



Bu Proje Avrupa Birliđi tarafından finanse edilmektedir.  
This project is funded by the European Union.



**YEREL YÖNETİM REFORMU  
PROJESİ (YR III)**  
LOCAL ADMINISTRATION REFORM  
PROJECT (LAR III)

# COMPARATIVE ASSESSMENT STUDY ON FUNCTIONING OF THE LOCAL AUTHORITIES

## Situational Analysis and Comparative EU Service Review

25 November 2019

Prof. Ayşegül MENĐi, PhD

Can Giray ÖZGÜL, PhD

Jens Peter CHRISTENSEN (International Consultant)

Key Expert of the Component: Prof. H. Hakan Yılmaz, PhD

Reference to the Description of the Action	
<b>Component</b>	C.1. Effective Local Service Delivery
<b>Activity</b>	A.1.1.14. Develop and publish a full comparative assessment study on functioning of the local authorities
<b>Output</b>	Situational Analysis and Comparative EU Service Review

## List of Content

<b>ACKNOWLEDGEMENT</b>	<b>5</b>
<b>EXECUTIVE SUMMARY</b>	<b>6</b>
<b>1. INTRODUCTION</b>	<b>14</b>
1.1 THE MUNICIPAL FRAMEWORK IN TURKEY	14
1.2 REVIEWING MUNICIPAL SERVICES WITHIN THE EU	15
1.3 READER'S GUIDANCE	16
<b>2. HOUSEHOLD WASTE MANAGEMENT</b>	<b>18</b>
2.1 HOUSEHOLD WASTE MANAGEMENT IN TURKEY	18
2.1.1 <i>Service Description</i>	18
2.1.2 <i>Legal Basis</i>	18
2.1.3 <i>Mandatory or Optional Service</i>	24
2.1.4 <i>Organizational Structure</i>	24
2.1.5 <i>Service Provision</i>	24
2.2 HOUSEHOLD WASTE MANAGEMENT IN SIX EU MEMBER STATES	30
2.2.1 <i>Denmark</i>	31
2.2.2 <i>United Kingdom</i>	33
2.2.3 <i>France</i>	35
2.2.4 <i>Germany</i>	37
2.2.5 <i>Bulgaria</i>	38
2.2.6 <i>Spain</i>	39
2.3 TURKEY AND THE EU MEMBER STATES IN COMPARISON	40
<b>3. LOCAL PUBLIC TRANSPORTATION</b>	<b>45</b>
3.1 LOCAL PUBLIC TRANSPORTATION IN TURKEY	45
3.1.1 <i>Service Description</i>	45
3.1.2 <i>Legal Basis</i>	45
3.1.3 <i>Mandatory or Optional Service</i>	47
3.1.4 <i>Organizational Structure</i>	47
3.1.5 <i>Service Provision</i>	48
3.2 LOCAL PUBLIC TRANSPORTATION IN SIX EU MEMBER STATES	58
3.2.1 <i>Denmark</i>	59
3.2.2 <i>United Kingdom</i>	61
3.2.3 <i>France</i>	63
3.2.4 <i>Germany</i>	65
3.2.5 <i>Bulgaria</i>	66
3.2.6 <i>Spain</i>	67
3.3 TURKEY AND THE EU MEMBER STATES IN COMPARISON	69
<b>4. FIRE SERVICES</b>	<b>73</b>
4.1 FIRE SERVICES IN TURKEY	73
4.1.1 <i>Service Description</i>	73
4.1.2 <i>Legal Basis</i>	73
4.1.3 <i>Mandatory or Optional Service</i>	75
4.1.4 <i>Organizational Structure</i>	75
4.1.5 <i>Service Provision</i>	76
4.2 FIRE SERVICES IN SIX EU MEMBER STATES	82
4.2.1 <i>Denmark</i>	83
4.2.2 <i>United Kingdom</i>	84
4.2.3 <i>France</i>	86

4.2.4 Germany	87
4.2.5 Bulgaria	88
4.2.6 Spain	88
4.3 TURKEY AND THE EU MEMBER STATES IN COMPARISON	89
<b>5. EARLY CHILDCARE</b>	<b>92</b>
5.1 EARLY CHILDCARE IN TURKEY	92
5.1.1 Service Description	92
5.1.2 Legal Basis	92
5.1.3 Mandatory or Optional Service	93
5.1.4 Organizational Structure	93
5.1.5 Service Provision	93
5.2 EARLY CHILDCARE IN SIX EU MEMBER STATES	96
5.2.1 Denmark	97
5.2.2 United Kingdom	99
5.2.3 France	100
5.2.4 Germany	101
5.2.5 Bulgaria	102
5.2.6 Spain	104
5.3 TURKEY AND THE EU MEMBER STATES IN COMPARISON	106
<b>6. ADULTS WITH DISABILITIES</b>	<b>110</b>
6.1 ADULTS WITH DISABILITIES IN TURKEY	110
6.1.1 Service Description	110
6.1.2 Legal Basis	111
6.1.3 Mandatory or Optional Service	112
6.1.4 Organizational Structure	112
6.1.5 Service Provision	116
6.2 ADULTS WITH DISABILITIES IN SIX EU MEMBER STATES	124
6.2.1 Denmark	125
6.2.2 United Kingdom	127
6.2.3 France	128
6.2.4 Germany	129
6.2.5 Bulgaria	131
6.2.6 Spain	132
6.3 TURKEY AND THE EU MEMBER STATES IN COMPARISON	134
<b>7. ASPECTS OF LOCAL SERVICE STANDARDS</b>	<b>138</b>
7.1 TURKISH LOCAL SERVICE STANDARDS	138
7.1.1 Processing Time	139
7.1.2 Citizen Satisfaction	139
7.1.3 Objectivity/Neutrality/Equality	140
7.1.4 Environmental Concerns	140
7.1.5 Participation	141
7.1.6 Transparency and Accountability	142
7.1.7 Development and Innovation	142
7.2 LOCAL SERVICE STANDARDS IN THE EU	143
7.2.1 Household Waste Management	143
7.2.2 Local Public Transportation	144
7.2.3 Fire Services	145
7.2.4 Early Childcare	148
7.2.5 Adults with Disabilities	149

<b>8. WORKSHOP OUTCOMES ON SERVICE DEVELOPMENT NEEDS</b>	<b>151</b>
8.1 HOUSEHOLD WASTE MANAGEMENT	151
8.2 LOCAL PUBLIC TRANSPORTATION	152
8.3 FIRE SERVICES	153
8.4 EARLY CHILDCARE	153
8.5 ADULTS WITH DISABILITIES	153
<b>9. CONCLUSION AND RECOMMENDATIONS</b>	<b>155</b>
<b>ANNEX 1. EU REFERENCES</b>	<b>159</b>
<b>ANNEX 2. MAIN TASKS OF FIRE SERVICES IN FOURTEEN EU MEMBER STATES</b>	<b>166</b>
<b>ANNEX 3. WORKSHOP SLIDES ON THE EU SERVICE STUDY</b>	<b>167</b>
<b>ANNEX 4. CHECKLIST FOR DEVELOPMENT OF SERVICE STANDARDS</b>	<b>171</b>

## **Acknowledgement**

The comparative assessment of local services in Turkey and the EU would not have been possible without the contribution of many individuals who offered their knowledge, time, and support.

The authors would like to express their appreciation of all contributions received from the Consultative Group of Local Authorities (CGLA) and the Support Group on Legislation Drafting Process (SGLDP) at the workshops in Ankara on 24 May and 23 July 2019.

In this report, we have done our best to reflect and accurately present the opinions and recommendations from all workshop participants. However, all findings and recommendations pertaining the five service areas, ultimately present the views of the authors, and should be subject to further review and priority setting by all stakeholders of the LAR III Project.

## Executive Summary

Within the scope of the Local Authority Reform III project (LAR III), it was foreseen to prepare a report titled “Comparative Assessment Study on Functioning of the Local Authorities”. Since it is not possible to evaluate all service areas of municipalities, five municipal service areas in Turkey have been selected for the comparative study:

- 1) Household waste management
- 2) Local public transportation
- 3) Fire services
- 4) Early childcare
- 5) Adults with disabilities

The selections were based on a joint meeting with the Consultative Group of Local Authorities (CGLA) and the Support Group on Legislation Drafting Process (SGLDP), who were also invited to discuss the draft study outcome at a workshop in Ankara on 23 July 2019.

The study contains two main pillars, namely a situational analysis of the five service areas in Turkish municipalities and a comparative study of the same service areas within EU Member States Denmark, the United Kingdom, France, Germany, Bulgaria and Spain. The purpose of the comparative study is to provide an overview of the service areas in Turkey compared to selected EU Member States, which, in combination with the workshop outcomes, could provide an indicative direction of the work on service standards within LAR III.

## Turkey and EU Member States in Comparison

The comparative study brought forward a number of similarities and differences between local government systems and the five services, both between the EU and the Turkey, but also across the EU in general. A summary of the report findings is recaptured below:

### 1. Household Waste Management

Household waste management is a municipal function, which is subject to particularly detailed EU regulation, both in terms of compulsory policy targets and common planning and service approaches. Therefore, municipal household waste management are quite similar throughout the EU, or at least they are supposed to be similar. The Turkish legislation is to a large extent aligned to EU regulation and therefore already presents many similar features. As in the EU Member States, a key question is how well *de jure* requirements corresponds to *de facto* implementation in the municipalities. Common features and challenges include:

- Household waste management is a mandatory function in EU Member States and in Turkey
- Household waste management in the EU is regulated by the Waste Framework Directive and related regulatory frameworks and guided by a set of core principles, including the EU waste hierarchy, progressive mandatory recycling targets, the polluter-pays principle, extended producer responsibility and mandatory waste planning requirements. Turkey adopted similar legislations, including the zero waste regulations, which is featuring many similar requirements vis-à-vis municipal household management.

- National legislations in EU Member States are aligned with mandatory EU regulations but de facto implementation of such regulations may not comply with the EU regulatory framework, including waste planning, waste separation and treatment and public consultations. Gaps between de jure and de facto waste management may also be a concern in Turkey.
- All municipalities are assigned with the authority to establish and charge a household waste fee. However, in many EU Member States these are flat rates which may not relate to actual waste production as envisaged by EU regulations. In Turkey, insufficient implementation of cost-based waste management may also be an issue.
- Municipalities in Turkey and the EU are allowed to regulate and manage household waste by use of voluntary intermunicipal co-operations. Accordingly, this is a common practice.
- EU municipalities are required to tender waste collection and treatment for open competition, and private service providers as widely applied in all EU Member States, either in combination with, or as an alternative to, intermunicipal cooperations. This is also the case in Turkey.
- Proper waste management depends on an active partnership between the council and its residents as well as mandatory consultations on waste planning according to EU regulations. However, EU practices vary widely and when practiced, are not always successful. Public engagement is also a challenge in Turkish municipalities.

## 2. Local Public Transportation

In most EU Member States, municipalities are responsible for local public transport services; whilst in Spain this is assigned to provinces or municipality above 50,000 inhabitants. In Turkey, responsibility for local public transport services depends on the type of local government, since the Law no 5393 on Municipalities is different from the one given to metropolitan municipalities which are subject to Law no 5216 on Metropolitan Municipalities. In metropolitan cities, this responsibility belongs to metropolitan municipalities; metropolitan sub-provincial municipalities are not empowered in this regard.

The complexity of the service area has grown considerably and service delivery needs to take into account a range of concerns related to emerging mobility issues in urban and rural settings, environment and climate change, health, transformations from siloed to coherent multi-modal transportation systems with supportive infrastructures and technologies, increase in public-private cooperation, etc.

Both in Turkey and in the EU, such concerns are subject to various regulations. Due to the complexity of the service, regulation and operations are increasingly delegated to metropolitan or intermunicipal traffic authorities according to national laws. A common challenge is to uphold service levels in urban settings in spite of pressure from urban migration. Another challenge is to maintain public transport services in rural settings while facing depopulation. In the six EU Member States, such challenges are met by new service innovations like multimodal commuter systems, web-based travel planners or joint ticketing system, whilst in remote areas, on-call shared taxi services is another innovation.

Private operators are widely applied in both the EU and Turkey, even if re-municipalization trends have been seen in the EU. Germany generally has a lower degree of outsourcing.

### 3. Fire Services

The framework of local fire services varies across the EU Member States. It is essentially a deconcentrated central government function in France, Bulgaria, Scotland and Northern Ireland, even if municipalities have some complementary role in operations and funding. In Denmark, Spain, Germany and the United Kingdom (England and Wales), local fire services are a mandatory function of the municipality defined by the Local Government Act and/or sector legislation.

In this respect, the structure of responsibility in Denmark, Spain, Germany and the UK (England and Wales) is more in line with the Turkish set up, where fire services are a mandatory municipal service listed in the definition of common local needs. In the metropolitan municipalities, firefighting is under the authority and responsibility of the metropolitan municipalities; in the other municipalities, it is among the duties of the municipalities. In all cases, the responsible authority defines the actual capacity of local fire stations based on local risk assessments and national standards to the extent they are defined (response time, manning of fire appliances etc.)

The duties and common structures of individual fire services are quite similar and defined by national regulatory frameworks, both in the EU Member States and in Turkey. Only Spain stands out in this regard with a lack of a common framework and criteria for recruitments, operations and career management.

The use of professional and volunteer firefighters also varies considerably, independently of whether the fire service is centralised or decentralised. Turkey also applies both professional and volunteer firefighters according to national regulations, which is in line with the EU Member States, except Spain.

Intermunicipal cooperations are widely applied in the EU, while outsourcing is not. Denmark is an outlier in terms of outsourcing as more than half of its fire services are outsourced to a private operator (Falck). Turkey operates its fire services within the municipal structures and do not apply private operators.

### 4. Early Childcare

Formal responsibility of daycare services is a mandatory municipal function in Turkey, and services are provided by the municipalities and metropolitan municipalities. While the authorization of the municipalities to open a kindergarten (or pre-school education institution) has been cancelled by the Constitutional Court, in practice, the municipalities may still open kindergartens in partnership with the Ministry of National Education. The Ministry of National Education has also the authority to open and operate nurseries and kindergartens. Moreover, the private sector also offers these services.

The landscape of preschool daycare services is very diverse within the EU. Most local authorities have compulsory responsibilities regarding early childhood education and care, but traditions and levels of service may vary, and *de jure* and *de facto* day care services may not correspond for various reasons. Some EU Member States guarantee a municipal daycare arrangement by law, but demand often outrun actual supply, which in some cases then are covered by municipal facilitated home care arrangement as a cheaper, stop-gap option. The question is also how well supply and demand are matched in Turkey.

Some countries offer daycare services for free, while others charge partial user-payment based on actual costs. Turkey also applies partial user payment, which, like the EU Member States, is scaled according to annual income and social needs.

Preschool daycare is voluntary in the EU Member States and in Turkey. The exception being Bulgaria and Spain, which have mandatory preschool attendance from the age of five and three, respectively, since these age groups are included in the formal school curriculum.

## 5. Adults with Disabilities

The service area has grown in complexity in line with increased disability rights to self-determination and support for active participation of normal life. All EU Member States as well as Turkey are committed to such aspirations, being signatories to the UN Convention on the Rights of Persons with Disabilities

EU Member States make efforts to comply with such commitments by streamlining national legislations, services and service entry points. In order for this integrated approach to succeed, a clear-cut share of responsibilities between levels of government and flow of funds are essential, and the six Member States have only succeeded partially in transforming traditional, siloed support into more person-oriented assistance. A common feature among the EU countries is the introduction of a joint entry point to assess of the degree of disability, before individually tailored services are provided. Another dimension of disability support relates to municipal planning and building codes, namely adequate access for disabled persons to public transport and public spaces.

The role of EU municipalities varies. It is a fully devolved service area in Denmark since 2007 and also partially devolved in the UK, whilst it is a predominantly mixed central/regional responsibility in France, Germany, Spain and Bulgaria delivered through deconcentrated state agencies. Bulgaria and Spain have lesser, not always clear roles for municipalities, which in the case of Spain has been challenged in the Constitutional Court. In Turkey, the services for disabled people are part of the social duties of the municipalities and they are among the obligatory tasks.

A direct country comparison of institutional and community-based service types and standards is difficult due to the diversity, variety of definitions and the limited range of information currently available in many EU Member States. However, in-home services, residential care and day-care centres are available in all 28 EU Member States and also provided in Turkey. All countries, including Turkey, also have planning regulations regarding accessibility in public transport and public spaces

All six EU Member States of this study cooperate with, and procure disabled adults support from, CSOs, charities and private sector businesses. The public-private cooperation covers a wide diversity of service types, from highly specialised rehabilitation centres operated by not-for-profit associations, over private landlords in the UK providing social housing, to private companies delivering labour market counselling in Spain. National disability associations also participate in formal policy forums and oversight of local service delivery performance in all the six countries of this study. In Turkey, collaborations with disability associations also takes place.

## Recommendations on Service Improvements

The findings from the comparative study and the workshop feedback jointly identified areas of policy improvement needs and recommendations for the upcoming LAR III work on development of service standards under *Activity A.2.1.1: Develop and implement local service delivery standards in order to simplify the processes for service provision*. The areas for policy and service standard improvements are summarised below. Whilst not all issues may realistically be covered by the ongoing work of LAR III, it would at least be important to establish a priority order for those issues the project can assist with, based on the recommendations below.

### 1. Household Waste Management

Household waste management, including waste separation and recycling is the responsibility of the municipality, and it is a household duty to assist the council in this matter by separating the waste according to municipal guidelines. The critical aspects of household waste management brought forward by the workshop participants resemble the situation identified in many EU countries. Both the EU and Turkey introduced an ambitious legislative framework to facilitate municipal household waste management in a more sustainable manner, based on prevention, recycling and the polluter-pays principle. The reality on the ground, however, reveals a gap between legislation and implementation within the EU as well as in Turkey, and internalising and complying with regulatory requirements may take years in individual municipalities.

Many issues raised by the workshop participants relate to a lack of funding to carry out the service provision according to the law. On the other hand, it is also clear that municipalities may not levy cost-based collection charges which could otherwise recover municipal expenses. It would therefore be a matter of priority to align the law-based provisions for cost-based collection charges with municipal practise. Not only to recover all costs, but also to promote a waste prevention and recycling behaviour in households. More intermunicipal cooperation – with or without private sector cooperation - may further increase the economies of scale and reduce the financial burden of individual municipalities. The issue of urban and rural waste management and how to pay for it, should follow the polluter-pays principle as all payment for waste collection should reflect actual management costs. If a council still wants to subsidise certain individual households, it needs to be done in a way which do not directly affect the waste fee paid to the service provider. Otherwise, both the financial sustainability and the behavioural aspect of a fully cost-based approach could be undermined.

In order to move forward, central government in Turkey may improve service delivery in household waste by:

- 1) Introducing *mandatory recycling targets* for the municipalities and ensure that municipalities that fail to meet those targets are *sanctioned*,
- 2) Develop guidance for municipalities in the form of a *minimum service standard for collection of separate waste streams*, whilst organising technical support and capacity-building programmes for municipalities at national level,
- 3) Establish guiding *average unit costs for waste management*, which municipalities can apply to recover its waste management costs,

- 4) Encourage more *intermunicipal cooperation* through dissemination of Turkish good practises in order to improve scale efficiency in waste management by sharing the burden of infrastructure planning and/or service procurement and
- 5) Improve *planning, monitoring and reporting*, by ensuring that waste data is captured at municipal level.
- 6) Support and cooperate with municipalities on the waste collection, storage and disposal by Union of Turkish Municipalities. For example, there is “Report on Design Site Selection of Landfills and Improvement of Wild Storage Areas” prepared by Union of Turkish Municipalities.

## 2. Local Public Transportation

Critical issues raised by workshop participants about private sector cooperation in local public transport, have been targeted by EU Member States with a regulatory framework for municipalities to tender out traffic concessions for specific routes to individual service providers, public or private. The winning contractor of a bus service gain monopoly for the specified routes within a limited timeframe, and the contract with the municipality specifies the location of bus stops, service frequency and time-table. The fare systems may include fare reductions for pupils, old aged, disabled or unemployed persons, and in such case the municipality has to pay the deficit between operation costs and fare revenue.

