out social work in the penitentiary and the probation systems. Within its powers, it shall ensure the improvement of social policy and the development of respective initiatives with the participation of social workers.

2. A social worker in the penitentiary system shall:

- a) assist in the protection of the rights of accused/convicted persons;
- b) provide consultations to accused/convicted persons;
- c) provide advocacy for accused/convicted persons;
- d) assist in the reduction of the penitentiary stress of accused/convicted persons;
- e) participate in the assessment/reassessment of the risk of danger from convicted persons;
- f) provide the assessment/reassessment of the risk of harm from accused/convicted persons;
- g) provide the assessment/reassessment of the risks and needs of a convicted person in order to determine the probability of repeat offending;
- h) on the basis of identified risks and needs, develop an individual plan for serving a sentence, with the participation of the convicted person;
- i) identify vulnerable groups of accused and convicted persons in penitentiary institutions in order to facilitate their psychosocial rehabilitation, and ensure the observance of established standards;
- j) facilitate the participation of accused/convicted persons in educational programmes and the implementation of these programmes;
- k) facilitate the participation of convicted persons in professional training programmes and the implementation of these programmes;
- l) determine directions of psychosocial rehabilitation and therapy, contribute to their implementation and facilitate them;
- m) promote the labour/employment of convicted persons placed in penitentiary institutions;
- n) assist in the implementation of auxiliary programmes, in particular cultural, sports, religious, cognitive and other activities, for accused/convicted persons;
- o) facilitate the preparation of convicted persons for resocialisation and reintegration;
- p) within his/her powers, carry out work with accused/convicted hunger strikers;
- q) exercise other powers provided for by the legislation of Georgia.

3. Social work in the probation system shall be carried out in accordance with this Law and the Law of Georgia on the Procedure for Enforcing Non-custodial Sentences and Probation. For the purposes of resocialisation, rehabilitation and prevention of crimes, a social worker of the Legal Entity under Public Law called the National Agency for Execution of Non-custodial Sentences and Probation operating under the Ministry of Corrections and Probation of Georgia ('the National Probation Agency') shall:

- a) assess the risks and needs of an adult/a minor probationer;
- b) participate in the work of a multidisciplinary group in order to identify a risk of harm from a beneficiary and the probability of repeat offending and, together with other specialists, develop an individual plan for executing a sentence;
- c) provide a rehabilitation service to beneficiaries as part of an individual plan for executing a sentence;
- d) work with the families of probationers by organising family conferences and providing consultations;
- e) participate in the creation of rehabilitation training modules appropriate to the needs of probationers;
- f) link probationers with organisations which will facilitate their rehabilitation and resocialisation;
- g) in the process of preparing a convicted person for release, as part of the coordinated activity of the Ministry of Corrections and Probation of Georgia and the National Probation Agency, prepare for the Parole Board an opinion on the assessment of the risks



and needs of the family of a convicted person and social environment.

4. A social worker of the National Probation Agency, who is working with persons aged 14-21 involved in a diversion or a diversion and mediation programme, shall:

- a) using appropriate methodology, ensure an individual assessment of the condition of a diverted person for a diversion and mediation programme;
- b) facilitate the social inclusion of a beneficiary, and cooperate with various organisations in order to find services;
- c) monitor the fulfilment of the conditions of a contract by a diverted person;
- d) exercise other powers provided for by the legislation of Georgia.

5. A social worker of the National Probation Agency shall prepare an individual assessment report on an accused minor in order for a sentence to be determined.

Article 54 - Powers of the Ministry of Education and Science of Georgia

1. The Ministry of Education and Science of Georgia shall be authorised to carry out social work in the field of education. Within its powers, it shall take care of improving social policy and developing respective initiatives with the participation of social workers.

2. Social work in a general educational institution shall include:

- a) rendering a psychosocial service to pupils with psychosocial problems and behavioural and emotional disorders, and to their parents, classmates and teachers;
- b) carrying out work in order to raise pupils' awareness and to eliminate bullying;
- c) providing socio-pedagogical assistance to pupils for the purpose of their civil integration;
- d) identifying vulnerable pupils and/or groups of pupils and including them in a relevant service;
- e) identifying facts of violence and neglect and ensuring relevant responses thereto;
- f) exercising other powers provided for by the legislation of Georgia.