The service contract between the municipality and a bus operator usually include a number of *performance criteria* such as punctuality, access for the disabled persons, cleanliness and user information. These criteria are tied to *performance measures* and *financial incentives* in operator contracts and supplemented by *opt-out clauses*, in case performance measures are not met. Ultimately, a bus operator may lose its contract in case of poor performance, which has been the case in a number of EU countries (See the issue of re-municipalisation in Subsection 3.2). Monitoring and enforcement of transportation services should always be supported by user satisfaction surveys conducted by the municipality/public transport regulator. The issue of innovation brought forward by workshop participants is very relevant, and could be further promoted if municipalities encourage private operators to present innovative approaches, when public traffic concessions are tendered out. In this way, innovation becomes an added competition criterion.

Moving forward, the Turkish regulatory framework may benefit from:

- 1) An assessment of how local service standards can be established and/or enforced, by reviewing the law bound *governance measures vis-à-vis management of private traffic concessions* drawing in experience from the EU. If possible, this review should also draw in
- 2) Improvement of *intermunicipal corporation* in local public transportation, and
- 3) How to promote *multi-modal transportation systems* through joint travel planning and ticketing systems across service providers and modes of transport. This will also entail an assessment of how to ensure data sharing and cooperation between all service providers, which is first and foremost a central government responsibility.

### 3. Fire Services

In many aspects, the current fire service framework in Turkey resembles the situation in Spain, which may also need a more in-depth national regulatory framework. It is clear from the comments received at the workshop, that further reforming of the fire services needs to be based on a thorough needs assessment and legislative review.

Such a review should take into account the roles and responsibilities of AFAD and individual municipal fire services and address potential issues of overlapping mandates. The critical issues brought forward by the workshop attendants pertaining general working conditions, payments and training standards are also discussed and addressed by the European networks of emergency response authorities and firefighters, including employment rights of voluntary firefighters, and the cause of actions from the European discussions may further inform the reform of the Turkish fire services.

To this end, the upcoming work on service standards should include how to establish:

- 1) *Local fire service capacity assessments* based on up-to-date national risk assessment criteria, including disaster management capacity based on proper climate change adaptation criteria,
- 2) A uniform framework for *employment and remuneration* of voluntary firefighters,
- 3) A national *training curriculum* covering all categories of firefighters, and
- 4) A national recurrent *in-service training and practise* standard for all categories of firefighters

### 4. Early Childcare

Future development of childcare services in Turkey would benefit from a common policy vision for municipal childcare and how the service can be expanded and improved, including establishment of common standards for public and private service providers. Institutionalised municipal childcare is not that common in Turkey, even though the Turkish framework for municipal childcare contains elements of service standards such as staff/child ratios for the youngest age groups. However, existing service standards needs further mapping during the development of new service standards.

The comparative review of EU municipal childcare took point of departure in the Barcelona Objectives adopted by the EU with the aim to increase child participation in early childhood education and care and increase women's labour market participation in the EU. The regular EU progress monitoring related to the Barcelona Objectives is based on a number of service standards, which are also relevant for further development of service standards in Turkey.

To this end, further development of Turkish early childcare service standards should address improvement of service provision according the following criteria:

- 1) *Access to formal childcare* through legal entitlements, geographical location and flexible opening hours,
- 2) *Affordability* for all working parents,
- 3) *Service quality* in terms of compulsory educational standards for the staff, maximum staff/child ratios and guidance on food provision,

4) *Parents participation* in municipal childcare, including individual consultations, board participation and transparency in applied pedagogical principles and service delivery by individual service providers.

## 5. Adults with Disabilities

The issues raised by the workshop participants regarding service standards, a common framework for shared data and multi-level government coordination of service providers, resemble the challenges of disability services within the EU. These challenges are further put into perspective by the UN Convention on The Rights of Persons with Disabilities, which grants the right of self-determination to disabled persons to participate in normal life and to influence the adaptation of social assistance to individual needs.

Based on report findings and the feedback from the workshop participants, the service area may benefit from establishment of a common framework for public and private service providers and improvements in public-private service provider cooperation, making it simpler for disabled persons to gain access to relevant disability services. In order for municipalities to play a facilitating role in this service area, more needs to be done by central government to share information on disabled persons and make sure that private service providers contribute to a joint data sharing mechanism.

In terms of service standard development, these focal areas were identified:

1) It is recommended to assess the entire package of disability services from the point of *citizen-orientation, self-determination and support to live a normal life*. Due to the high costs associated with traditional disability services, the service area may benefit from an *assessment of the costs* associated with the service delivery, *the resource envelope available* for municipalities to deliver such services and the suitability of current *municipal incentives to prioritise citizen-oriented support* to participate in normal life activities rather than a 'siloed' service delivery approach or a priority for more passive and/or institutionalised support

2) Based on EU experience, the situational analysis and the comments brought forward by the workshop participants, there may also be a strong potential for *streamlining service delivery* by taking point of departure in the priorities of disabled persons across all disability services rather than organise services according to work processes in individual institutions. A common service entry point covering all service providers could be beneficial. This entry point could operate in the same manner as a municipal one-stop-shop and be a single point gateway for disabled persons to all relevant public authorities and all public and private service providers. The gateway can smoothly guide citizens through the process of disability assessment, allocation of individually adapted services, and the choice of service providers. There are good lessons learnt within the EU in such an approach.

3) Service transparency and streamlining need to be supported by compulsory *data sharing* across sectors, levels of government and service providers. A common mechanism for this needs to be established.

4) Common service standards for *protected workplace projects* needs to be developed.

# 1. Introduction

Within the scope of the project "Local Authority Reform III (LAR III)", it was foreseen to prepare a report titled "Comparative Assessment Study on Functioning of the Local Authorities". Since it is not possible to evaluate all service areas of municipalities, five municipal service areas in Turkey have been selected for the comparative study:

- 1) Household waste management
- 2) Local public transportation
- 3) Fire services
- 4) Early childcare
- 5) Adults with disabilities

The selections were based on a joint meeting with the Consultative Group of Local Authorities (CGLA) and the Support Group on Legislation Drafting Process (SGLDP), who were also invited to discuss the draft study outcome at a workshop in Ankara on 23 July 2019.

The study contains two main pillars, namely a situational analysis of the five service areas in Turkish municipalities and a comparative study of the same service areas within EU Member States Denmark, the United Kingdom, France, Germany, Bulgaria and Spain. The purpose of the comparative study is to provide an overview of the service areas in Turkey compared to selected EU Member States, which, in combination with the workshop outcomes, could provide an indicative direction of the work on service standards within LAR III.

## 1.1 The Municipal Framework in Turkey

According to Article 127 of the Turkish Constitution, which regulates the Local Authorities, the duty and jurisdiction of Local Authorities is "to meet the local and common requirements". The Municipality Law and the Law on Metropolitan Municipalities also use the phrase "provided that such services be of local and common nature" while listing the duties of municipalities and metropolitan municipalities. This criterion is also a determinant in the distribution of powers and duties between municipalities and central government.

In metropolitan municipalities, besides the distribution of duties and powers between the central government and metropolitan municipality, there is also the distribution of duties and powers between metropolitan municipality and metropolitan district municipalities. Some of the local and common services are undertaken by metropolitan municipalities (for example; public transportation and local public transportation services, firefighting service); some are distributed between the two levels (for example; master development plan made by the metropolitan municipality, the development plan made by the district municipalities; collection of solid wastes by the district municipalities and storing and elimination of these wastes by the metropolitan municipalities) and some are provided by all levels (for example; funerals, burials and cemetery services).

Overall, the services provided by Turkish municipalities and metropolitan municipalities can be classified as follows:

- Urban Planning Services
- Urban Infrastructure Services
- Settlement and Housing Services
- Environmental Services

- Local Traffic and Transportation Services
- Public Order and Security Services
- Community Health Services
- Education Support Services
- Culture, Art and Tourism Services
- Social Welfare Services

Although it may seem more limited compared to the functions of municipalities within the European Union, especially in Scandinavian countries, the municipalities and metropolitan municipalities in Turkey have also a wide range of service areas. According to Article 14 of the Municipality Law No. 5393, the order of priority in the provision of services shall be determined in the light of the municipality's financial situation and the urgency of the service. The related article also states that the municipal services shall be provided to the public at the nearest possible locations and by the most appropriate methods and the methods used in service provision shall be appropriate to the situation of the people with disabilities, elderly people, the poor and those on low income.

Although the method of providing municipal services through private sector has been used for a long time, it became more frequently applied after 1980. For example, collection of solid waste and local transportation-public transport services have been privatized. The fact that the phrase "shall ... or cause to ...." is used for the services in the Municipality Law no. 5393 clearly shows that the method privatization is adopted. Privatizations are made through concessions and build-operate-transfer models. On the other hand, the municipal services that require large investment such as rail public transportation and subway services can be undertaken by the central government especially due to insufficient financial resources of the municipalities.

The most important issues encountered when studying urban services area in Turkey relates to the fact that the legislation on the provision of the services is disorganized and the powers related to basic urban services are ambiguously distributed between the central government and the local authority. Although the competence in many urban service areas are assigned to Local Authorities, the relevant legal arrangements containing these powers are not included in local authority laws. In addition, there are many provisions that grant powers to the Local Authorities in the legal texts regulating central government. Therefore, a broad legislation scanning is required to determine the units that have the power in the execution of the urban service units.

In addition, while it is expected that the Local Authorities have the power in very basic urban service areas, it is also determined that different institutions may hold overlapping powers within the services. It is observed that the powers in some local services have been delegated due to the incapability of the Local Authorities or the central government's willingness to fulfill them directly.

## **1.2 Reviewing Municipal Services within the EU**

The comparative review was done on the basis of current national and EU legislation and to the extent possible, relevant assessment studies, evaluations, EU reports etc. (References are listed in Annex 1). The format of the review only allows for short introduction of the quite complex service areas. The legislative framework and governance practices of the selected services also need to be understood within their historical context. In addition, the services, firefighting notwithstanding, are subject to comprehensive EU regulation and policy guidance

as well as other internationally binding agreements, which can only be touched upon very briefly in this review.

From time to time, there are significant discrepancies between *de jure* responsibilities and *de facto* service delivery in the municipalities, often caused by ambiguous or contractionary local government frameworks, incomplete reforms or reversals of decentralization, budget cuts/unfunded mandates, bureaucratic inertia or lack of implementation discipline. Disability services in Spain or Bulgaria are examples, where current administrative approaches are not always clear, sometimes contradictory or subject to court cases in the Constitutional Court (Spain) or the European Human Rights Court (Bulgaria).

In other cases, local service delivery is subject to more principal discussions on the role of governments and the extent public service delivery should be subject to open competition and private sector participation. To this end, EU treaties and regulations have a crosscutting impact on national legislative frameworks and the distribution of functions across levels of government. The distinction between 'Services of General Interest' and 'Services of General Economic Interest' has been a source of some controversy. According to the Amsterdam Treaty (1997) and the EU Services Directive (2006), EU single market barriers should be removed and Services of General Economic Interest are prone to distort competition when subsidized or directly delivered by public authorities. The EU Services Directive implies that public authorities in general should leave the provision of public utilities and services to market forces and just focus on enabling the fulfilment of tasks related to the common good by the appropriate (private business) providers. This is an approach that has been challenged, a. o. by Germany which comes from a strong municipal service tradition of public utilities, mass transportation and saving banking.

Nonetheless, 're-municipalization' of local outsourced services has also been a trend in recent years, driven by budget cuts, quality issues and sometimes workers disputes. To this end, a picture of push and pull dynamics is evident in the landscape of local service sourcing, which in individual municipal councils may come down to changing ideologies and paradigms.

Another crosscutting theme with a bearing on the selected services, is intermunicipal cooperation as an alternative to amalgamations and/or higher-tier government service delivery - with or without private sector participation. As enshrined by Article 10 in the European Charter of Local Self-Government (1985), subnational frameworks should allow for voluntary intermunicipal cooperation to maintain a certain flexibility in the local government structure, and such cooperations are applied in all of the selected services by most Member States, subject to approval by the national authorities.

### **1.3 Reader's Guidance**

*Chapters 2 – 6* present the five selected service areas in more detail and follow the same structure: Each chapter starts with a presentation of the service provision in Turkey and includes a service description, the legal basis with the powers of the municipalities regarding the service, the organizational structure created for the provision of the service, whether the services are compulsory or optional and how these services are provided. The Turkish service assessment also examines the strategic plans, activity reports and web pages of the municipalities, metropolitan municipalities and metropolitan district municipalities are investigated. The Turkish service provision is then succeeded by an introduction to the correspondent service area in the selected EU Member States and the scope of authority that the municipalities in those countries have within the given service area. The Member States

service assessments (documentation allowing) also refer to the legislative framework, the role of municipalities and external service providers. Before national services are presented, each subsection starts with a short summary of relevant EU regulations, and common trends and challenges across the Member States. Each service chapter is finally concluded with a summary of similarities and differences between the current situation in Turkey and the six EU Member States.

*Chapter 7* draws up further aspects of Turkish and EU service standards within each of the five selected service areas. Taking point of departure in a number of crosscutting service criteria, it highlights aspects and issues in Turkish service delivery standards and introduce key aspects of European local service standards, featuring both law-bound and discretionary service standards.

*Chapter 8* outlines the outcomes from the workshop held on the 23 July 2019, where critical issues pertaining the five local service were discussed, based on the findings of this report.

*Chapter 9* finally presents the conclusion and recommendations for the LAR III, Activity 2.1.1. on development of service standards.

The *annexes* include the list of European references and a checklist for further development of service standards, which can assist the ongoing work on service standards.

## 2. Household Waste Management

### 2.1 Household Waste Management in Turkey

#### 2.1.1 Service Description

The services related to solid wastes are included under the headings of both urban infrastructure services and environmental services in the classification of municipal services. Urban infrastructure services are of great importance in order to provide a healthy and organized urban life within the municipal boundaries. Collecting, storing and recovery of solid wastes is vital to prevent environmental pollution in cities and to improve the quality of life of the urban residents.

Within the scope of the research, the solid waste service has been limited to household waste service as it has a very broad are of service. For this reason, it can be said that the definition of solid waste service is to make or to cause to make solid waste management plan; to fulfill the services related to the recovery, storing and disposal of solid wastes and excavations except for collecting the solid waste at origin and transport it to the transfer station and to establish / cause to establish and operate/cause to operate facilities for this purpose.

The Environment Law No. 2872 defines the solid waste as any material diffused or left in the environment as a result of any activity which must be regularly disposed for the welfare of the society and the protection of the environment. According to the Law, household solid wastes are the solid wastes, which are not included in hazardous and harmful wastes arising from such places as houses, industrial areas, workplaces and picnic areas. On the other hand, the Law defines the hazardous wastes as the wastes that cause physical, chemical or biological negative effects and damage ecological balance and the natural structures of human beings and other living organisms and the substances contaminated with these wastes while it defines the hazardous chemicals as any kind of chemicals and products that cause physical, chemical or biological negative effects and damage ecological balance and the natural structures of human beings and other living organisms.

#### 2.1.2 Legal Basis

The primary legal basis for the solid waste service is the Municipality Law and the Law on the Metropolitan Municipalities.

##### **Municipality Law No. 5393**

The paragraph (a) of the Article 14 of the *Municipality Law No. 5393*, which entered into force in 2005, states that municipalities shall provide or cause to provide the services of "...environment and environmental health, sanitation and solid waste...". According to the paragraph (g) of the Article 15 listing the powers and privileges of municipalities, the municipalities shall provide or cause to provide all services relating to the collection, transport, sorting, recovery, disposal and storage of solid waste.

In addition, according to the Article 67 of the Municipality Law; by a resolution of the municipal council in municipalities, and of the competent organ in municipalities affiliated entities, the services relating to ... solid waste facilities... may be awarded by tenders to third parties for a

term not to go beyond the end of the sixth month following the date of the upcoming nationwide local elections.

### **Law on Metropolitan Municipalities No. 5216**

In the metropolitan municipalities, the duties and powers are distributed between metropolitan municipality and district municipalities as follows: the collection of solid wastes is within the duties and powers of district municipalities and the storage and disposal of these wastes is within the duties and powers of the metropolitan municipalities. According to paragraph (i) of Article 7 of the *Law on Metropolitan Municipalities No. 5216*, some of the duties of the Metropolitan municipalities are as follows: in accordance with the principle of sustainable development, ensure the protection of the environment, agricultural land and water basins; plant trees; gather polluting businesses, recreational facilities and other businesses that have impact on public health and environment in specific places in the city; designate storage areas and sales points for building materials, scrap materials, and storage areas for excavated soil and rubble, sand and gravel, places for the sale and storage of wood and coal; take necessary measures to prevent environmental pollution in such areas and places and during transport; draw up or cause to draw up the metropolitan area's solid waste management plan; except for the collection of solid waste at origin and the transport of such waste to the processing plant, provide services for the recovery, storage and disposal of solid waste and excavated soil, establish or cause to establish, operate or cause to operate facilities for the purpose; provide services concerning industrial and medical waste, establish or cause to establish, operate or cause to operate facilities for the purpose; collect or cause to collect waste from maritime vessels, treat such waste and make the necessary arrangements in this regard.

Furthermore, according to paragraph (b) of Article 7 of the Law on Metropolitan Municipalities, district and first-tier municipalities shall collect solid waste and transport it to transfer stations in accordance with the metropolitan solid waste management plan.

### **Law on Unions of Local Authorities No. 5355**

The *Law on Unions of Local Authorities No. 5355* is an important legal basis for the provision of solid waste services. Due to the importance of the related service, broadness of the scope and high costs, municipalities may sometimes need to establish a union. Although establishing and leaving unions is based on voluntariness; it is stated in the Article 4 of the relevant Law that where required by those projects relating to water provision, waste water treatment, solid waste management and infrastructure services of similar nature as well as those concerning the protection of environment and ecological balance, the President may decide that the relevant local authorities must become members to the Union previously formed for this purpose. Departure from unions of such nature shall be subject to the authorization by the President.

### **Environment Law No. 2872**

It is determined that Article 2 of *Environment Law No. 2872* defines household waste. According to Article 11 of the Law, it is essential to prevent or reduce the production and possible harms of wastes and to recover these wastes and collect the recycle wastes separately at origin. The principles regarding the preparation of waste management plans shall be regulated by a regulation to be issued by the Ministry of Environment and Urbanization. Wastes that cannot be recovered shall be averted through appropriate methods determined by the regulations. Metropolitan municipalities and municipalities shall be obliged to establish or cause to establish, operate or cause to operate household solid waste treatment facilities. The beneficiaries or future beneficiaries of this service shall be obliged to participate

in the investment, operation, maintenance, repair and rehabilitation expenditures of the responsible governments.

Solid waste collection, transportation and disposal fees shall be collected from the beneficiaries according to the tariff to be determined by the municipality council. Fees collected pursuant to this paragraph shall not be used for services other than solid waste services. Accordingly, the *Environmental Law No. 2872* establishes that municipalities and other administrations will charge a fee for those benefiting from solid waste collection, transportation and disposal services of municipalities. In this context, in the *Regulation on the Procedures and Principles to be Complied with in Determining Tariffs for Wastewater Infrastructure and Domestic Solid Waste Disposal Facilities*, it is stated that environmental cleaning tax should be deducted from the total system cost in order not to charge more than one fee for the same service provided and to avoid repeated calculations. However, the postponement of the obligation to implement the full costing practice with provisional provision in the regulation and receiving the solid waste service fee over the amount of water consumed, causes the polluter pays principle not to be fully implemented.

### **Waste Management Regulation**

The *Waste Management Regulation* issued by the Ministry of Environment and Urbanization (Official Gazette dated 02.04.2015, numbered 29314) is also among the legal basis for the solid waste services provided by the municipalities. Article 4 of the Regulation defines such concepts as interim storage facility, waste collection center, separate collection, waste management and waste management plan. Municipal wastes are defined as household wastes or commercial, industrial and institutional wastes which are under the responsibility of the municipalities and defined in section 20 of Annex-4 of the regulation.

The Regulation sets out the duties and responsibilities of the municipalities in detail in Article 8. Accordingly, metropolitan municipalities, metropolitan district municipalities as well as provincial / district / town municipalities shall be obliged to:

- Establish or cause to establish, operate or cause to operate waste processing facilities within the framework of their responsibilities, obtain or cause to obtain environment license for the related facilities,
- Conduct or contribute to awareness raising and training activities with the parties conferred responsibilities by this Regulation within the scope of waste management,
- Ensure that the staff in charge of waste management receive trainings periodically and go through medical examinations, conduct works to take and organize all kinds of measures including the prevention of occupational risks, providing trainings and information, provide the necessary tools and equipment, make the health and safety measures suitable for the changing conditions and improve the current situation; and take other protective and preventive measures,
- Keep a record of the vehicles used for the transportation of the wastes which they are responsible for their management, establish a vehicle tracking system and submit the records to the Ministry and provincial directorate if requested.

The metropolitan municipalities shall be obliged to:

- Comply with the provisions set for all municipalities above,

- Coordinate the preparation of waste management plans including preventing and reducing the generation of wastes under their responsibility along with the district municipalities, present them to the Ministry and ensure that the works are carried out in accordance with this plan and take the necessary measures in this regard,
- Ensure and support the coordination in the works carried out by the district municipalities within the scope of this Regulation,
- Process the facilities evaluated under the provisions of the Regulation Related to Waste Incineration and the Regulation on the Landfill of Waste to the zoning plan,
- Take the necessary measures to prevent the transportation from the transfer station and processing of the wastes under their responsibilities by unauthorized persons.

The metropolitan district municipalities shall be obliged to:

- Comply with the provisions set for all municipalities,
- Prepare waste management plans including preventing and reducing the generation of wastes under their responsibility along with the district municipalities, present them to the Ministry, carry out their works in accordance with this plan and take the necessary measures in this regard,
- Contribute to the preparation of waste management plans of the metropolitan municipality,
- Collect or cause to separately collect the wastes at origin that are under their responsibility within the scope of the relevant legislation, transport or cause to transport them to the transfer station and establish or cause to establish a waste collection center with the dual collection system, present information and documents related to the collected wastes to the Ministry,
- Take the necessary measures to prevent the transportation from the transfer station and processing of the wastes under their responsibilities by unauthorized persons.

The provincial, district and town municipalities shall be obliged to

- Comply with the provisions set for all municipalities and the provisions stated in the first paragraph of this Article,
- Prepare waste management plans including preventing and reducing the generation of wastes under their responsibility along with the district municipalities, present them to the Provincial Directorate, carry out their works in accordance with this plan and take the necessary measures in this regard,
- Process the facilities evaluated under the provisions of the Regulation Related to Waste Incineration and the Regulation on the Landfill of Waste to the zoning plan,
- Collect or cause to separately collect the wastes at origin that are under their responsibility within the scope of the relevant legislation, establish or cause to establish a waste

collection center with the dual collection system and present information and documents related to the collected wastes to the Ministry,

- Establish or cause to establish a waste collection center in accordance with the principles determined by the Ministry,
- Take the necessary measures to prevent the transportation from the transfer station and processing of the wastes under their responsibilities by unauthorized persons.

### **Zero Waste Bylaw**

Zero Waste is an approach aiming at safeguarding the environmental and human health as well as resources through reduction of the amount of waste to be disposed by means of prevention of formation of the waste during production, consumption and service delivery processes, giving priority to re-use, separately collecting and storing the waste at its source , and ensuring recycling/re-gaining.

Recognized as part of the waste management, this approach is attempted to be implemented by the work of the Presidential Office and Ministry of Environment and Urbanization. For that purpose, the “*Bylaw of Regulating Zero Wast*” was published at the Official Gazette on July 12th, 2019. Similar to the above definition, Article 1 of the Regulation defines purpose of zero waste management as follows;

*“ In the direction of efficient use of natural resources and raw materials and in accordance with the principles of Sustainable Development Goals,; objective of this regulation is to determine the general procedures and principles of setting up , expansion, improvement, monitoring, documentation through recording ,and financing of a zero waste management system, which aims at protection of environment and human health and all resources during the processes of waste management .”*

Regulation assigns important duties to the municipalities alongside of other public institutions. More specifically following tasks are given to the local governments;

Metropolitan Municipalities are responsible for,

- Aligning their Integrated Waste Management Plans to the Provincial Plans of Zero Waste Management Systems ,
- Improving and expansion of zero waste management system practices of the district municipalities,
- Ensuring and maintaining the overall cooperation and coordination of the zero waste management systems,

In addition, the regulation assigns wide ranges of duties and responsibilities to Metropolitan district municipalities, provincial, district and town municipalities, municipal unions, and Special Provincial Administrations such as

- Encouraging citizens to separate their waste and store them individually by their types
- Develop and roll-out the infrastructure directed at collection of the waste individually stored without being re-mixed them
- Ensure that all processes of zero waste management systems starting from the design phase to monitoring of its activities will be a part of Citizen Councils’ Agenda item.

- Effecting of all procedures and transactions concerning establishing operating, and monitoring of zero waste management systems in accordance with the Guidelines prepared by the Ministry of Environment and Urbanization and setting up the full cost pricing schedules of the system.

### **Regulation on the Landfill of Waste**

Another legal basis is the *Regulation on the Landfill of Waste* (Official Gazette 26.03.2010 / 27533). According to Article 2 of the Regulation, the scope of the regulation is the technical principles related to sanitary landfills, the procedures and principles regarding the admission of waste to these facilities and the landfills, the measures to be taken, the audits to be performed and the responsibilities to be subjected. According to Article 6 of the Regulation; in order to minimize the negative effects of sanitary landfills, they shall be equipped in such a way to reduce the dissemination of odors and dust to the environment, dispersion of wastes due to the wind, the noise and traffic density, the animals breeding in the field and carrying the pathogens to the environment and the possibility of fire and prevent the effects of these landfills on the environment.

### **Regulation on the Management of Vegetable Waste Oils**

Another legal basis is the *Regulation on the Management of Vegetable Waste Oils* issued by the Ministry of Environment and Urbanization (Official Gazette 06.06.2015 / 29378). According to Article 1 of this Regulation, the purpose of the Regulation is to ensure the management of vegetable waste oils during the process from their formation to disposal without harming the environment and human health, establish the necessary technical and administrative standards in the management of these wastes, and regulate the rules and procedures related to the principles, policies and programs for this purpose. According to Article 8 listing the duties and powers of the municipalities, all of the metropolitan municipalities, metropolitan district municipalities, provincial, district and town municipalities shall be responsible and authorized to prevent the discharge of vegetable waste oils into the sewages by supervising the producers of vegetable waste oils in their jurisdictions.

Provincial, district and town municipalities shall be responsible and authorized to:

- Ensure that producers of vegetable waste oils within their borders make an annual contract with the recovery facilities or interim storage facilities for vegetable waste oils that have environmental licenses, communicate the relevant records to the relevant provincial directorate and apply the necessary penal actions to those who do not make a contract,
- Establish a collection system in cooperation with the authorized institutions for the collection of vegetable waste oils from households separately, the recovery facilities with environment licenses or the interim storage facilities for vegetable waste oils, inform the public about vegetable waste oil collection activities and provide information to the relevant provincial directorate about the amount of collection.

On the other hand, it is also possible to count as a legal basis for municipal solid waste services the Regulations on Duties and Works issued by the Regional Directorates of Waste Management within the Departments of Environmental Protection and Control of metropolitan municipalities in accordance with the paragraph (b) of Article 15 of the Municipality Law no. 5393. For example, Istanbul Metropolitan Municipality has such a regulation. It is also remarkable that some metropolitan district municipalities have similar regulations. The Regulation on the Working Procedures and Principles of the Department of Environmental Protection and Control of Şişli Municipality can be given as an example.

### **2.1.3 Mandatory or Optional Service**

Although there is no separation of mandatory and voluntary duties in the Municipality Law no. 5393, the fact that paragraph (a) of Article 14 includes the phrase "shall ... or cause to ...." shows that the solid waste service is one of the mandatory services.

### **2.1.4 Organizational Structure**

It is determined that solid waste services in metropolitan municipalities are carried out under the Department of Environmental Protection and Control. There is a multi-stage organization within the municipalities. For example, the Department of Environmental Protection and Control is under the Ankara Metropolitan Municipality whereas the Directorate of Waste Management and Tender Works is under this Department. Under this Directorate, there is the Excavation Office and Tender Works Office.

The Department of Environmental Protection and Control of the Istanbul Metropolitan Municipality: the duties and working principles of the Directorate of Waste Management established by the decision of Istanbul Metropolitan Municipality Council are determined by a regulation. The administrative organization of the Directorate of Waste Management consists of manager, chief, officer, contracted personnel and workers, temporary workers and other personnel; the formation of the internal organization structures of the units shall be valid in an internal regulation to be realized with the proposal of the manager and the approval of the top manager to which he/she is affiliated.

The Directorate of Waste Management is a directorate that operates under the Department of Environmental Protection and Control of Istanbul Metropolitan Municipality in order to fulfill the duties of "providing services for the recovery, storage and disposal of solid wastes except for the collection of solid waste at origin and the transport of such waste to the transfer station, establishing or causing to establish, operating or causing to operate facilities for this purpose; carrying out the services related to medical waste and establishing or causing to establish, operating or causing to operate facilities required and making the necessary arrangements in this regard" specified in the relevant article of the Law on Metropolitan Municipalities no. 5216.

With the decision of the city council in accordance with the regional and local characteristics, different organizational structures have been created in various metropolitan areas in Turkey. The Department of Waste Management of İzmir Metropolitan Municipality contains the Directorate of Waste Transfers and Supply, the Directorate of Waste Management and Supervision, the Directorate of Construction Wastes and the Directorate of Solid Waste Treatment Plants. The Department of Environmental Protection and Control of Kocaeli Metropolitan Municipality contains the Directorate of Waste Management. The Department of Environmental Protection and Control of Gaziantep Metropolitan Municipality contains the Directorate of Zero Waste Management, the Directorate of Environmental Health Protection and Control, the Directorate of Waste Management and the Directorate of Occupational Health and Safety.

### **2.1.5 Service Provision**

The services provided for the management of household waste vary. The scope of the quality policy is to enable waste management in accordance with the strategic goals and objectives

determined by the Istanbul Metropolitan Municipality in the field of environmental management, to treat and dispose the wastes in a way to prevent environmental pollution, to contribute to the economy by recovery of the wastes, and to ensure continuous improvement in the quality management system and services. As a vision, a service unit has been determined for a sustainable environmental management, which implements waste management services for Istanbul with developing technological applications. In line with the mission of Istanbul Metropolitan Municipality, the mission of the Directorate of Waste Management is to draw up or cause to draw up a solid waste management plan in order to improve the quality of life of Istanbul and to make it a cleaner and more respected world city and develop a safe, solution-oriented and world-class service concept in waste management by carrying out the services related to the recovery, storage and disposal of and to develop a world-class service concept.

Within this framework, the duties and powers of the Directorate of Waste Management of the Department of the Environmental Protection and Control of Istanbul Metropolitan Municipality have been determined by a regulation. According to the Regulation, the duties of this Directorate are as follows:

- Draw up or cause to draw up a metropolitan solid waste management plan; carry out the services related to the recovery, storage and disposal of solid wastes arriving to transfer stations, landfills of waste and other facilities except for the collection of solid waste at origin and the transport of such waste to the transfer station, establish or cause to establish, operate or cause to operate facilities required for these services.
- Operate or cause to operate the solid waste transfer centers in various parts of Istanbul and establish or cause to establish new solid waste transfer centers,
- Establish or cause to establish, operate or cause to operate power plants generating electricity from storage gas,
- Establish or cause to establish and operate or cause to operate landfills of solid waste,
- Carry out the services related to medical waste.

In terms of implementation, Istanbul Metropolitan Municipality carries out the following services;

- Admission of household solid wastes brought to the solid waste transfer stations by District Municipalities and transportation of household wastes from these stations to Kemerburgaz-Odayeri, Şile-Kömürcüoda and Silivri-Seymen Landfills,
- Construction, maintenance, repair and operation of solid waste landfill facilities,
- Operation of power plants generating electricity from storage gas on the European and Asian Side (LFG),
- Operation of solid waste composting and recovery facilities,
- Disposal of defective, damaged and outdated materials in accordance with the Regulation on Solid Waste Control and disposal procedures in line with the demands of customs and

private companies, sweeping and washing the main arteries and squares and eliminating all kinds of visual pollution throughout Istanbul.

The procedure for providing household solid waste services in Istanbul Metropolitan Municipality is as follows:

- The household wastes collected throughout Istanbul are taken from city centers by transfer stations and waste transport trucks and transported to the landfills.
- The household wastes are collected by district municipalities from houses, workplaces and streets by separating recyclable wastes.
- The wastes that cannot be separated are brought to the transfer stations of Istanbul Metropolitan Municipality.
- At transfer stations, wastes brought by small vehicles are compressed and transferred to larger vehicles and transported to landfills located outside the city for disposal.
- The wastes accepted within the scope of Regulation on Landfill of Wastes are taken to the landfills.
- The dumped wastes are laid with a dozer and the garbage is compressed.
- The organic materials in the landfill starting to decompose cause the formation of the landfill gas containing methane gas. This gas is collected with gas collection chimneys and burned in gas engines and converted into electrical energy in the power plant.
- The accumulated waste leachate is processed in treatment plants.
- After the process of landfill of wastes, the relevant area is greened with vegetation suitable for the soil structure, and environmental data is monitored and controlled until the gas output is completed (about 30 years).
- Landfill gases are converted to electrical energy.
- The recyclable ones from the mixed household wastes brought to the landfill facility are separated and the remaining ones are used as compost after being subjected to fermentation process.

The duties, powers and responsibilities of the Directorate of Waste Management Planning and Control of İzmir Metropolitan Municipality in accordance with the Regulation on the Working Procedures and Principles of the Department of Waste Management are as follows:

- Prepare an Integrated Solid Waste Management Plan for İzmir Province and ensure the implementation of this plan,
- Complete the planning processes and project preparation works related to location selection, allocation and environmental impact assessments of the treatment and disposal facilities, interim storage centers, sterilization centers and similar facilities to be

established for the waste management, and to make these facilities and centers ready for operation,

- Take or cause to take measures to prevent the risks that may adversely affect the environment and human health during the construction of these facilities.

Harmandalı Landfill is a legal landfill facility established on a land of 90 hectares within the borders of Izmir Province. Only household waste is accepted to this landfill. Harmandalı Landfill has been in operation since 1992 when it was commissioned by the Izmir Metropolitan Municipality.

Provided that they are not mixed with other kinds of wastes and delivered by the people by their own means, household wastes are accepted to Harmandalı Landfill free of charge.

The duties and responsibilities related to solid wastes of the Department of Environmental Protection and Control of Denizli Metropolitan Municipality are as follows:

- Establish or cause to establish and implement or cause to implement waste management systems,
- Determine the appropriate location for solid waste disposal facilities required according to the waste management plan and carry out studies, projects and applications,
- Operate or ensure the operation of solid waste disposal facilities within the scope of the relevant legislation.

The duties of the Directorate of Waste Management of the Department of Environmental Protection and Control of Mersin Metropolitan Municipality are as follows:

- Ensure that household solid wastes (garbage) in Mersin are taken from transfer stations and disposed, and ensure the operation of landfill of wastes,
- Ensure the management of medical waste generated in health institutions and organizations,
- Ensure the management of landfill of excavated soil, construction and demolition wastes,
- Ensure that hazardous and non-hazardous wastes caused by Mersin Metropolitan Municipality's own activities are transported to disposal and recovery facilities.

In Mersin, household solid wastes are transported and stored through solid waste transfer stations, and used for generating electricity.

Some of the duties and responsibilities of the Directorate of Waste Management and Operation of the Department of Environmental Protection and Control of Antalya Metropolitan Municipality are as follows:

- Draw up or cause to draw up a metropolitan solid waste management plan; carry out the services related to the treatment (recovery), storage and disposal of solid wastes and excavation except for the collection of solid waste at origin and the transport of such waste to the transfer station, establish or cause to establish, operate or cause to operate facilities required for these services.

- Prepare or cause to prepare an "Operation Plan" in line with the Guideline for the Management and Operation of Landfill Facilities prepared by the Ministry of Environment and Urbanization,
- Conduct a solid waste characterization analysis twice a year to represent the region and seasons served in accordance with the Circular of the Ministry of Environment and Forestry; prepare an "Information Update Form for Solid Waste Characterization and Solid Waste Disposal Facilities" annually and submit it to the Ministry by the end of February,
- Establish or cause to establish facilities for the recovery of waste, conduct or cause to conduct works to obtain energy and operate or cause to operate the facilities established,
- Carry out or cause to carry out and implement or cause to implement all kinds of trainings, meetings, plans and projects related to Solid Waste Management,
- Follow the technical and technological developments in waste management and disposal issues and participate in relevant international / national trainings, meetings and symposiums.

As the powers of metropolitan district municipalities for solid waste management are more limited, there are also limitations in the provision of these services. For example, Şişli Municipality states that it operates on the principles of transparency, accountability, equality in practice, effectiveness and efficiency in the use of municipal resources in accordance with the Regulation on the Working Procedures and Principles of the Department of Environmental Protection and Control. The duties, powers and responsibilities of the Waste Management Unit within the Department related to household wastes are as follows:

- Ensure and audit that the waste oils of the enterprises producing waste oil in the district are collected separately in accordance with the legislation in order to protect public health within the scope of Regulation on Management of Vegetable Waste Oils,
- Carry out the works regarding the separate collection of household wastes at origin
- Carry out the works regarding the separate collection of textile wastes, hazardous household wastes and waste medicines at origin within the scope of Waste Management Regulation,
- Carry out certification and declaration procedures within the regulations as directed by the Ministry of Environment and Urbanization and related Ministries,
- Ensure the recovery / disposal of wastes collected by the Waste Collection Unit by working in coordination with licensed and authorized organizations and respond to requests and questions from the district-wide and follow up of complaints,
- Organize various informative seminars in schools about the efficient use of natural resources and collection of wastes separately at origin,
- Conduct informative activities in households and public areas in order to increase the efficiency in collection when necessary,

- Ensure the separate collection, recovery and disposal of wastes generated in municipal service buildings in accordance with the Regulations,
- Audit the separate collection works at origin of the wastes in line with the demands received from the Solution Center.

## 2.2 Household Waste Management in Six EU Member States

### Summary findings

Collection and treatment of household waste is a mandatory municipal function in all six EU Member States. Municipalities are also assigned competences to establish operational standards and levy cost-based household waste fees based on weight and/or volume-based fees. Overall, household waste management has changed substantially from local health concerns towards broader environmental and resource management concerns as well as circular economy objectives. Among the five services of this comparative study, household waste also remains the most EU regulated service area, cascading compulsory EU policies and targets down through national legislation to EU municipalities. Whilst only representing 7-10 % of the total waste generated in the EU, household waste is one of the most complex streams to manage due to its diversity, its large number of producers and fragmentation of responsibilities. In consequence, managing household waste in compliance with EU regulations depends on high capacities of Member State regulators to align national legislation and guidelines to the EU regulatory framework and similarly high municipal capacity to implement and comply with EU waste management standards. In real life, EU compliance differs considerably across and within the EU Member States, including the six in this study.

National regulatory frameworks for household waste delivery and service standards is a reflection of EU waste policies and minimum standards for certain waste types and waste management priorities. The EU Waste Framework Directive (2008/2018) is the core legislation for municipal household waste, establishing the framework of reuse and recycling. Article 4 establishes the mandatory five-step hierarchy of waste management priority order: *Waste prevention*, as the preferred option, followed by *reuse*, *recycling*, *recovery* - including use for other purposes (e.g. road construction) and energy recovery (e.g. incineration in power production plants for electric and/or district heating) - and as a last option, *safe disposal* (landfills). Moving municipal waste management up the EU waste hierarchy is essential to extract more value from resources while reducing environmental impact and creating jobs. The waste directive also establishes standards for waste separation, funding through the polluter-pays principle and enforcement of extended waste producer responsibility for used batteries, electronics and vehicles. Further, a transition towards circular economy is promoted by the EU Action Plan for a Circular Economy (2015), which covers the whole life cycle of a product: from production and consumption to waste management and secondary materials markets.