Article 55 - Powers of the Legal Entity under Public Law called the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking

In the field of social work, the powers of the Legal Entity under Public Law called the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking shall be determined by the Law of Georgia on Combating Human Trafficking.

Article 56 - Powers of municipalities

1. A municipality shall carry out social work in the territory under its jurisdiction, which includes:

- a) actively identifying socially vulnerable persons, identifying and assessing the needs of such persons, identifying problems and providing information to a relevant sectoral institution;
- b) in cases provided for by the legislation of Georgia, where it is necessary to prevent a threat, including beneficiaries in social services provided for by the legislation of Georgia and immediately notifying relevant bodies thereof;
- c) identifying facts of domestic violence and responding appropriately;
- d) providing beneficiaries with information about respective social and medical services and services under preferential terms and facilitating their inclusion in said services;
- e) providing respective necessary information and consultations to targeted groups and their families;
- f) carrying out social work in early and pre-school educational institutions;
- g) carrying out social work within the delegated powers determined by the Organic Law of Georgia the Local Self-Government Code.

2. The carrying out of social work is a power delegated to a municipality and the Ministry of Labour, Health and Social Affairs of Georgia shall provide sectoral supervision over the exercise of said power.

3. Social work shall be coordinated and administered by a structural unit of a municipality.

4. The regulations of a structural unit of a city hall as provided for by paragraph 3 of this article shall comply with the requirements of this Law in order to ensure the availability of social work to all citizens in the territory under the jurisdiction of a municipality.

Article 57 - Powers of legal entities under private law

1. Within the scope of its activities, a legal entity under private law where a social worker is employed shall be authorised to specify a list of the fields of activities to be carried out by a social worker.

2. A list of the fields of activities as provided for by paragraph 1 of this article shall be approved by a written legal act. It shall be communicated to an employee beforehand.

Chapter IX - Supervision of the Activities of a Social Worker, Career Promotion and Disciplinary Liability of a Social Worker

Article 58 - Supervision of the activities of a social worker

1. The supervision of the activities of a social worker shall include the self-assessment of a social worker, as well as the supervision of his/her work in order to facilitate his/her professional growth and ensure the delivery of high quality services by him/her.

2. A professional supervisor of a social worker may be a person employed in the same structural unit of the same institution or a head of this unit, or an invited person.



3. The procedure and conditions for supervising the activities of a social worker shall be determined by the institution that the social worker is subordinate to.

Article 59 - Self-assessment of a social worker

1. A social worker shall perform a self-assessment which includes the assessment of the results of activities carried out within and outside each plan in the course of social work.

2. A self-assessment of a social worker shall be performed in an objective manner. It shall include both the progress and the drawbacks in the activities, and shall determine challenges and provide a plan for improving activities.

Article 60 - Supervision of the work of a social worker

1. The work of a social worker shall be supervised by the institution that the social worker is subordinate to.

2. The work of a social worker shall be supervised on the basis of criteria such as the purpose and legality of the exercise of power by the social worker.

3. The work of a social worker shall be supervised through the assessment of specific cases and the annual activities of the social worker. Specific cases shall be assessed randomly or on the basis of an application by a beneficiary.

4. In order to obtain an objective opinion on the monitoring of the activities of a social worker, all circumstances, including the results of social work, the opinion of a beneficiary and the characterisation of the social worker presented by his/her immediate supervisor, shall be taken into account.

Article 61 - Incentives for a social worker

1. On the basis of the results of the assessment and monitoring of the activities of a social worker, the institution that the social worker is subordinate to shall make a decision on granting incentives to the social worker when appropriate grounds exist.

2. The forms of incentives for a social worker shall be:

a) commendation;

b) a monetary reward;

c) a valuable gift.

3. With regard to granting incentives to social workers employed in public institutions, the provisions provided for by the legislation of Georgia shall be applied.

Article 62 - Career promotion of a social worker

1. The career promotion of a social worker shall take place on the basis of the results of the assessment and monitoring of the activities of the social worker.

2. During a career promotion of a social worker, his/her work experience, as well as the results of activities carried out by him/her and the importance of the activities for a beneficiary and society, shall be taken into account.

3. The career promotion of a social worker employed in a public institution shall take place in accordance with the legislation of Georgia.

Article 63 - Disciplinary liability of a social worker

1. On the basis of the results of the assessment and monitoring of the activities of a social worker, the social worker may be subject to disciplinary liability if sufficient grounds exist.