The EU framework also sets specific landfill diversion targets for biodegradable municipal waste by the Landfill Directive (1999); recycling targets by the Packaging and Packaging Waste Directive (1994); and includes a number of directives targeting specific waste streams and producer responsibilities. These measures are supplemented by national landfill and incineration taxes levied by the municipalities in order to minimize landfilling practices. Some EU Member States such as Denmark and Germany even have a de facto moratorium on landfilling to protect scarce land availability, vulnerable environments and drinking water resources.

Through national legislation, municipalities are obliged to follow minimum service standards with separate collection and recycling of paper, metal, plastic, glass and biowaste (as of 2015). In addition, at least 50% of household waste (by weight), is to be recycled or prepared for reuse by 2020, whilst subsequent EU recycling targets are 55% by 2025, 60% by 2030 and 65% by 2035. These targets are binding national targets, which municipalities collectively have

to fulfil, and national regulators are expected to sanction municipalities not meeting those targets. Currently, 14 EU member States are in risk of not fulfilling the 2020 target, including Spain and Bulgaria.

The Waste Framework Directive (Article 28) defines an EU waste planning hierarchy with planning responsibilities for all levels of authorities, including municipalities. To this end, the municipalities are required to make 6-year waste plans covering each waste stream above. The plans are divided into a status and a policy part and must be based on local consultations. Municipalities are also obliged to track waste streams and report waste data to national and EU levels and to introduce measures to encourage households to sort waste and to increase collection frequency for separated waste streams compared to mixed waste. To make the latter work, civic education efforts are made to inform residents about new waste strategies and to discuss and adopt practical solutions for waste separation and recycling, including systems for waste separation and collection at the premises of each household.

The cost-based polluter-pays principle is also applied for household waste, but in practise collection fees are often flat rates (Spain, Bulgaria, France) rather than volume or weight-based rates, which may encourage a waste reducing consumer behaviour. There are also few examples of fiscal prevention incentives at local level (deposits).

The actual service production – collection, recycling, incineration, disposal etc. - is to various degrees delivered by private contractors and/or binding intermunicipal co-operations. This reflects both national traditions and efforts by the EU Commission to 1) improve the functioning of the inner market and convince public authorities to leave the provision of public utilities and services to market forces, and 2) encourage co-operation between municipalities on infrastructure planning and/or service procurement to ensure scale efficiency and a shared financial burden.

To this end, municipal service sourcing changed considerably over time and many municipalities opted for 're-municipalization' of household waste collection and treatment, first of all driven by municipal budget constraints and cost-saving objectives. Independent sourcing studies on waste management supported such moves when they compared cost savings from outsourcing with transaction costs and specific market conditions. However, political paradigms in favour of in- or outsourcing are bound to continue down to the individual council level, and national frameworks both allow and encourage outsourcing. Intermunicipal cooperation on the other hand is widely applied in all EU Member States.

## **2.2.1 Denmark**

Denmark passed one of the world's first environmental protection acts in 1973 that a. o. established the principal foundation for waste management. At the time, waste was primarily perceived as a health issue, but the Act gradually changed the perception of waste towards (also) being an environmental issue.

The Danish Ministry of the Environment has since worked towards more recycling and reduction of resource consumption and in 1978, the world's first law on recycling stating that at least 50 % of all paper and beverage packaging should be recycled. In 1990, the law on recycling was amended to the effect that municipalities were obliged to organize separate collection of paper and glass in all areas with the exception of sparsely populated areas.

Today, Danish waste regulation reflects the EU waste regulatory framework, including the EU Waste Framework Directive (2008) and a growing emphasis on circular economy approaches.

Current Danish legislation for municipal household waste management gravitates around Articles 7 and 8 in the Environmental Protection Act and is subordinate to the EU regulatory framework.

With reference to the Waste Framework Directive, it has been established that by 2020, 50 % of all household waste will be recycled. A number of financial and political instruments have been introduced in order to regulate and incentivize waste management and promote priority for top-end approaches in the waste hierarchy. The first aim was to divert waste from landfills towards incineration, in order to protect the groundwater as well as contribute to the generation of district heating and electricity. In 1987, therefore, the Landfill Tax, a fiscal measure paid per ton, was introduced. In 1997, it was supplemented by a landfill ban on all waste suitable for recycling or incineration. The Landfill Tax and the landfill ban are seen as two of the main drivers of waste treatment, and has contributed to one of the lowest landfill rates in Europe. When the landfill ban was introduced, the Landfill Tax was renamed the Environment and Recycling Tax. It targets private household waste as well as commercial waste and the tax rate is established by law. The tax is collected and retained by the municipal council, through the municipal utility company responsible for waste management. Private households pay this tax on top of the waste collection charge and the tax revenue pertaining the Environment and Recycling Tax is used to finance the operation of municipal recycling schemes.

### **The role of municipalities**

The Ministry of the Environment and the municipalities are the competent authorities regarding waste. While the Ministry provides the regulatory framework and monitors the overall development in waste management (such as compliance of EU recycling targets), Danish municipalities are responsible for collection, recycling, incineration and landfilling of all household waste as laid out by the Environmental Protection Act, Articles 7 and 8 and since 1989, the Statutory Order on Waste). Accordingly, the Waste Order assigns municipalities discretionary powers to decide *how* to collect and manage waste, as long as they comply with national targets and objectives and secure the necessary treatment capacity for collected household waste. The Waste Order also includes compulsory municipal obligations within waste planning, data collection and supervision.

The cost of waste collection and treatment is fully recovered according to the polluter pays-principle ('pay as you throw'), i.e. through a cost- and volume-based waste collection fee paid by the households. The fee is established and collected by the municipal council and included as a separate item in the municipal property tax bill.

Municipal household waste management engages in a number of distinct delivery modalities, including a significant use of private contractors and intermunicipal companies (i.e. companies owned and operated through voluntary, but binding intermunicipal co-operations and overseen by a board of council representatives referring to each municipal owner). In general, municipal technical and environmental services have a long tradition of outsourcing. This is also a preferred modality in municipal waste management and most municipalities do not directly employ waste collection workers. Contracts on waste collection etc. is awarded according to regular timebound service procurement through open EU tenders and overseen by the municipal council by use of performance contracts.

Household waste is typically collected from individual households on a weekly basis, but only residual household waste in excess after each household has sorted its waste and discarded it in designated containers provided by the municipality (typically divided into plastic, metal, garden waste, paper, glass, and hazardous waste). Containers with the separated waste is typically collected on a monthly basis along with separated bulk waste by the use of special

waste collection trucks. In between, bulk waste is also collected from households, e.g. bimonthly collection of garden waste and bulk waste on alternate weeks.

In terms of recycling, treatment and ultimately landfilling, various modalities are applied. Each municipality is operating one or more recycling facilities, where citizens and small private sector businesses have access to discard larger quantities of waste, which they separate on site into designated containers. The recycling facilities serve as a supplement to the collection of individual households. This also includes hazardous household wastes such as batteries, chemicals, electronics etc. Red Cross and other charities also operate their own containers on site (and elsewhere in the municipality) for collection of used clothing for resale.

Once the waste is collected from the households or through recycling facilities and designated containers, it is treated according to the waste hierarchy, i.e. with a preference for recycling. Recycling capacity is in many cases secured by agreements with private recycling companies or intermunicipal companies. This also applies for incineration plants and landfills, which are mainly operated by intermunicipal companies<sup>1</sup>. The location of incineration plants and landfills is decided according to environmental impact assessment criteria and procedures outlined by the Environmental Protection Act according to the EU regulation for large development projects and constructions with substantial risks and environmental impact as well as impact on the lives of local residents. The EIA procedures, which are compulsory for all EU Member States, include extended public hearings and optional redress procedures.

Overall, proper separation and collection of household waste demands a close cooperation between municipal councils and local residents and each municipality engage in an ongoing dialogued with its citizens (citizens surveys, citizens e-panels, citizens coopting council subcommittees) to make sure the waste separation is done efficiently and that waste recycling does not overload local residents, e.g. by demanding each household to accommodate too many different waste bins on their property.

### **2.2.2 United Kingdom**

As in other EU Member States, UK household waste management is embedded in the EU policy and regulatory framework, which gravitates around the Waste Framework Directive (2008) covering regulation, handling and movement of waste, the Landfill Directive (1999) and the Waste Incineration Directive (2000), covering particular types of waste treatment and disposal<sup>2</sup>.

Waste management is a devolved responsibility in the UK; with separate waste strategies for Wales, Scotland, Northern Ireland and England. Each has different objectives and targets and an increasing diversification of strategies is emerging as well. However, all take account of the EU waste hierarchy, with waste reduction, recovery of resources and potential energy as priority preferences to disposal at landfill sites.

The regulatory framework is supplemented by two financial incentives to reduce the use of waste disposal, namely the Landfill Tax, an escalating fiscal measure paid per ton, in addition

---

<sup>1</sup> Danish municipalities and private contractors are currently operating 13 organic household composting plants, 33 incinerators, 134 garden waste composting plants and five biogas facilities.

<sup>2</sup> There are also EU Directives that specifically target single waste streams, for example Waste Electrical and Electronic equipment Directive, Waste Batteries and Accumulators Directive and the End of Life Vehicles Directive, but further elaboration goes beyond the scope of this study.

to disposal costs set by the landfill operator. The landfill operator is responsible for paying the tax and will pass the cost on to businesses and local councils/private households on top of normal landfill fees. The tax revenue is retained by central government, but landfill operators can reduce their tax liability by making payments to the Landfill Communities Fund under the Landfill Tax Credit Scheme. The fund aids community or environmental projects in the vicinity of a landfill site.

These measures shape the municipal waste management policy, making recycling and reuse economically viable options and providing municipal councils with an incentive to convince households to recycle and compost waste.

### **The role of municipalities/local authorities**

Local authorities have a statutory duty under the Environmental Protection Act (1990) to collect and dispose of household waste, but may determine frequency of collections, size of containers, materials collected for recycling and whether organic waste is collected separately. Significant variations in collection systems exist across the UK with some local authorities simply complying with the legislation and offering separate collections of two recyclable materials; while others collect waste in as many as nine separate bins.

The Waste Duty of Care Regulation requires all waste transfers to be recorded from point of origin to final disposal point, ensuring an auditable trail exists for waste movements in the UK. Local authorities report waste movements on a quarterly basis to Department for Environment, Food and Rural Affairs, who report progress towards national targets and trends in waste generation, treatment and disposal.

Ambiguous division of responsibility for waste collection, treatment and disposal between local authorities and Government departments remains a challenge in the UK<sup>3</sup>. Under the two-tier system, the responsibility for household waste management is divided at local level between Waste Collection Authorities of the District and Borough Councils and the Waste Disposal Authorities of the County Councils. Unitary authorities (including many towns and the cities) have the responsibility for both collection and disposal of household waste. A similar division of responsibility occurs at a national level between the Department for Environment, Food & Rural Affairs, the Government Department responsible for waste policy, strategy and monitoring and the Environment Agency, the UK Government Agency responsible for licensing and regulating waste collection and disposal.

Because of ambiguous share of responsibility, it can be a challenge at local authority level to realize the priority for waste prevention in the EU Waste Framework Directive, and local waste management often gravitates more towards recycling and disposal. There is also an ongoing debate between central and local governments, how to balance increasingly ambitious waste strategies and circular economy approaches with the fiscal pressure faced by local authorities.

As mentioned, municipal collection schemes of various complexity in terms of sorting and recycling exist in the UK. Waste collection is challenged by lack of household participation and behavioral attitudes, as well as practical issues of how to sort the household waste. Collection services with complex sorting processes has lower participation rates whilst dual sorting, simply separating recyclable materials from residual waste is found to be more popular.

---

<sup>3</sup> See e.g. Cole, C. et al., 2011. Household waste management in the UK: current practices and challenges. IN: Castro, F., Vilarinho, C., and Carvalho, J. (eds.) Proceedings of the First International Conference on Wastes: Solutions, Treatments and Opportunities, Guimaraes, Portugal, pp. 56 - 61.

Established processes exist for sorting of paper, cardboard, glass and metals. These materials are frequently collected from the households for recycling.

Bulky waste items are often collected separately due to being more randomly distributed than regular household waste; enabling some items to be recovered for reuse. Furniture reuse projects seek to extend the functional life of products, primarily for social benefits, providing low cost usable furniture and environmental benefits from diverting the waste from landfill.

In the UK, as in other EU Member States, waste collection and treatment, has traditionally been outsourced since the 1980's under the aspirations of neoliberalism and New Public Management, which saw outsourcing in almost all municipal services. As part of a more recent European trend, UK local authorities have started reversing service outsourcing and brought services back inhouse (re-municipalization), which previously were contracted out. According to one survey by the Association for Public Service Excellence, 80 out of 140 councils have insourced a host of services including waste collection and recycling. In nearly all cases, this happened at the expiry of private contracts<sup>4</sup>

### 2.2.3 France

At national level, the Ministry of Ecology, Sustainable Development and Energy (*Ministère de l'écologie, du développement durable et de l'énergie*, MEDDE) is responsible for environmental policy and management in France. As in other EU Member States, the French regulatory framework for environmental law and practice is substantially influenced by EU Law. This also includes household waste, which is subordinated key EU Directives such as the Waste Framework Directive and the Landfill Directive and EU policy targets for recycling.

The national legislative framework is outlined by the Environment Code, in which most relevant laws and decrees have been codified. Title IV of the Environment Code sets the regulatory regime for waste, where producers and holders of waste are responsible for their processing. For waste recycling, certain conditions must be fulfilled, such as the obligation to separate and manage household waste in accordance with the EU waste hierarchy. For example, the Environment Code forbids mixing of different kinds of dangerous waste or mixing dangerous waste with non-dangerous waste or non-waste substances, materials or products, except under certain conditions. This also refers to household waste management.

#### **The role of municipalities/local authorities**

According to the General Code of Local and Regional Authorities (*Code général des collectivités territoriales*, CGCT), municipalities are assigned compulsory and optional services as well as a general mandate to meet the needs of the local population through self-administration and sector legislation. Household waste is a compulsory service and the CGCT assigns local authorities with powers to collect, dispose of, and treat or process waste, that is, the municipalities and intermunicipal associations with taxing powers (*établissement public de coopération intercommunale*, EPCI)<sup>5</sup>.

---

<sup>4</sup> Association for Public Service Excellence 2011 - UNISON insourcing update: The value of returning local authority services in-house in an era of budget constraints

<sup>5</sup> Inter-municipal associations with taxing powers (EPCIs) have compulsory and voluntary competences listed in the 1999 legislation. Social, economic, cultural development and management of the territory under the EPCI, social cohesion, management of services of collective interest, such as water supply and sewage, and environmental protection, are compulsory competences of EPCIs according to their

The Environment Code further outlines the environmental framework for the municipal household waste collection according to waste management policy priorities and provides for the establishment of departmental and regional waste disposal plans. The municipal household waste management is legally obliged to be included in municipal waste management plans to be submitted to the national authorities. These plans generally follow the principle of the waste hierarchy, although there are large differences in performance among the different departments.

Municipal household waste management includes establishment of door-to-door collection schemes and systems for waste sorting and separation such as dedicated household waste bins for metal, paper, glass, residual waste etc., Municipalities also collect bulky waste and operate bring-in/recycling facilities, which accept bulky waste, green and garden waste, electronics, hazardous waste as well as paper, cardboard, plastic, metal and glass etc.

The CGCT spells out the financing schemes that municipalities may use to cover the costs of this public service. The costs for operating the waste collection service is recovered through the Municipal Waste Tax (*Taxe d'enlèvement des ordures ménagères*, TEOM) paid by local resident taxpayers. There is no automatic (and mandatory) coverage of the total costs by the TEOM, also it is not directly linked (calculated) according to the service provided. Rather, it is based on the property value and paid with the property tax. It is likely in the future that this tax will be calculated on the amount of waste being produced by each household as it is done in other EU Member States. An increasing number of municipalities though already use a 'bin tax' (*Redevance d'enlèvement des ordures ménagères*, REOM) which is a tax linked to the service rendered. The waste producer pays a fee in line with his/her actual use of the service, which is usually calculated according to the number of people in the household.

French municipalities may operate household waste collection schemes inhouse or outsource part of or the entire service provision. For most municipalities, due to their modest size and capacity, waste services have gradually been transferred to the EPCIs, but transfers between EPCIs also takes place. Private contractors, including large multinational waste companies, also provide the service on behalf of the council. In larger cities, including the City of Paris, household waste services are split between municipal agencies and private contractors according to specific waste streams and/or waste treatment facilities. In France, as in other EU Member States, there are also a number of cases where waste management has been brought back in-house (re-municipalization) after years of private contracting.

---

type. Some EPCIs (depending on the size of associated communes) also have the following optional competences: creation and management of road network, park management, building and management of culture and sport centers, social services. Inter-municipal arrangements for co-operation does not always produce economic efficiencies. A report presented to the French Senate by maintained that the achievement of economies of scale by EPCIs (i.e. lower prices for similar service quality) was unsubstantiated between 1999-2005 and that service prices increased at the cost of economic efficiency. Partially because citizens in some cases, now receive services they lacked in the past, partially because higher levels of governments were posing constraints and new challenges to the EPCI services. See Dallier, M. P. (2006), "Rapport d'information fait au nom de l'Observatoire de la décentralisation sur l'intercommunalité à fiscalité propre", presented at the Senate on 1 February 2006.

## 2.2.4 Germany

The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety is the highest authority for waste management in Germany. As in other EU Member States, German law on waste management is highly influenced by the EU regulatory framework, including the EU Waste Framework Directive (2008) with the waste hierarchy and the Landfill Directive (1999). The waste hierarchy is embedded in German law, which now include an obligation to draw up a national waste prevention programme.

The Closed Cycle Management Act (1996) (*Kreislaufwirtschaftsgesetz*) also created the opportunity to introduce an obligatory, nationwide “uniform recycling bin”. With this collection system, households should not only dispose of packaging but also other waste of the same materials, e. g. plastics or metal, in dedicated recycling bins. This means that recyclables from household waste can be collected in better quality and in larger quantities. Collection of recyclables is addressed under a separate law. Since June 2005, waste cannot be landfilled without pre-treatment, e.g. in incineration plants or mechanical-biological treatment plants. Scarce land availability along with resource efficiency concerns are the main drivers behind the minimal use of landfills in Germany. Unlike other EU Member States, Germany has achieved this without using a landfill tax. Further, Germany, along with Austria, Belgium, Switzerland, the Netherlands and Sweden managed to recycle at least half of their municipal waste by 2014.

The German waste management system is entirely financed by user-fees. The fee is fully cost-based according to the polluter-pays principle, i.e. waste producers have to pay for waste treatment or disposal (weight or volume), including private households.

### **The role of municipalities/local authorities**

The municipalities’ right to self-government is guaranteed by the German Constitution (the Basic Law), and supervised by the federal states (*Ländern*). It includes cultural matters (e.g. museums, theatres, sports facilities and schools) and public services (e.g. the provision of water and power, waste management, abattoirs, cemeteries and hospitals), as well as the maintenance of public roads and streets within a municipality. Municipalities are independent in this regard vis-à-vis planning, operating and personnel, which means that household waste collection and treatment can be organized independently by the municipality, but in accordance with the general waste regulatory framework (which after all also includes such general standards as the national ‘uniform waste bin’).

Local self-government includes fiscal autonomy, which also comprises the right of establishing and levying fully cost-based municipal waste collection fees for the collection and treatment of household waste.

Municipalities may deliver waste collection and treatment services inhouse or make use of private waste companies for waste collection, recycling, recovery and disposal or alternatively, use inter-municipal waste management companies, e.g. responsible for bio waste and residual household waste. The German Basic Law safeguards the right to local self-government of associations of municipalities, including establishment of intermunicipal co-operations, usually related to planning or service delivery. They are public entities entrusted by the participating municipalities with certain (binding or non-binding) powers. Participating municipalities may delegate a specific function – such as schooling, education, fire services or waste management – to an association.

In line with recent European trends of service re-municipalization, German municipalities have seen a trend towards insourcing municipal waste management services by expiry of private contracts.

### **2.2.5 Bulgaria**

The Ministry of Environment and Water (MOEW) is responsible for the development and implementation and drafting of the national waste management policy as well as regulation of waste producing activities in the public and the private sector. With Bulgaria's accession to the European Union in 2007, new standards, procedures and requirements pertaining the *Aqui Communautaire* were introduced in relation to waste management and towards operators performing activities and services within the sector, including better waste recovery and protection of the environment and proper enforcement mechanisms in general.

The Waste Management Act (2012) introduced the EU Waste Framework Directive into the Bulgarian legislation, regulating the obligations of municipalities (and the state) for waste recycling. Still, a very large proportion of the municipal waste is landfilled in Bulgaria. The amount of municipal household waste deposited into landfills was a staggering 98 % of the generated amount in 2010, while 2% was recycled. However, recycling rose to 32% by 2016.

A Landfill Tax was also introduced in 2011 and rapidly increased during the following years. Nevertheless, the tax level is still considered too low to effectively contribute to reducing the amount of municipal waste being disposed at landfills.

#### **The role of municipalities**

According to the Local Self-Government and Local Administration Act (1991), the municipal council is responsible for a number of local services within its territory, among others household waste collection and treatment. Each municipality establish its own scheme for collection and transportation (e.g. collection frequency). In some urban areas (e.g. Sofia) this is done 7 times per week; in other areas 2-3 times per week. In rural areas, the best performing schemes see a collection frequency of 2-3 times per month.

To fulfil this role, the council is mandated to establish and collect local fees on household waste. In general, the level of local charges is determined by the municipal council within the range stipulated in the Local Taxes and Fees Act (LTFA). The Municipal Waste Fee finances the household waste management obligations of municipalities. It is provided by the Waste Management Act and laid down in the LTFA. In principle, the LTFA provides the opportunity for every household to pay a waste fee based on the amount of waste generated. However, this appear not the be the general practice, as most municipalities charge each household on the basis of the property value. Accordingly, the fee is included in the municipal property tax and set on annual basis.

The council may provide household waste services inhouse or through private contractors. In most cases, collection and transportation of waste is outsourced to private contractors, which also include multi-national waste companies such as Spanish FCC Group or German Rethmann-Remondis, who may also treat and recycle household waste. Overall, the percentage of municipal employees in household waste collection and treatment is 25% compared to 75% employed by private contractors (2009).

The environmental performance of the municipalities is monitored by the Executive Environmental Agency and a network of 16 Regional Inspectorates of Environment and Water that are specialized oversight bodies of the MOEW overseeing the implementation of waste management activities on their territories.

## 2.2.6 Spain

At national level, the Ministry of Agriculture, Food and Environment is responsible for the regulation and national plans and attends to the authorization and inspection of waste shipments to/from third countries (outside EU). At regional level, the 17 Autonomous Regions (*Comunidades Autónomas*) are responsible for issuing strategic waste management plans for the region. They also attend to the authorization, inspection and sanction of waste management activities and the shipment of waste to/from EU Member States. Finally, at local level, the municipal authorities are responsible for the management of urban waste (household, industry and commerce, offices and services), including separate collection and transportation of household waste.

The first Spanish Waste Law was passed in 1985, forcing municipalities to approach the problem of waste and to take measures for protecting the environment. The Packaging Law (1997) and the second Waste Law (1998) aimed at establishing responsibility and obligations of each party involved in the waste management process (this being absent from the one enacted in 1985). Furthermore, selective collection of materials was enforced at local levels, and national recovery and overall recycling objectives were set. In July 2011, a new law on waste and contaminated soils came into force, transposing the EU Waste Framework Directive into Spanish legislation and adopting all related targets and objectives.<sup>6</sup>

Spain has no nationally applied Landfill Tax, but Article 16 of the Spanish Waste Act allows waste authorities in different regions of Spain to apply economic incentives in order to promote waste prevention and separation, including the introduction of landfill and incineration taxes on municipal waste. In general, the Landfill Tax was adopted by the most urbanized regions of Spain, contributing to a diversion from landfills towards more recycling.<sup>7</sup>

### The role of municipalities

Household waste collection and treatment is a mandatory municipal function regardless the size of the municipality. Actual implementation varies across regions. In most urban areas, households do not have individual bins. Instead, large communal bins placed in the area. If the bins are full, it is acceptable to place sealed bags beside them. The waste has to be discarded in sealed bags and the bins are emptied every night except on public holidays or Sundays. In some areas there are specific times for discarding the waste, e.g. in the evening. There are no restrictions on the type of item that can be placed in these bins, although bulky objects may not fit and the municipal administration can advise how and when these items can be collected, or refer to the nearest recycling facility.

---

<sup>6</sup> Notably, the European Commission is currently taking Spain to the European Court of Justice (ECJ) after repeated calls to establish appropriate waste management plans went unanswered.

<sup>7</sup> The Catalan disposal tax is the only one in Spain that affects municipal solid waste. In addition, this tax stands out within the OECD as it allows the return of the revenue to taxpayers according to their waste performance.

Spain still maintains very high rates of landfilling, surpassing 50%. Recycling improved from 21% in 2001, to 33% in 2010 although in many municipalities, recycling may still not be common practise for household waste. Hence, more efforts are required if Spain is to meet the 50% target of the Waste Framework Directive by 2020.

The council is mandated to establish and levy waste fees to recover its costs. The waste fee, known as '*Basura*', is paid annually. Mostly, there is a prevalence of flat fee systems rather than weight, volume or waste stream-based fees. According to some studies, the fee is sometimes even used as a fiscal measure to cover budget gaps rather than fund and regulate waste management and consumer behavior.

Spanish municipalities have a long tradition of outsourcing household waste management to private waste companies such as Spanish Cespa, FCC, and Urbaser, German Remondis and French Sécché-SAUR. As a consequence, contract workers employed directly by the municipality only constitute 24% of all employees collecting and treating household waste compared to 76% employed in the private sector (2010). However, publicly employed waste handlers still carry out 21% of waste treatment and elimination, which is higher than France and the UK.

## 2.3 Turkey and the EU Member States in comparison

### Summary findings

Household waste management is a municipal function, which is subject to particularly detailed EU regulation, both in terms of compulsory policy targets and common planning and service approaches. Therefore, municipal household waste management are quite similar throughout the EU, or at least they are supposed to be similar. The Turkish legislation is to a large extent aligned to EU regulation and therefore already presents many similar features. As in the EU Member States, a key question is how well de jure requirements corresponds to de facto implementation in the municipalities. Common features and challenges include:

- Household waste management is a mandatory function in EU Member States and in Turkey
- Household waste management in the EU is regulated by the Waste Framework Directive and related regulatory frameworks and guided by a set of core principles, including the EU waste hierarchy, progressive mandatory recycling targets, the polluter-pays principle, extended producer responsibility and mandatory waste planning requirements. Turkey adopted similar legislations, including the zero waste regulations, which is featuring many similar requirements vis-à-vis municipal household management.
- National legislations in EU Member States are aligned with mandatory EU regulations but de facto implementation of such regulations may not comply with the EU regulatory framework, including waste planning, waste separation and treatment and public consultations. Gaps between de jure and de facto waste management may also be a concern in Turkey.
- All municipalities are assigned with the authority to establish and charge a household waste fee. However, in many EU Member States these are flat rates which may not relate to actual waste production as envisaged by EU regulations. In Turkey, insufficient implementation of cost-based waste management may also be an issue.

- Municipalities in Turkey and the EU are allowed to regulate and manage household waste by use of voluntary intermunicipal co-operations. Accordingly, this is common practice.
- EU municipalities are required to tender waste collection and treatment for open competition, and private service providers as widely applied in all EU Member States, either in combination with, or as an alternative to, intermunicipal cooperations. In principle, this can also be the case in Turkey, although intermunicipal cooperations are not practiced.
- Proper waste management depends on an active partnership between the council and its residents as well as mandatory consultations on waste planning according to EU regulations. However, EU practices vary widely and when practiced, are not always successful. Public engagement is also a challenge in Turkish municipalities.

Solid waste management is quite an extensive topic to conduct a research on, therefore the focus of this particular study has been limited to household solid waste service. As far as Turkey is concerned, the definition of the household solid waste services includes producing a solid waste management plan or having it produced; collection of the solid waste at its source and transporting it to a transfer station, recycling, storage and disposal services and establishing or operating facilities for such purposes, either inhouse or by a third party.

In Turkey, household waste service is among the mandatory functions of the municipalities and this service pertains only to municipalities and metropolitan municipalities. The central administration has a number of competencies which include developing the legislation on waste management and ensuring compliance with the solid waste management applied in the EU. Turkey aligned its solid waste legislation with that of the EU to a large extent. Municipalities are authorized within the municipal boundaries. Municipality Law, Law on Metropolitan Municipalities and Environmental Law are among the main pieces of legislation providing the legal basis.

Also, according to the Law on Local Administrative Unions, municipalities may establish unions to provide solid waste services. Where required by those projects relating to water, waste water, solid waste and infrastructure services, environmental protection and ecological balance, the President may decide that the relevant local administrations become members to the Union formed for this purpose. Resignation from the union membership shall require the President's permission. In accordance with the waste policies and objectives defined at the EU level, household waste is regulated by Waste Framework Directive and Directive on the Landfill of Waste.

According to EU legislation, household waste services include waste prevention, reuse, recycling, recovery and re-use and energy recovery (for example, incineration at the electricity generating plants for generating electricity and/or localized heating) and safe disposal services (safe storage area). In Turkey, conversion of methane gas emitted by the stored household waste into electricity is already done in Turkey; some of the metropolitan municipalities, particularly the one in Istanbul, is engaged in this type of electricity generation.

Cost-based collection charges for household waste is a prerequisite in the EU and is often included in the property tax, although in some countries it is calculated as a flat rate, not based on actual waste production. In Turkey, the municipalities have been collecting sanitation tax since 1991. A portion of this tax is regulated as waste water tax while the other portion is regulated as solid waste tax.

Succeeding in proper household waste separation and recycling requires a new level of collaboration between the council and household producers. For individual households this

means a new level of commitment and duty. Unlike the past, it cannot expect just to let the municipality collect its waste, but it now has to separate the waste according to strict rules and prepare for waste specific collection. At a more principle level, households are also expected to purchase and consume in a more sustainable manner and municipalities are expected to assist in this. This calls for active partnerships between residents and councils and in the EU, municipalities are tasked with carrying out training activities for civilians in order to inform them about new waste strategies and to discuss and adopt practical solutions with each household for waste sorting and recycling including sorting and collecting systems. As far as the waste planning concerns, public consultations are a mandatory requirement. According to the Regulation on Waste Management in Turkey, conducting training and awareness raising activities are among the duties of municipalities regarding the household solid waste and the municipalities are already engaged in some activities on this issue.

Specific comparisons between Turkey and selected EU Member States are highlighted below:

- **Denmark**

The Danish Ministry of Environment and the municipalities are the competent authorities for waste services. While the Ministry provides the regulatory framework and monitors the overall development in waste management (such as the conformity with the EU recycling objectives), Danish municipalities are responsible for the collection, recycling, incineration and landfilling of all household waste set out in the Environmental Protection Law.

In Turkey, the Ministry of Environment and Urbanization and municipalities are empowered to fulfil such tasks. While the Ministry exercises its power regarding developing the legislation, setting standards and supervision, implementation is a task belonging to the municipalities. -

In Denmark, waste collection and disposal are based on the polluter pays principle (“pay as you throw”), i.e. the amount and cost of waste generated by the household is considered. The fee is determined and collected by the municipal council and is included in the municipal property tax as a separate item. Sanitation Tax is imposed in Turkey; the tax rate is determined by dividing buildings into groups and degrees.

In Denmark, sorting and collecting the household waste in a proper manner requires close cooperation between the municipal councils and local community, and each municipality engages in a dialogue with its citizens (with citizen surveys, e-panel discussions, cooperation with municipal sub-committees) in order to make sure that the waste is sorted.

The municipalities in Turkey also cooperate with the locals and raise their awareness; *however, these efforts remain inadequate*. There are no rules which impose waste sorting on the households. In the municipalities with a more developed socio-economic structure, sorting the household waste properly by the citizens turns out to be easier.

- **The United Kingdom**

Local authorities are empowered to collect and dispose of the household waste as stipulated in the Law on Environmental Protection; local administrations may determine the frequency of the collection of the waste, the size of containers, the materials collected for recycling and whether organic waste will be collected separately. All steps taken starting with the collection of waste till the final point of disposal must be recorded; which enables traceability of waste movements in the UK and controlling such movements. Local authorities report the waste movement and the progress that they make in reaching national targets for waste generation, treatment and disposal to the Department for Environment, Food and Rural Affairs every three months. According to the Regulation on Waste Management in Turkey, municipalities are

tasked with keeping the track of the vehicles used for transporting the waste that they are responsible for, setting up a vehicle tracking system and submitting the records to the Ministry of Environment and Urbanization and provincial directorates of the Ministry upon request.

Under the two-tier system in the UK, the responsibility for household waste management is divided at local level between Waste Collection Authorities of the District and Borough Councils and the Waste Disposal Authorities of the County Councils. Larger Unitary Authorities (including many towns and the cities) have the responsibility for both collection and disposal of household waste. A similar allocation of responsibilities exists at national level between the Department for Environment, Food and Rural Affairs which is in charge of monitoring waste policies and strategies and another state agency responsible for waste collection, disposal, licensing and regulation in this field.

It appears from waste studies in the UK, that the division of labor between the local authorities and government departments creates some problems regarding to which authority is responsible for waste prevention, i.e. the higher order priorities of the waste hierarchy.

The level of authorities and responsibilities in Turkey between municipalities and metropolitan municipalities are clearly defined. These are municipal services aiming to fulfil the common local needs. Ministry of Environment and Urbanization determines the legislation and standards.

In the UK, as in the other EU member states, waste collection and disposal services have been financed from external sources since the 1980s, in line with the concept of neoliberalism and the understanding of a new public management which foresee outsourcing in almost all municipal services. In Turkey, household solid waste services are financed by the municipalities. However, such services are occasionally privatized by the municipalities in Turkey.

- **France**

According to the Law on Local and Regional Authorities, household waste is among compulsory services and the law has empowered the local administrations to collect and dispose of waste. Municipalities have also been authorized to cooperate and create unions when providing this service. Household waste service is also a compulsory service in Turkey. Furthermore, municipal unions may be created to provide solid waste services in Turkey as well. Even though being a member of such a union is optional for municipalities, membership of unions established for solid waste services may be made obligatory in accordance with Law no 5355 on Unions of Local Administrations.

In France, the operating costs of waste collection services are covered through the Municipal Waste Tax paid by local tax payers. This tax is not directly linked to the service provided. On the contrary, it is based on the value of the property and paid along with the property tax. In the future, this tax may be calculated based on the amount of waste generated by each household, as in other EU Member States. In turkey, Sanitation Tax is not collected from the property owners, it does not depend on the property; it is collected from the users.

Article 67 of the Municipal Law stipulates that pursuant to the decision of the Municipal Council and that of authorized bodies in the agencies affiliated to the municipality, ... services related to solid waste facilities ... may be sub-contracted to third parties through a tender and the duration of this sub-contract may not exceed a period six months starting with the first local elections. In other words, it is stated that this service may be privatized. It is known that the municipalities in Etimesgut, Kırıkkale and Bozüyük privatized their household waste services in 2004. This decision is left completely to the discretion of the municipal council.

- **Bulgaria**

The municipal council is responsible for a series of local services, including household waste collection and treatment within its own remit. Each municipality decides its own way for collection and transport of waste (e.g. frequency of collection). In order to fulfil this role, municipalities set and collect a household waste charge in accordance with the range stipulated in the Law on Local Taxes and Fees. Currently, it is mostly a flat fee which is calculated according to the value of the property, and not according to the amount of waste produced. The fee is included in the municipal property tax and is determined annually.

In Turkey, according to the Law no 2464 on Municipal Revenues, buildings within the boundaries of a municipality and its adjacent areas used for dwelling purposes, as workplaces or in other ways and provided with sanitation services of the municipalities shall pay the sanitation tax. The tax payers, in this case, shall be the users of the buildings. The tax obligation shall start as soon as the building starts to be occupied and used. This tax, which is also called as garbage collection tax, is calculated separately for residences and workplaces and is paid by instalments at the same periods as the property tax. Paying the sanitation tax does not require going to the premises of municipality, the tax amount included in the water bill. Thus, when the water bill is paid, the sanitation tax is paid at the same time as far as houses are concerned.

Household waste services can be provided through private contractors in both countries. In the past, Etimesgut Municipality, Kırıkkale Municipality and Bozüyük Municipality privatized the solid waste service, currently such privatization efforts are work in progress for other municipalities.

- **Spain**

At regional level, 17 Autonomous Regions are responsible for producing strategic waste management plan for the regions. At the local level, municipalities are responsible for the management of municipal waste (household, industrial and commercial facilities, offices and services), including separate collection and transport of household waste. Spain is currently not in compliance with the waste directive, and the European Commission has referred Spain to the European Court of Justice (ECJ) after its calls to make appropriate waste management plans available remained unanswered.

Collection and treatment of household waste is a compulsory function of the municipality regardless of the size of the municipality. The practice varies from one region to another and in many places do not comply with EU waste regulations. In most of the urban areas, households do not have individual waste bins. Instead, big shared waste containers are placed in the area. If the containers are full, sealed bags may be placed beside the container. The waste is disposed to sealed bags and the waste containers are emptied every night except on public holidays and Sundays. In some areas, there are certain times for waste disposal; which could be the evenings in some instances. In Turkey, household waste service is among the compulsory services of the municipalities. Although the definition of the service and its basic features are specified in the Municipality Law and Law for Metropolitan Municipalities, there may be some differences among municipalities. For example, some municipalities may decide to collect waste at the evening hours.

The waste fee is paid annually. Generally, a fixed fee is set rather than a fee based on weight, volume or waste flow. In Turkey, the solid waste tax is determined according to groups and degrees of the buildings.

## **3. Local Public Transportation**

### **3.1 Local Public Transportation in Turkey**

#### **3.1.1 Service Description**

Public transportation services are one of the technical and social infrastructure services. Public transportation services include designating the numbers, fare and tariffs, timing and routes of any type of service and public transport vehicles that are operated on land, sea, water and rail ways, together with taxis, designating and operating or causing to operate or leasing the stops and vehicle parking spots on motorways, roads, avenues, streets, squares and similar places and carrying out all works of traffic arrangement as assigned to the municipalities by laws. However, this project addresses such a comprehensive service area in a way to cover the services of establishing or causing to establish, operating or causing to operate any type of public transport systems including buses, sea and water vehicles, underground and rail way systems.

#### **3.1.2 Legal Basis**

The primary legal basis for the public transportation service is the paragraph (a) of Article 14 of the Municipality Law no. 5393. According to this provision, the municipalities shall provide or cause to provide services "in the infrastructure facilities such as land development planning and control, water supply, sewer and transport". According to paragraph (f) of Article 15 of the Municipality Law, municipalities shall have the powers and privileges to "provide public transport, and to this end, establish or cause to establish and operate or cause to operate public transport systems of all sorts, including buses, maritime and waterway vessels, underground systems and rail systems". According to paragraph (p) of Article 15, it is among the duties of the municipalities to designate the numbers, fare and tariffs, timing and routes of any type of service and public transport vehicles that are operated on land, sea, water and rail ways, together with taxis; designate and operate or cause to operate or lease the stops and vehicle parking spots on motorways, roads, avenues, streets, squares and similar places; carry out all respective works related with the arrangements in traffic as vested in the municipalities by laws.

Article 15 also states that by a decree of the Ministry of Interior after consulting the opinion of the Council of State, municipalities may transfer the public transportation services on a concession basis for a period not to exceed 49 years. Municipalities may provide public transport services by issuing a license without establishing a concession or monopoly or by leasing public transport routes or by purchasing services in accordance with the principles laid down in Article 67<sup>8</sup>.

Another legal basis is the Law on Metropolitan Municipalities No. 5216. In Article 7 of the Law, public transport services are conferred to metropolitan municipalities. According to paragraph

---

<sup>8</sup> In Article 67, it is stated that by a resolution of the municipal council in municipalities, and of the competent organ in municipalities' affiliated entities, ...public transport services...may be awarded by tenders to third parties for a term not to go beyond the end of the sixth month following the date of the upcoming nationwide local elections.