2. With regard to the disciplinary liability of social workers employed in public institutions, the provisions provided for by the legislation of Georgia shall be applied.

3. Measures of disciplinary liability of a social worker shall be:

a) a warning;

b) a reprimand;

c) the withholding of 10 to 50 per cent of salary (official salary) for a period of 1 to 6 months;

d) dismissal.

4. A decision on subjecting a social worker to disciplinary liability shall be made by an institution where the social worker is employed.

Chapter X - Transitional and Final Provisions

Article 64 - Transitional provisions

1. The Human Rights and Civil Integration Committee of the Parliament of Georgia shall approve the action plan under this Law by 1 January 2019 and shall ensure its monitoring.

2. The relevant agencies of the Government of Georgia shall be assigned to increase the number of staffing positions of social workers on a phased basis in order for social workers to fully perform their official duties in the territory of Georgia by 2025.

3. The Ministry of Education and Science of Georgia shall be assigned to develop within 6 months of the promulgation of this Law a plan necessary for certifying social workers, with the participation of the Parliament of Georgia and other authorised institutions determined by Chapter VIII of this Law. The certification of social workers shall be completed not later than 3 months before 1 January 2021.

4. Together with the relevant agencies operating in the field of education, the Ministry of Education and Science of Georgia shall be assigned to enable, on a phased basis, not later than from 1 January 2019, all certification applicants, who meet the qualification



requirements determined by this Law, to undergo the certification provided for by this Law.

5. By 1 January 2021, the Ministry of Labour, Health and Social Affairs of Georgia, the Ministry of Justice of Georgia, the Ministry of Education and Science of Georgia and the Legal Entity under Public Law called the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, shall be assigned to ensure for beneficiaries the functioning of a 24-hour mechanism of response in urgent cases.

6. The Ministry of Labour, Health and Social Affairs of Georgia, the Ministry of Justice of Georgia, the Ministry of Corrections and Probation of Georgia, the Ministry of Education and Science of Georgia and the Legal Entity under Public Law called the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, shall ensure the issuance of the following subordinate normative acts by 1 January 2021:

- a) in accordance with Article 45 of this Law, on the organisational and technical and infrastructural support for a social worker;
- b) in accordance with Article 46, on the introduction of a safety rule for social work;
- c) on the establishment of social work professional standards for a social worker.

7. The Ministry of Labour, Health and Social Affairs of Georgia, the Ministry of Justice of Georgia, the Ministry of Corrections and Probation of Georgia, the Ministry of Education and Science of Georgia and the Legal Entity under Public Law called the State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking, shall ensure the issuance of the following subordinate normative acts by 1 January 2025:

- a) in accordance with Article 47 of this Law, on determining the procedure for the distribution of cases;
- b) in accordance with Article 58(3) of this Law, on establishing the procedure and conditions for supervising the activities of a social worker.

8. On the basis of a recommendation by the Ministry of Labour, Health and Social Affairs of Georgia, the Government of Georgia shall ensure the adoption of a subordinate normative act on the delegation of powers provided for by Article 56 of this Law by 1 January 2021.

9. A certificate issued in 2006-2013 by the Legal Entity under Public Law called the Ivane Javakhishvili Tbilisi State University and the Legal Entity under Public Law called the Shota Rustaveli Batumi State University confirming the successful completion of a 60-credit training course in social work shall be equivalent to a certificate of social worker provided for by Article 44(1) of this Law.

10. If by the dates of the entry into force of the respective articles of this Law, the number of social workers is not sufficient, the relevant institutions shall be authorised to allow persons, who have associated professions and who do not meet the requirements provided for by Article 44(3) of this Law, to undergo certification. A list of associated professions shall be determined by a normative act of the Government of Georgia.

Article 65 - Entry into force of the Law

1. This Law, except for Articles 1-43 and Article 44(1) and Articles 45-63, shall enter into force upon its promulgation.

2. Articles 1-43, Article 44(1), Articles 45 and 46, Article 47(1), (3) and (4) and Articles 48-63 shall enter into force on 1 January 2021.

3. Article 47(2) of this Law shall enter into force on 1 January 2025.

4. Article 44(2) and (3) of this Law shall be applicable until 1 January 2021.

5. Article 64(10) of this Law shall be applicable until 1 January 2023.

President of Georgia

Kutaisi

13 June 2018

No 2519-III

Giorgi Margvelashvili