(f) of Article 7, metropolitan municipalities shall draw up or cause to draw up and implement the metropolitan transport master plan; plan and coordinate transport and public transport services; designate the numbers, fares and schedules, timing and routes of any type of service and public transport vehicles that are operated on land, sea, water and rail ways, together with taxis; designate and operate or cause to operate or lease the stops and vehicle parking spots on motorways, roads, avenues, streets, squares and similar places; carry out all works of traffic arrangement as assigned to the municipalities by laws. Metropolitan municipalities shall also build or cause to build, operate or cause to operate or license passenger and freight terminals and closed and open parking spaces. According to paragraph (p) of Article 7, metropolitan municipalities shall provide metropolitan public transport services, and to this end, establish or cause to establish and operate or cause to operate such facilities, and issue licenses for public transport vehicles, including taxis and service buses, on land and sea within the metropolitan boundaries. In regard to the public transport lines within the metropolitan area, Article 7 states that metropolitan municipalities shall decide on the operation of public transportation services related to the lines to be determined based on the distance from the city center, population and number of passengers.

Article 9 of the Law on the Metropolitan Municipalities bears the title of “Transportation Services”. According to this article, A Transport Coordination Centre shall be established to coordinate all land, maritime, waterway, lake and rail transport services in the metropolitan area which shall be chaired by the metropolitan mayor or his designee, and include representatives of public entities, private organizations and the Turkish Association for Drivers and Automobile Drivers to be designated by the regulation. The mayors of metropolitan district and first-tier municipalities shall take part as members in the meetings of the coordination center when issues of concern to their own municipalities are discussed. Representatives of public professional organizations (or their umbrella organizations in metropolitan areas if any) concerned with issues on the agenda shall also be invited for consultation purposes to the meetings of the Transport Coordination Centre. The powers conferred by this Law on metropolitan municipalities concerning the traffic planning, coordination and routing, the designation of taxi, public minibus and service bus stopping places and parking areas and the determination of the number of such vehicles, and the powers of provincial traffic commissions within metropolitan municipality boundaries shall be exercised by the Transport Coordination Centre. Decisions of the Transport Coordination Centre shall enter into force upon the approval of the metropolitan mayor. Decisions on public transport taken by the Traffic Coordination Centre shall be binding on municipalities, on all public entities and on all parties concerned.

The Article 26 of the Law on Metropolitan Municipalities states that the metropolitan municipality may set up capital companies in the areas relating to the duties and services assigned to it according to the procedures provided for in the relevant legislation. According to this Article, the metropolitan municipality may operate ... public transport services or may contract out the operation of such facilities without being subject to the provisions of the Law No. 2886 on State Procurement for a period and at a cost to be determined by the metropolitan council, to companies in which the municipality or its affiliated entities hold more than 50% of the equity capital or to enterprises in which those companies hold more than 50% of the equity capital.

### 3.1.3 Mandatory or Optional Service

Although there is no separation of mandatory and voluntary duties in the Municipality Law no. 5393, the fact that paragraph (a) of Article 14 includes the phrase "shall ... or cause to ...." shows that the public transportation service is one of the mandatory services.

### 3.1.4 Organizational Structure

Public transport service or transportation services in general fall under the duty and power of the metropolitan municipalities. In this context, the departments of transportation and the directorates established under these departments within the metropolitan municipalities carry out these services. In municipalities subject to Municipality Law No. 5393, public transport services are organized as the directorate of transport services.

It is determined that metropolitan municipalities provide public transport services through local public legal entities managed by private law. Legally, the Department of Transportation is in charge of the urban transportation system. However, the public entities operate the local transportation systems. Also, the Ministry of Transportation invest and construct the metro lines in some examples with a protocol among the municipalities and ministry.

In Ankara Metropolitan Municipality, the Department of Transportation (Ulaşım Daire Başkanlığı) provides services through the Directorate of Transportation Planning, the Directorate of Inspection and Fleet Tracking, the Directorate of Signaling and Infrastructure, the Directorate of Transport Coordination Center (UKOME) and the Directorate of Traffic Control.

For example, Ankara Electricity and Gas Operations Business (General Directorate of EGO) undertakes the operation of bus and rail systems (subway) in public transportation services in Ankara and also the transportation planning services to ensure the traffic order and safety of the city. Another legal basis is the Regulation on the Duties and Working Principles of the General Directorate of EGO of Ankara Metropolitan Municipality. The General Directorate of EGO is established by the Laws no. 4325 and 5363 and governed by the principles of these laws and the provisions of private law.

According to the Regulation on the Duties and Working Principles of the General Directorate of EGO of Ankara Metropolitan Municipality, public transport services are provided through the Department Of Information Technologies, the Department of Human Resources, the Department of Support Services, the Department of Bus Operation, the Vehicle Maintenance Department, the Department of Rail Systems, the Department of Budget And Financial Affairs and the Transport Technologies Department.

A similar service organization is observed in Istanbul Metropolitan Municipality. The Directorate of Public Transportation Services, the Directorate of Traffic, the Directorate of Transportation Coordination and the Directorate of Transportation Planning are under the Department of Transportation. The Directorate of Public Transportation Services aims to establish an accessible, safe, comfortable, environment-friendly, economical and sustainable transportation system in Istanbul Metropolitan Municipality.

General Directorate of IETT of Istanbul Metropolitan Municipality is a public institution affiliated to Istanbul Metropolitan Municipality, which provides urban transportation services within the boundaries of Istanbul. The services such as Electricity, Tramway, Tunnel, and Gas carried

out though a privileged and foreign-capitalized private company were initially nationalized in 1930's and then transferred to the General Directorate of IETT by Law No. 3645.

The organizational structure of IETT consists of the Vehicle Maintenance and Repair Division, the Bus Rapid Transit/ Metrobus Unit, the Bus Operations Division, the Transport Planning Division and the Transport Technologies Division as well as support services units.

The units affiliated to the Department of Transportation in Mersin Metropolitan Municipality are the Directorate of Bus Terminal Operations, the Directorate of Rail Systems, the Directorate of Commercial License and Inspection, the Directorate of Public Transportation, the Directorate of Traffic Services, the Directorate of Transport Coordination Center (UKOME) and the Directorate of Transportation Planning.

The Department of Transportation in Kocaeli Metropolitan Municipality consists of the Directorate of Final Account for Tender Works, the Directorate of Machinery Supply, the Directorate of Rail Systems, the Directorate of Traffic Services, the Directorate of Transportation Administration, the Directorate of Transportation Structures Control and the Directorate of Road Maintenance, Repair and Construction.

In the provincial municipalities outside the metropolitan municipal system, which are subject to the Municipality Law no. 5393, the public transportation services are provided by the Directorate of Transportation Services.

### **3.1.5 Service Provision**

The mission of the Department of Transportation of Ankara Metropolitan Municipality is to meet the public transportation and traffic infrastructure needs of Ankara at the highest level in a way to respond to the needs and expectations of the people by using all the facilities of today's technology; the mission of the Department is to bring the traffic and public transportation infrastructure of Ankara to international standards; and the principle of the Department is to set an example for other cities in the country in terms of transportation services; the values of the Department are to carry out all activities in a manner that is sensitive to the environment and human life and to provide services in a constructive, fast, honest, impartial, tolerant, friendly and transparent manner without compromising the law, legislations and honesty with an understanding of dialogue and conciliation. The strategic goals of the Department are as follows:

- Ensure that citizens can benefit from transportation services in a fast, safe, comfortable and economic manner,
- Improve transportation infrastructure services,
- Make the public transportation system attractive,
- Utilize the resources in the most effective way by adhering to the plans, programs and budgets determined.

The objectives of the Department are as follows:

- Meet the internationally accepted standards in urban transport services,
- Bring scientific and international ethical rules to the forefront in the activities of the department.
- Become a unit open to development, learning and training constantly and producing solutions,

- Ensure that local transportation is faster, more comfortable, safer and more accessible,
- Disseminate the smart transportation systems by making a priority planning,
- Follow the developments in technology by giving importance to r & d studies.

According to Article 6 of the Regulation on the Duties and Working Principles of the General Directorate of EGO that provides public transportation services within the Ankara Metropolitan Municipality, the duties of General Directorate of EGO are to fulfill the duties conferred by Laws no. 4325 and 5363, meet the public transportation needs of the people within the boundaries of Ankara Metropolitan Municipality in accordance with the current conditions and in the best way and do all the necessary planning, design, establishment, operation, referral, administration and supervision in accordance with the contemporary operation principles.

The vision of the Directorate is to provide transportation services to the city of Ankara, provide transport services on time, take necessary measures to ensure that the citizens of Ankara travel in a smooth and comfortable manner, watch these priorities while purchasing vehicles, make sure that the technical components required for the citizens with disabilities to get on and off comfortably are placed in the vehicles, provide transportation services in a cost effective way, apply fare tariffs considering the costs and financial difficulties of the citizens, support a significant proportion of the passengers (teachers, students, elderly, veterans, widows and orphans, etc.) with different discount rates, supervise the common use, coherence and integration of the tickets belonging to the passengers traveling on bus and rail lines, ensure safe travel by providing traffic marking and signaling services at the highest level, strive to reduce the costs by allowing private sector transportation as well as its own bus services, prioritize the use of natural gas operated buses within the framework of environmental awareness and respect for nature and human health, conduct the services of the employees in accordance with the mission and vision determined by the corporate culture, give priority to improving the quality of life and service of the citizens benefitting from transportation services and the EGO personnel involved in the service provision , provide the highest amount of services in corporate services at the lowest cost and ensure that the resources are used in the most efficient way, each penny is spent for a valid purpose and wastage is prevented.

The standards of EGO in provision of services are as follows: compliance with the law, transparency, confidence, objectivity and equality, justice, development and innovation, leadership, participation, cooperation and coordination, corporate identity awareness and environmentalism. Within the framework of *Compliance with the Law*, due care and attention is paid to the full implementation of the laws, regulations, regulations and other legislation in force in the organization's service provision. Within the framework of *Transparency*, the organization is open to official and private audit in terms of the service provision and administrative and financial operations in accordance with the relevant laws and regulations. All works and operations specified in the Right to Information Law are open to the public. Within the framework of the *Confidence*, EGO has adopted the principle of transporting its passengers safely, ensuring road and vehicle safety, and providing accurate and reliable information in complaints and applications. Within the framework of *Objectivity and Equality*, EGO provides its services in an equal distance to each person and institution regardless of race, language, religion, gender and considering individual rights and freedoms in the provision of transportation services in accordance with the principles specified in the Constitution. In accordance with the standard of *Justice*, necessary efforts are made to ensure that every person, institution and region receives equal services during the service provision. Within the framework of *Development and Innovation*, the organization supports the research and development activities required for the establishment of the foreseen innovations within the organization in order to implement the fast-developing technological facilities and the renewal of the equipment park, computer technologies and automation applications. Within

the framework of *Participation*, the opinions and suggestions of the persons and institutions and personnel in contact are taken into consideration during the service provision. Pursuant to *Cooperation and Coordination*, the organization pays due attention to the cooperation and coordination with the relevant persons and institutions to ensure that public transport services in Ankara are more efficient and at the desired level. Pursuant to *Corporate Identity*, the organization considers that the contribution of each employee working in EGO, which is almost as old as the republic, to the services provided by the organization will be commensurate with the increasing awareness of corporate identity. According to *Environmentalism*, it is important to adopt the methods that will not harm nature and human health in transportation services and accordingly provide appropriate tools and equipment.

According to Article 18 of the Regulation on the Duties and Working Procedures of the General Directorate of EGO, the duties and powers of the Department of Bus Operation within the General Directorate are as follows:

- Organize, execute or operate public transportation services regularly in a continuous, safe, economical, efficient, comfortable and rational manner in line with the mission, vision, strategic goals and objectives of the organization,
- Carry out short, medium and long-term planning activities related to public transportation services through rubber-tired vehicles,
- Draw up and implement movement tariffs and update and audit these tariffs when necessary,
- Operate or cause to operate public transportation vehicles of the organization in accordance with technical and economic rules,
- Carry out such works as designating the stops in the lines and routes, installing, removing, relocating and assembling the stops by considering the urban development,
- Conduct effective and technical inspections continuously in order to keep the public transportation vehicles in operation,
- Issue special permits to public transportation vehicles such as private public buses and private public transportation vehicles within the boundaries of Ankara Metropolitan urban areas in the framework of the relevant regulation, carry out the process of conformity and issue annual work permits through visa procedures,
- Carry out the necessary works and procedures for the registration and storage of the lost goods forgotten in the public transport vehicles of the General Directorate of EGO and notification of the sale of the lost goods which are not received by the citizens in the stated time period,
- Provide or cause to provide psycho-technical test services for drivers and applicants who use public transport (EGO, ÖTA (Private Transport Vehicle) and ÖHO (Private Public Bus) etc.),
- Carry out car rental and allocation work and operations requested by the public institutions and private law real and legal persons,
- Carry out the works and operations of hanging advertisement posters on the vehicles and following up these posters until the end of the hanging period,
- Perform the field inspections of public transportation vehicles (EGO, ÖTA and ÖHO) within the framework of the legislation and carry out relevant reporting works and operations,
- Carry out the works and operations required within the framework of the contracts and regulations related to the public transportation vehicles (ÖTA and ÖHO),
- Carry out the transfer and termination of private public transportation vehicles in accordance with the provisions of the contract,

- Audit the establishment of vehicle tracking system infrastructure related to public transportation vehicles (EGO, ÖTA and ÖHO) and ensure that all kinds of technical devices that keep track of vehicles are in operation,
- Carry out the works and operations related to the damage and income deprivation caused by the involvement of vehicles belonging to the organization to various incidents causing accidents and damages,
- Carry out the works and operations related to the damage, insurance, payment and collection of payments related to the incidents caused by the involvement of vehicles belonging to the organization to various incidents causing accidents and damages involving damage, personal injury or death and the public and private persons and institutions,
- Carry out the works specified in Article 11 of this Regulation and other works conferred by the General Director.

According to Article 19 of the Regulation, the duties and powers of the Department of Rail Systems are as follows:

- Prepare alternative system lines and preliminary projects by conducting technical researches regarding rail and cable public transportation systems in line with today's technologies,
- Ensure coordination between the related institutions regarding the line works carried out within the scope of rail and cable public transportation systems, provide consultation in this regard and carry out the procedures related to the tendering, construction and admission processes,
- Carry out risk assessments in order to provide urban rail and cable public transportation services without interruption and develop necessary measures in this direction,
- Perform operational activities in urban and rail public transportation systems in a rational and efficient manner, conduct effective and technical inspections for the smooth operation of the systems and ensure the coordination of the systems with each other,
- Take or cause to take necessary measures to ensure the safety of passengers and employees in rail and cable public transportation systems and ensure the necessary coordination with relevant institutions in this direction,
- Ensure the effective and uninterrupted execution of security and cleaning services related to the rail and cable public transportation systems and their surroundings,
- Perform all kinds of maintenance, repair and renewal activities related to the components of the system in order to provide a longer service life for the rail and cable public transportation systems and take necessary measures for any external works that may affect the system,
- Carry out research and development activities for the development of rail and cable public transportation systems and obtaining them from national sources,
- Carry out the works specified in Article 11 of this Regulation and other works conferred by the General Director.

According to Article 22, the duties and powers of the Transportation Technologies Department:

- Ensure and audit the operation of automated fare collection, smart stop system, smart card and in-vehicle information and route, vehicle tracking and camera systems in all public transportation vehicles (bus, rail and cable systems) belonging to the General Directorate of EGO within the boundaries of urban areas of Ankara Metropolitan Municipality,
- Ensure compliance and full automation among all public transportation elements participating in the Fare Collection System,

- Apply the fares and transfer period determined in line with the decisions of Transport Coordination Center (UKOME) to automated fare collection system,
- Process bus lines and routes determined in line with UKOME decisions to fare collection system,
- Ensure that the automated fare collection system operates in a full, complete and healthy manner, audit the system and control the reports received from the system,
- Prepare an agreement regarding the payments to be made to the contractor and other stakeholders according to the reports to be obtained through the Report System in line with the relevant contracts, protocols and UKOME decisions, and issue the payment orders in accordance with this agreement and deliver them to the Directorate of Budget and Financial Affairs,
- Prepare and conduct projects in technical, social, cultural and economic fields for the institution by investigating the funds and grants of national and international organizations on the subjects within the area of activity of the General Directorate of EGO,
- Follow the developments in the world regarding the transportation technologies in the field of public transport and report the best practices in this field to the top management.

According to Article 21 of the Regulation, the duties and powers of the Vehicle Maintenance Department are as follows:

- Carry out the maintenance and repair work of the organization's vehicles used in public transportation services after an accident or a breakdown in order to keep them working continuously,
- Ensure that the organization's vehicles used in public transportation services fail less by perform their periodic maintenance works in a timely and complete manner and, thereby reduce the vehicle maintenance costs,
- Provide emergency repair intervention for buses that fail or crash in the course of travel or provide tow truck service for these buses
- Carry out the maintenance and repair work of diesel and compressed natural gas (CNG) stations,
- Carry out research and development studies for the purpose of reducing maintenance and repair costs, extending the service life of the vehicles, and making them operate in a more economical manner,
- Provide technical trainings for the employees on the basis of technological developments,
- Supply fuel for all vehicles in the organization,
- Carry out the works and operations related to the delivery of the scrapped materials which have exhausted their economic life to the relevant place,
- Keep the materials such as spare parts, oil, fixtures, fuel until their consumption.

According to the law of establishment, the duties of IETT affiliated to Istanbul Metropolitan Municipality are as follows: “to organize, correct and distribute electrical installation and electrical tram network and tunnel installation on the need and to expropriate immovable goods and take initiatives for all procedures of the management for all these things to distribute electric power on the European side, Anatolian side and around and on the Princess Islands of Istanbul and if it is considered necessary to extend and support the transportation by the way of setting, operating and causing to operate tram and bus services.”.

The mission of IETT is to organize, audit, coordinate the public transport services from a holistic perspective in a way to meet the uncovered needs and manage the industrial know-how. The vision of IETT is to be a leader institution that makes the urban life easier by making public transportation more attractive with an approach of sustainability.

In addition to IETT, the Directorate of Public Transportation Services established within the Department of Transportation of Istanbul Metropolitan Municipality to create an accessible, safe, comfortable, environment-friendly, economic and sustainable transportation system maintains its activities in line with the transportation master plan and provides public transportation and transportation services in coordination with the related units and, to this end, plans the establishment, installation and operation of the necessary facilities. It determines and controls all kinds of public transportation vehicles operating on land, water and sea, the number of minibuses and taxis, ticket fares and tariffs, time and routes, stop locations and issues working license and certificate of route permit for these vehicles. It makes line planning and line optimization among public transportation systems. In order to ensure the integration of the transport modes, it makes planning and ensures the coordination between the relevant institutions. The Directorate conducts public transportation analyzes of the city and carries out all kinds of research and development activities related to public transportation by getting support from non-governmental organizations and universities, when necessary, for investigation, research, survey and field works to be conducted to meet the transportation needs through the ideal modes of public transportation in a comfortable, fast and continuous way.

The mission of the Directorate of Public Transportation Services of Istanbul Metropolitan Municipality is to provide services in a principled, determined, fair, innovative, efficient and quality manner with an effective management approach in public transportation by protecting the unique heritage of Istanbul, which is Turkey's window to the world. The vision of the Directorate is to improve the quality of urban life of Istanbul, a brand city with a global value that has been home to many civilizations for centuries, and create a pioneering and leading model in the field of transportation through innovative and sustainable solutions.

The principles and objectives of the Department of Transportation in Mersin Metropolitan Municipality are to meet the transportation needs of the city at the highest level through today's technologies in a way that responds to the needs and expectations of the public in order to provide high quality, comfortable, cheap and safe transportation. The duties, powers and responsibilities of the Directorate are as follows:

Determine the current and future transportation policies of Mersin Province and carry out studies, plans and projects that will direct the measures and investments required by transportation demands,

- Determine the main principles for transportation planning related to urban transportation and define the objectives and policies related to the types of transportation in line with these principles,
- Prepare or cause to prepare and cause to approve and implement Transportation Master Plan, Term Plan and Implementation Programs in line with land use decisions within the framework of Mersin's master plan and basic principles for urban transportation, and develop and evaluate plans considering the effects of practices over time,
- Ensure that the future transportation systems of the city are planned by giving priority to the economic, fast, comfortable and safe transportation of people, not vehicles and, to this end, prepare or cause to prepare and implement or cause to implement projects related to the use of the road network for public transportation and priorities in line with the Transportation Master Plan in order to increase the level and accessibility of services consisting of travel time, comfort, reliability, life safety and cost of the public transportation which is the key element of urban transportation.

- Develop transportation and traffic regulation projects and measures to ensure a more effective and efficient use of the road network which constitutes the transportation infrastructure,
- Develop measures that facilitate the transportation for the pedestrian priority and people with disabilities according to the characteristics of the region in city centers, historical urban areas and residential areas in order to improve the service offered to the pedestrians, identify infrastructure standards for pedestrian zones, roads and crossings, take necessary measures to provide accessibility and safety for pedestrians in the preparation and implementation of transport projects,
- Ensure the unity of the long-term projects requiring large investment and short-term arrangements that can be realized with low-investment and, to this end, prepare projects considering the integrity of the transportation system,
- Make sure that transportation projects contain solutions that do not harm the natural and historical structure of Mersin and urban aesthetics and prioritize the measures for the assessment and improvement of these urban features,
- Take measures to reduce private vehicle traffic which is the source of problems such as traffic jams, air pollution and noise in order to improve the quality of environment and life in the city center and protect the historical environment, and, to this end, produce projects that prioritize the measures that will increase the accessibility and comfort level of public transportation in city centers, and design parking facilities and transfer areas integrated with public transportation in rural areas.
- Establish a database on urban transportation and regularize the planning-implementation-evaluation process by continuously updating the data,
- Ensure a more effective and efficient use of the road network which constitutes the transportation infrastructure, improve the service offered to the pedestrians and identify infrastructure standards for pedestrian zones, roads and crossings,
- Take or cause to take measures that facilitate the transportation for the pedestrian priority and people with disabilities, expand the bicycle road network,
- Allocate or cause to allocate the Signaling Systems at the locations determined, carry out or cause to carry out the horizontal and vertical traffic signs on the roads where necessary, establish or cause to establish Traffic Safety Systems (TEDES),
- Determine and regulate the blocking of some or all of the highways within the borders and authority of the Metropolitan Municipality to some or all of the road users, regulating speed limits, time, price and duration of the places to be parked and arrival and departure routes of the vehicles, and make proposals to the related units in matters requiring approval,
- Gather the Transportation Coordination Board,
- Perform the duty of spending authority for the Department and its sub-units, spend the amount of appropriation allocated in the budget as the spending authority,
- Finalize the demands for the purchase of goods and services by the Department in accordance with the legislation and conduct or cause to conduct the inspection and admission operations of the delivered materials when necessary,
- Make proposals to the Municipal Council and Municipal Committee on matters concerning the Department,
- Cause to prepare the specifications and cost accounts for the purchase of goods, services and consultancy services and construction works related to the works and operations carried out within the Department,
- Organize in-service training programs on transportation-related issues such as transportation services, traffic safety and legislative changes, and traffic safety seminars and campaigns for pedestrians, drivers and students,

- Deliver the recommendations for fees and tariffs related to the services offered by the Department to the related unit and implement the “Municipal Income Tariffs” adopted by the Council,
- Work in cooperation with all relevant public institutions and organizations during the preparation and implementation of plans and projects,
- Prepare or cause to prepare projects in line with the main principles and plan decisions in order to realize the systems suitable for the transportation demand and increase the service level of the urban transportation systems,
- Transfer, follow up and finalize the incoming and outgoing documents, ensure that the information is full, accurate and up-to-date at all times and all documents are filed, stored, protected and archived and follow the developments that will affect or interest the unit activities,
- Comply with the requirements of the Quality Management System in the activities performed in the Unit and contribute to the updating and development of this system.

The duties and powers of the Directorate of Rail Systems are as follows:

- Identify and meet the needs such as personnel, vehicles, spare parts, labor required to ensure the continuity of the Rail System service,
- Prepare the Rail System tariffs, ensure the fulfillment of the service in accordance with the tariffs, implement the UKOME decisions related to the tram,
- Follow the scientific studies related to its field of duty and inform the Head of Directorate about the applicable developments,
- Carry out or cause to carry out all kinds of maintenance and repairs of rail systems and keep them ready for voyage
- Take or cause to take necessary actions to open the road and continue the service in case of accidents,
- Conduct the works related to the elimination of physical problems that constitute an obstacle to the operation of the rail system route,
- Carry out or cause to carry out the repair and maintenance of the stops located on the rail system route,
- Make or cause to make necessary arrangements at stops and stop areas according to changing needs,
- Ensure that all tools, machines and facilities within its jurisdiction operate in accordance with the occupational health and safety rules and take the necessary measures for this
- Take necessary measures for the protection of facilities, tools and equipment against sabotage in the area of responsibility,
- The Rail Systems Administration Office and Technical Services Office are the sub-units of the Directorate of Rail Systems, and the working principles and procedures and the duties, powers and responsibilities of these sub-units are determined by a separate directive.

The Directorate of Transportation Planning of Mersin Metropolitan Municipality is obliged to prepare or cause to prepare, approve and implement Transportation Master Plan, Term Plan and Implementation Projects in compliance with relevant laws and Mersin Metropolitan Municipality's Master Plan and decisions on land use, and develop plans by considering the effects of applications over time. For this purpose;

- In order to identify the problems related to urban transportation and develop solutions for these problems within a system integrity, it determines the main principles for transportation planning related to urban transportation to realize an integrated transportation system by directing the measures and projects and defines the objectives and policies related to the types of transportation in line with these principles.

- It plans or causes to plan the future transportation systems of the city in a way that prioritize the economic, fast, comfortable and safe transportation of people. To this end, it prepares or causes to prepare projects related to the use of the road network for public transportation priority in line with the Transportation Master Plan in order to increase the level and accessibility of services consisting of speed (travel time), comfort, reliability, safety and cost of the public transportation which is the key element of urban transportation.
- It prepares or causes to prepare projects in line with the main principles and plan decisions in order to realize the systems suitable for the transportation demand and increase the service level of the urban transportation systems.
- It determines the current and future transportation policies of Mersin Province and carries out or causes to carry out studies, plans and projects that will direct the measures and investments required by transportation demands,
- It develops measures that facilitate the transportation for the pedestrian priority and people with disabilities according to the characteristics of the region in city centers, historical urban areas and residential areas in order to improve the service offered to the pedestrians, identifies infrastructure standards for pedestrian zones, roads and crossings, makes or causes to make necessary plans to provide accessibility and safety for pedestrians in the preparation and implementation of transport projects.
- It prepares or causes to prepares projects that ensure the unity of the long-term projects requiring large investment and short-term arrangements that can be realized with low-investment and consider the integrity of the transportation system,
- It updates the Transportation and Logistics Master Plan models and amends the applications on the basis of the model, makes analysis according to the results. It makes or causes to make a Traffic Impact Assessment Analysis and Circulation Plan.
- It produces measures and projects in order to improve project transportation and increase its share in total trips, ensures applications in coordination with relevant institutions and organizations.
- It delivers opinions to the administrations on the structures such as road, tunnel and bridge in accordance with the recommendations of the transportation plan.
- For the purpose of improving the quality of environment and life in the city centers, it prepares projects for the measures that will reduce the private vehicle traffic to solve such problems as traffic jams, air pollution, noise and parking lots.
- It establishes a transportation database for Mersin Province and keeps the data up-to-date.
- It proposes the determination of line planning, route planning and stop locations between public transportation systems and taking decisions in General Assembly of UKOME in this regard.
- It cooperates with all relevant public institutions and organizations during the preparation and implementation of plans and projects,
- It prepares or causes to prepare alternative roads and routes by coordinating with the relevant institutions and organizations regarding the excavation, road and asphalt works that may occur on the routes of public transportation vehicles.
- It makes proposals to the UKOME on matters concerning its field of duty.
- It carries out or causes to carry out the works and operations in line with the UKOME decisions.

Kocaeli Metropolitan Municipality also has similar organization, duties and powers in the provision of public transportation services. According to the Duties and Working Regulation, the duties and powers of the Department of Transportation are as follows:

- Pursuant to Article 7 / f of the Law on Metropolitan Municipalities No. 5216, to make transportation planning within the borders of Metropolitan Municipality by ensuring the necessary integration and coordination through identifying appropriate policies and projects in accordance with the Transportation Master Plan and traffic engineering and take the necessary measures,
- Develop, implement and operate projects within the scope of the strategies of Transportation Master Plan within the borders of Metropolitan Municipality,
- Prepare contracts for construction and purchase of service or goods of all kinds of facilities and transportation infrastructures required by the duties and services conferred to the municipality by laws and make or cause to make these activities in accordance with the contract and its annexes, specifications and rules of science and art,
- Carry out or cause to carry out the horizontal and vertical traffic signs within the borders of Metropolitan Municipality in order to ensure road and driving safety, establish or cause to establish the necessary signaling infrastructure through the transportation control center where traffic management will be provided.

The duties of Directorate of Transportation Services of Çorum Municipality are as follows:

- Provide terminal services for the buses, minibuses, taxis operating in the transportation of arriving and departing passengers, take all kinds of orders and measures, ensure that businesses operating within the terminal are operated in accordance with relevant laws and regulations and, to this end, make or cause to make necessary arrangements,
- Realize all kinds of arrangements including establishing public transportation lines in order to meet the public transportation needs of the residents, performing public transportation duties, operating vehicles and routes, auditing these vehicles and routes by contracting out,
- Determine, audit and make or cause to make the routes and tariffs, stop places, shape and furnishing of the stop, equipment and contents of private public buses operating in the city,
- License or cause to license the vehicles such as taxis, minibuses, buses, service vehicles, trucks, vans used in urban passenger and freight transportation and determine or cause to determine the route lines and stop areas in accordance with the legislation in force,
- Make and audit the registration and approval of the legal procedures and the certificate of authorization required for road vehicles, means of transport and drivers, vehicle officers and servants and vehicle owners in and out of the city to provide local and intercity transportation services, and implement the necessary administrative or financial penalties,
- Ensure the issuance of the documents signed between the holder of the authorization certificate and the passenger which include the obligation to carry the passenger, contain the forms and conditions determined by this Regulation and need to be given to the passenger and audit these documents,
- Ensure that transportation service-payment method is charged according to the size and forms of transportation demand and socio-economic conditions and, to this end, prepare a reasoned report which will be reflected in the annual tariffs and present it to the Department one month before the relevant Council meeting,
- Prepare fare tariffs for transportation services and, to this end, print and inspect the passenger tickets, make or cause to make necessary preparations and arrangements in case the transportation services are charged by a system other than tickets (subscription card, card, electronic card, smart card, city card and chip that can be added to various identities, etc.), realize the applications and ensure and inspect that they are efficiently operated,

- Prepare the tenders required by transportation services, finalize these tenders, follow the legal situations related to these and finalize the operations within the framework of the regulations on the spending authority and realization officer,
- The Regulation on the Operation of Private Public Vehicles adopted by the Çorum Municipal Council, which is still in force, is conducted by the Directorate of Transportation Services. All the powers attributed by the Regulation to the Directorate of Municipal Police are also used by the Directorate of Transportation Services.

All municipalities shall have the powers and privileges to provide public transport, and to this end, establish or cause to establish and operate or cause to operate public transport systems of all sorts, including buses, maritime and waterway vessels, underground systems and rail systems. Transportation services are a common task for all municipalities. However, service delivery of municipalities varies depending on economic structure and geographical conditions. Municipalities can differentiate these services according to their local needs.

### 3.2 Local Public Transportation in Six EU Member States

#### Summary findings

Regulation and institutional arrangements within local public transportation are driven by a number of key development priorities, notably urbanization trends, mobility concerns, economic development, open competition for transport concessions, climate change and sustainability concerns, and integration of transport modalities into a coherent system. EU regulation plays an important role in all these areas, e.g. EU general procurement regulations requiring competitive awarding of public service contracts, regulations on exchange of data between transport service providers and regulation on public subsidies for public passenger transport services by rail and by road.

Multimodal transportation is a key concern in all EU Member States. Inter-governmental collaborations across modes of transport, linking municipal mass transport with interregional and nationwide transportation systems, is a crosscutting concern in EU regulation on public transport. E.g. the EU Framework Directive for Intelligent transportation Systems (2010), authorizes the European Commission to adopt six compulsory directives for public transport. Accordingly, the first Directive A was adopted in 2017, which sets binding rules for data-sharing among stakeholders of public transportation systems and promotion of common travel information systems across modes of transportation services. Directive A outlines a common format of information sharing for all Member States, including data types and sharing modalities. In rural, more remote areas, upholding service coverage in light of depopulation is another concern and efforts are seen to combine subsidies with service innovations such as shared on-call taxi services and, in the case of suburban municipalities, links between individual and public transportation modes.

Municipalities are mandated in most countries with the responsibility for local public transportation, although increasingly management and competences are transferred to intermunicipal co-operations regulated by law. This also include EU Member States featuring large municipalities such as the UK and Denmark. Intermunicipal co-operations are voluntary by default, although in Denmark minimum requirements for municipal-regional transport cooperation is defined by law, whilst England and France see trends of codified intermunicipal arrangements which also manage public transport, and Spain features an emerging

metropolitan framework of public transportation within its largest metropolitan areas, including Madrid and Barcelona.

Local and central government subsidies are practised in all six EU Member States, typically around 50% of the ticket price. Private operators are involved in all the six countries in line with EU promotion of open transportation markets, and efforts are made through national legislation to divide procurement and operational responsibilities and tender transport concessions regularly. However, the actual degree of private sector participation varies considerably. German municipalities e.g. maintain a high proportion of local transportation inhouse, whilst all countries saw trends of re-municipalisation of local transportation in recent years driven by budget cuts, lower service quality and in some instances (France) labour disputes.

### **3.2.1 Denmark**

At national level, the regulatory framework of public transportation is established by the Ministry of Transport, Building and Housing, which also maintains overall traffic planning in the country and operates the state railways and part of the Greater Copenhagen commuter train system. Public transportation is operated by public companies or by contracted private companies.

The Law on Public Traffic Companies (2015) constitutes the key regulatory framework for mass transportation in Denmark, including mass transportation within individual municipal boundaries. Overall, the five regional authorities are responsible for regulating regional bus traffic and local (privately operated) railways, while the municipalities regulate bus transportation within their territory. The two largest metropolitan areas – Greater Copenhagen Area and the City of Aarhus – also offer metro lines operated by public shareholding companies jointly owned by a central and local governments and operated by private contractors.

#### **Institutional arrangements**

The Law on Public Traffic Companies outlines the following mandatory institutional arrangements for regional and municipal mass transportation:

- All regional authorities must establish at least one public transportation company
- All municipalities are required to participate in at least one regional public transportation company
- A public transportation company may have municipal participation from two regions in case the municipalities share common borders across the two regions.
- The Island of Zeeland (which has two regional authorities, including Greater Copenhagen Area), will establish only one common regional company.
- The public transportation companies maintain responsibility for all public transportation pertaining to ordinary bus line services, coordination of specialised transportation services (e.g. for handicapped citizens), establishment of ticket fees and ticketing systems, and regulation of local privately-operated train services.
- Regions and municipalities jointly commission and subsidise local public transportation through the regional public transportation companies
- The public transportation companies are managed by a board of representatives from the participating municipalities and regions, with a majority of municipal representatives. The

companies are subordinated the regulation of inter-municipal cooperation established by the Law on Local Governance (§60)<sup>9</sup>.

- The regional authorities and the municipalities have full discretionary powers to decide if and to which degree public transportation services are outsourced.
- Sharing of operational costs are established by Law with regard to the island of Zealand. In all other cases, it is mutually negotiated between the regions and the municipalities. In 2015, operational costs were covered by ticket sales (44%) and regional/municipal subsidies (56%).
- Ticket price growth are not allowed to exceed average increase in the price and salaries index. The annual ticket price growth ceiling is announced by the Danish Transport Authorities. However, the transportation companies are allowed to apply multi-annual budgeting. This implies that the company may forego a price increase in a given financial and transfer it to the following year, where it may increase the ticket price with the transferred price hike plus the allowed price hike for the new year. In other words, price hikes can be delayed, accumulated and transferred into a subsequent financial year. In such cases, the accumulated price hike may exceed the annual ceiling for the given financial year it is introduced in.
- In the Greater Copenhagen Area, the public transportation company for Zealand is obliged to maintain a coherent mass transportation system through mandatory cooperation with the Metro Line Company, the railway operators and the Danish Transport Authority.

### Intergovernmental initiatives on mass transportation

Municipalities and the regional authorities, through their public transportation companies, engage in a number of nationwide e-government/virtual travel information initiatives, which are driving the development of public transportation systems across modes of transportation systems. Notably, these include

- The bus and train cooperation which is a nationwide collaboration among all public transportation companies and train operators. It allows passengers to purchase only one ticket for the entire trip regardless of the mode of transportation.
- A common web-based route planner (*Rejseplanen*) with information on all public transportation in the country is driven by all public transportation companies in Denmark along with the train operators.
- Establishment of a joint shareholding company owned by the public transportation companies together with the railway operators and the metro line of the capital, to facilitate a common, nationwide electronic travel card (*Rejsekort*), which combines ticketing for all means of public transportation with a single payment system.



---

<sup>9</sup> Intermunicipal cooperation can be separated into binding and non-binding cooperations. The latter include incineration plants, powerplants and traffic companies, which all are established according to ministerial approvals and well-defined opt out clauses in the shareholding company statutes. Participation in at least one traffic company is compulsory according to the Traffic Law. This aims to optimize coverage and efficiency of the traffic services. According to the Traffic Law, island-based municipalities can opt out and establish their own companies, pending permission by the Minister of Transportation. All other municipalities would need apply for such a solution case by case, but such cases have not been seen so far.

One notable municipal innovation in public transportation service for sparsely populated rural areas is the '*Flextur*' concept. *Flextur* is a cross-over transportation service which sits between a taxi service and the ordinary city bus/fixed route service. It should not be confused with the Turkish Dolmus system, as *Flextur* taxis will pick up passengers from their home and drive a route according to passenger's needs.

Accordingly, the concept has the following characteristics:

- The service is provided from address to address
- The customer has to accept a specific timeframe for collection and/or delivery
- The service may include a detour and co-transportation with other customers
- The service has to be ordered at least two hours in advance
- The ticket price (user-payment) consists of a 5 km minimum payment and a subsequent payment per kilometre on top of the minimum payment.
- Each service provider (transportation company) decides the time schedule for the service. Usually it is not offered at night time.

The concept is managed by the public transportation companies and offered by 75% of all municipalities. Each municipality decides if they want to offer this service, including the service level and pricing.

### **3.2.2 United Kingdom**

The local government system in England is somewhat complex, structured either as a one-tier system with Unitary Authorities or Metropolitan Boroughs, or as a two-tier system with County and District Councils. Overall, municipal public transportation is a mandatory function of the Unitary Authorities and Metropolitan Boroughs under the single tier system, which also include London Boroughs although the Greater London Authority, which is a regional strategic body headed by the Mayor of London, is overall responsible for mass transport in the capital. In rural, non-metropolitan areas of England, public transportation is a function of the upper tier County Council.

As of 2009, a third type of authority was introduced, namely Combined Authorities established only by national legislation, where two or more local councils collaborate and take collective decisions across council boundaries. This may also include intermunicipal cooperation on mass transportation systems.

According to some observers, integration of public transport services in England still remains highly centralized, leaving local government authorities outside London limited transport powers, limited funding and limited fiscal discretion. In addition, local government boundaries may not reflect transport patterns or economic activity, creating barriers for seamless multimodality transport systems.

At national level, the Department for Transport outline the strategic direction of, and funds allocations to, the railways in England and Wales, and oversees procurement of rail franchises and projects. The Department's work is directed and overseen by the Secretary of State for Transport and his Ministerial team. The Scottish government is responsible for the same in Scotland. The regulatory role is delegated to the Office of Rail and Road, which is an independent statutory body accountable to the Parliament and the courts.

Buses play a major role in UK public transport and public bus services are regulated in various ways. Bus transport in London is regulated by Transport for London under the Greater London Authority, which has the responsibility for London's network of principal road routes, and for various rail networks including London Underground and London Overground. It implements the Mayor of London's transport strategy and manages transport services across the capital.

Outside of London, bus transport falls under Combined Authorities or Passenger Transport Executives, which are responsible for public transportation, outlining transport policies and public transport expenditure plans in their metropolitan areas. Passenger Transport Executives often provide transport services on behalf of an Integrated Transport Authority which is an intermunicipal cooperation covering multiple local authorities' transport services (such as bus/train integration, route development, public-private partnerships, infrastructure and information technology).

In 2016, the Parliament passed the Cities and Local Government Devolution Act, which included the creation of Sub-National Transport Bodies (STBs) to advise on strategic transport decisions and priorities for their local area. STBs have very limited powers but are expected to play a key strategic role in producing strategic transport plans, which may include rail schemes and investments in key highway corridors across council boundaries.

As in other EU Member States, public transportation is heavily subsidized, and municipal subsidies for bus transportation account for around 45% of operator revenues. After World War Two, the UK saw two significant sourcing trends within public transport. First, a nationwide nationalization of public transport took place up to the 1970's. From 1980 onwards, subsequent deregulation and privatization of transport services was introduced, including London city bus services. More recently, attempts have been made to regulate competition among private bus companies and prevent service monopolization. UK legislation, such as the Transport Act (2000), seeks to encourage an open market and to create low entry barriers into public bus service operations. Further legislation includes the Bus Services Act (2017) which enables local authorities and private operators to collaborate through a variety of partnership mechanisms to provide consistent fares, improved timetables and service levels, attractive branding of routes, multiple operator ticket acceptance, provision of open data to third parties to provide transport apps and a full specification of bus services (franchising) for enhanced competition.

Despite these objectives, there has also been re-municipalization of parts of public transport in London. Transport for London terminated four public-private partnerships contracts in recent years, including two major public-private partnerships in 2011, applying break clauses in the contracts, and a replacement by public service provision. This development was driven by economic failure and value for money calculations.

### **Park & Ride Service and the Bus Rapid Transit Systems**

Apart from traditional bus services serving fixed routes and time schedules within the municipality, more specialized services are also delivered. Two services stand out: one is the *Park and Ride* service, which tie car commuting traffic together with bus transportation into a coherent transportation system. It is offered by local authorities across the country since the 1980s. The majority are permanent, government supported public transport schemes, although regularly tendered.

Another specialized service is the *Bus Rapid Transit System*, which came into existence when light rail proposals in some local councils failed to gain national funding on the Department of Transport's value for money assessment. Several local councils then turned to enhanced bus services as a cheaper alternative. The Bus Rapid Transit System makes use of dedicated guided bus technology, which includes separate bus lanes. Guided buses are buses capable of being steered by external means, usually on a dedicated track or roll way that excludes other traffic, permitting the maintenance of schedules even during rush hours. Unlike trolleybuses or rubber-tired trams, for part of their routes guided buses are able to share road space with general traffic along conventional roads, or with conventional buses on standard bus lanes. Guidance systems can be physical, such as curbs or guide bars, or remote, such as optical or radio guidance. The use of Bus Rapid Transit Systems has increased in the UK, which also hosts the longest guided busways in the world.

### 3.2.3 France

Local public transportation is a devolved function in France and the institutional responsibility for public transportation is laid out by the local governance regulatory framework and further clarified in the public transportation regulatory framework.

The regulatory framework of public transportation is the responsibility of the Ministry of Transportation and the Transport Law (1982) is a key legislation for public transport in France, including municipal transport. The law created new Transit Authorities (*Autorités Organisatrices*) in charge, not only of public transportation, but all local transport policy, including car traffic, parking, and 'soft modes' (cycling and walking). The responsibilities of the Transit Authority include:

- Specification of bus routes, location of bus stops, frequency, time-table; punctuality, cleanliness, user information. (Tied to performance measures and financial incentives in operator contracts)
- Specification of the fare systems, including fare reductions for scholars, old aged or unemployed persons, although the Transit Authority has to pay for the deficit due to the difference between operation costs and fare revenue. (If a private operator wants to offer other commercial reductions it is under its own responsibility).
- Establishment and funding of investment plans for the development or the improvement of the transport network: e.g. renewing a bus fleet or fare collection system, building park-and-ride lots or interchange stations (as in the UK).
- Establishment of a multi-modal transport policy on all the Urban Transport Areas, and Urban Trips Plan designed for 10 years and revised after 5 years; it covers all aspects of transport conditions, such as the public transport supply development, the traffic and parking conditions, pedestrian and cycling routes, and since a couple of years, the urban goods logistic scheme and home-to-work commuter planning.

#### **Institutional arrangements**

The Regions are in charge of transportation outside of urban areas (intercity busses, regional trains, school buses for high schools), while the Departments are responsible for non-urban bus networks and school buses. Each municipality is responsible for provision of all aspects of public transportation within its territory and is allowed to operate its own public transport system. Hence, it becomes the Transit Authority by default.

In order to adapt the administrative structure to functional territories, several laws were passed to create EPCIs, i.e. intermunicipal co-operations with limited powers (see also household waste section on France). Notably, the adhesion to an EPCI is voluntary, although financial incentives are allocated from the State to further the develop EPCIs. Today, almost all French communes participate in EPCIs.

The National Territorial Administration Law (1999) created three types of EPCIs: 1) The Urban Community for the major agglomerations (more than 500 000 inhabitants) can benefit from an obligatory quasi full transfer of competencies from the member communes; 2) The Agglomeration Community union for middle-sized cities (more than 50 000 inhabitants, with one commune of more than 15 000 inhabitants): the main competencies (economic development, land use planning including public transportation, and housing policy) have to be transferred, whilst others can be transferred or remain under the responsibility of each commune, such as street and parking, public utilities, water supply, environment, sports and cultural equipment; and 3) The Commune Community for smaller municipalities, where only land use planning and economic development are responsibilities which must be transferred, whilst transfer of public transport is optional. Accordingly, in all cases, if the responsibility of public transport is transferred to an EPCI, the EPCI becomes the Transit Authority and today hundreds of Transit Authorities are transferred EPCI competences.

The Transit Authority can decide to operate the public transport by itself ('*Régie*' type) or to outsource the service delivery to a private company. In case of outsourcing, two main approaches are applied: 1) A public/private company is created, in which more than 50% belongs to the Transit Authority. This is called '*Société d'Economie Mixte*' or SEM and the equipment and the buildings belong to this company, or 2) A contract is signed with a private company and depending on the type of contract, equipment and buildings belong either to the Transit Authority or the private company. In general, the contract is signed with a 5 - 6-year duration. In each case, the operating company has a monopoly within the designated transport area. For example, non-urban bus companies cannot have bus stops within the urban transport area, except if the urban Transit Authority agreed to allow a limited number of stops.

The recent trend of re-municipalizing of services saw an increasing number of municipalities and regions insourcing public transport services due to cost savings and quality concerns. Tendering and monitoring involve certain transaction costs when dealing with private companies. The process of tendering, and the need to monitor the performance of companies, can add 10% or more to the cost of contracts and some of the local authorities explicitly quantified the savings from not having to tender or re-tender contracts as a reason for the insourcing of transport services. Instead of ongoing negotiations with private companies to maintain their service responsibilities, municipalities, if was found, could more simply manage the service delivery themselves.

However, worker disputes have also driven re-municipalization trends. Workers directly employed by the municipality may have different employment status and rights from those employed by an enterprise owned by the municipality. This has been the subject of disputes and strikes in France over restructuring and re-municipalization of public transport (and water services).

### 3.2.4 Germany

German local authorities (municipalities) have a mandatory functional responsibility for all local public transport services within their territory. Under the two-tier system outside the urban areas, the county (*Kreis*) has functional responsibility for public transportation between urban areas. Traditionally, bus transport is used as a short distance mode of transportation together with tramways, while longer distance public transportation services are rail based. In between, light rail services (a German innovation) covers public transportation services for commuters in conurbation areas.

The Federal Ministry of Transport and Digital Infrastructure maintains federal responsibility for the regulation of local public transportation in Germany. The Passenger Transportation Law (*Personenbeförderungsgesetz*) is the main regulatory framework for public urban transport with a focus on transport services of less than 50 km and/or a travel time of less than an hour. The Law integrates railway and road bound services, but subdivide them into two forms of public urban transport with different regulatory frameworks: 1) 'Public urban transport' with trains including (according to the Railway Act) regional trains and S-Bahn transit, and 2) The remaining 'public urban transport' systems: trams, trolleybuses, and buses. Trams are also elevated railways, underground and cable railways but not suburban railways (S-Bahn transit).

In general, German local authorities have a long history of both regulating and delivering inhouse public transport services without private competition. However, public transportation services have seen major reforms since the 1990s in order to expose traditional public transport services to more private competition. This development has no least been driven by EU liberalization and open market directives, and caused major impacts on municipal management of public transportation services.

Notably, since the 1990s, the German Railways (DB) was transformed from an administrative unit of the federal government to a private company owned by the German federal government whilst planning and operation responsibilities for regional rail-based public transport were split between the government (planning, funding), and a new federally owned company (DB Regio). The federal government also transferred the responsibility for planning and funding of regional rail services to the federal states, while state public transport laws created a new framework for public transport in each state, which subsequently designates funding and planning responsibility for public transport within the state.

Municipalities and counties (under the rural two-tier system) became responsible for planning and funding local public transport (other than regional rail). In practice, most cities (and some counties) combine two roles: (1) As funding and planning agency for public transport, and (2) as owner of public transport agencies that operate public transport services. Virtually all large public transport agencies in German cities are owned by the city itself. In most states, either state or regional associations of counties and cities (*Zweckverbände*, see below) are responsible for planning and funding of regional rail services. Moreover, in most states, counties and cities or regional associations of counties and cities are responsible for planning and funding bus, tramway, and U-Bahn services.

Prompted by EU inner market regulations, German federal law distinguishes between public transport services that are subsidized and those that are for-profit in order to promote more competition between operators when public transport services are subsidized. The exact meaning of the law and its consequences remained subject of long-lasting court cases. However, German public transport companies eventually considered all subsidized public

transport services to be subject to mandatory calls for public tender, requiring public transport companies to compete for the right to provide subsidized services. As a consequence, financial efficiency among German public transport agencies increased in anticipation of potential competition. This notwithstanding, municipalities may subsidize public transport and designate a public transport provider without a call for tender, if no other public transport agency can provide the desired service without subsidies.

### **Institutional arrangements**

Public urban transportation is separated into “demand”-side (purchaser) and “supply”-side (service provider). Accordingly, the institutional structure of German public short-distance transport is divided into three levels: regulator, management/purchaser and provider/operator:

1. Intermunicipal co-operations (*Zweckverbände*) decide on which concessions will be tendered. Additionally, they define prices and quality of services.
2. The purchasing authority (*Aufgabenträger*), such as transport networks (*Verkehrsverbund*) and often a separate intermunicipal co-operation, coordinates the scheduling and comprehensive coverage of the ticket system. Plans for short-distance transport (made by of the intermunicipal *Aufgabenträger*) describe the requirements for the concrete service. They are one basis for approvals of the *Zweckverbände*
3. The services on the transport lines are operated by publicly owned companies or private companies. They compete for the concessions for the lines tendered, which the companies are grant for a certain period of time

Whilst most large cities also operate their own public transport service providers, most competitive tendering occurred for regional bus and rail services. Despite the low level of private involvement, German municipalities recently brought back service of delivery public transportation inhouse (along with waste management and housing management). This trend has been caused by reduced private services and steep hikes in ticket prices.

The degree of cost coverage of public owned passenger transport companies (excluding trains) was 71,9% in West Germany and 65,6% in East Germany (2004). Besides the revenue from passenger tickets, operators may receive federal subsidies, tied state grants for disabled persons, school children, apprentices and students and communal-cross-subsidization between profitable and non-profitable services.

### **3.2.5 Bulgaria**

The regulatory framework governing the role of municipalities in local public transportation is established by several laws and regulations. The point of departure is Bulgaria’s Local Self-Government and Local Administration Act (1991) which states that “local self-government in a municipality shall be reflected in the right of the citizens, or of their elected bodies with such terms of reference as thereon conferred, to resolve on issues relating to ..... local public transport’ (Article 11).

The sector regulation of public transportation in Bulgaria refers to the Ministry of Transport, Information Technology and Communications and a number of public transport regulations such as the Road Transport Act, which a. o. regulates local public passengers transport. Bulgarian regulation of local public transport, as in other EU Member States, is subject to a number of EU regulatory and policy interventions, which also constitutes the ‘*Aqui*

*Communautaire* for the sector. The EU framework includes interventions for the promotion of mobility and sustainability in public transportation, promotion of multimodal transportation systems in metropolitan areas, outsourcing of, and public-private partnerships, in transport services.

All of these interventions also have a bearing on municipal provision of local public transportation, and is most unfolded within the metropolitan multimodal transport systems of Sofia, Plovdiv, Burgas and Varna.

Notably, the management of local public transportation saw major changes in the wake of transition to market economy and accession to EU membership. As the market economy emerged and moved towards a clearer delineation between public and private sector, Bulgaria along with other Central European States saw e.g. new private entrants on the market that provided for minibuses services. Such services could be very profitable as most private operators took advantage of the confused regulatory situation in the cities and the (often) rather mediocre situation of public transport companies. For the public transport companies, with fixed low fares and often with lacking resources as a result of unpaid subsidies it was usually impossible to compete against these private buses that managed the profitable routes in the city regions.

### **Institutional arrangements**

Municipal councils may operate local public transportation services inhouse or may grant concessions on provision of public transport services to private operators. Access to the transport market is fully liberalized. Any operator who meets the conditions described for the obtainment of a license to perform transport activity has equal access to the market.

Accordingly, in terms of city buses, competitive tendering is accessible for private operators. In such cases, the national regulation (in line with EU regulation) establish that the duration of public service contracts should not exceed 10 years for urban transport and 15 years for trams and subways. In practice, private contracts last for 10 years for both bus and rail services and include public service contracts for delivery of passenger services, infrastructure management, buildings/bus depot and rolling stock.

### **3.2.6 Spain**

The Local Government Act (1985) lists local public transportation as a compulsory service provided by any municipality above 50,000 inhabitants (of which there are less than 2%). In all other cases, the provincial councils (*Diputaciones Provinciales*) must provide local public transportation services on behalf of the smaller municipalities. In parallel to Spain's process of political decentralization, the authority over routes that operate within a region has been transferred to the 17 Autonomous Regions (*Comunidades Autónomas*). This has usually been done through a process of breaking up the national concessions into its regional routes, which were transferred to the regional authorities, while central government kept the responsibility for the remaining inter-regional routes.

The sector regulation of public transport refers to the Ministry of Development (*Ministerio de Fomento*), whilst overall coordination takes place through the National Conference of Transport, which is an advisory and deliberative body with participation of regions and local governments.

The core legislation is the Land Transport Law (LOTT is the Spanish acronym) which is further detailed by each of the Autonomous Regions. LOTT establishes that local transportation services are subject to be provided by means of a concession, whose contract sets the exact itinerary, number and location of stops, maximum prices and frequencies, as well as guaranteeing exclusivity rights to the service provider for the length of the concession. The service can be delivered by a public or a private operator and local authorities are allowed to subsidize public transportation, whenever service revenues are below production costs, no matter if a public or a private operator delivers the service.

For the metropolitan areas, a multi-modal public transportation system is promoted through the Sustainable Mobility Law, which seeks to replace old schemes of independent modes with a coherent urban transportation system and unified fare schemes.

### **Institutional arrangements**

In general, each local authority may run its public transportation services inhouse or through private operator concessions. Increasingly, local transportation competences are transferred to voluntary intermunicipal co-operations, either with purchasing and operator powers and/or as purchaser of privately tendered services.

The main innovation in Spain in terms of intermunicipal cooperation relates to the new Public Transport Authority (ATP is the Spanish acronym), which are responsible for planning and managing public transportation in a metropolitan area. Regional governments may also participate. ATPs also channel central or regional government subsidies to operators of urban and metropolitan transport.

ATPs are the institutional answer to the promotion of multi-modality transportation concepts in the metropolitan areas of Spain and the concept is still emerging and not subject to a specific regulatory framework. Accordingly, functional responsibilities delegated to the ATPs differs and the most complete ATPs, such as ATP of Barcelona are assigned with six types of functions: spatial planning, financial planning, tariff regulation, infrastructure construction, service provision and evaluation. One of the successful ATPs is the CRTM of Madrid metropolitan areas (*Consortio Regional de Transportes de Madrid*), which provides public transport services to the inhabitants of the entire Madrid Region and associated municipalities. CRTMs functions are:

- Planning of public transport infrastructures: metro extensions, interchanges, bus lanes, etc. Responsible for surveys and models of mobility.
- Planning and authorizing provision of public transport services: definition of routes in the network, stops, timetables and control of the level of service.
- Definition of the ticketing policy and fare framework for the public transport system. Management of the monthly and annual travel card (*Abono Transportes*) and multimodal tickets.
- Public transport information, marketing and branding.

The emergence of ATPs has improved metropolitan mobility and led to the introduction of new approaches such as highlighting the importance of the underground, install new tram and light underground rail lines and the incorporation of buses that run on gas and hydrogen.

### 3.3 Turkey and the EU Member States in comparison

#### Summary findings

In most EU Member States, municipalities are responsible for local public transport services; whilst in Spain this is assigned to provinces or municipality above 50,000 inhabitants. In Turkey, responsibility for local public transport services depends on the type of local government, since the Law no 5393 on Municipalities is different from the one given to metropolitan municipalities which are subject to Law no 5216 on Metropolitan Municipalities. In metropolitan cities, this responsibility belongs to metropolitan municipalities; metropolitan sub-provincial municipalities are not empowered in this regard.

The complexity of the service area has grown considerably and service delivery needs to take into account a range of concerns related to emerging mobility issues in urban and rural settings, environment and climate change, health, transformations from siloed to coherent multi-modal transportation systems with supportive infrastructures and technologies, increase in public-private cooperation, etc.

Both in Turkey and in the EU, such concerns are subject to various regulations. Due to the complexity of the service, regulation and operations are increasingly delegated to metropolitan or intermunicipal traffic authorities according to national laws. A common challenge is to uphold service levels in urban settings in spite of pressure from urban migration. Another challenge is to maintain public transport services in rural settings while facing depopulation. In the six EU Member States, such challenges are met by new service innovations like multimodal commuter systems, web-based travel planners or joint ticketing system, whilst in remote areas, on-call shared taxi services is another innovation.

Private operators are widely applied in both the EU and Turkey, even if re-municipalization trends have been seen in the EU. Germany generally has a lower degree of outsourcing.

As previously mentioned, local public transportation is a very complex service area; which in this study covers establishment and operation of multimodal local public transport systems, including buses, means of sea and waterway transportation, subway and rail systems. This definition of this particular service corresponds with the relevant legislation of Turkey.

EU as well as national European regulations and institutional arrangements within local public transportation also reflects the complexity of this service area. It is driven by a number of key development priorities, notably urbanization trends, mobility concerns, economic development, open competition for transport concessions, climate change and sustainability concerns, and integration of transport modalities into a coherent system. EU supranational regulation plays an important role in all these areas, e.g. EU general procurement regulations requiring competitive awarding of public service contracts, regulations on exchange of data between transport service providers and regulation on public subsidies for public passenger transport services by rail and by road.

In the majority of the EU member states, municipalities are responsible for local public transport services; however, these services are gradually handed over to intermunicipal cooperations, even in EU Member States with large municipalities such as the United Kingdom

and Denmark. Private operators appear in all these six countries; however, the degree of service privatization is variable and less practised in Germany. In Turkey, the municipalities partially privatize local public transport via concession agreements; subway and other railway systems are constructed based on build-operate-transfer model.

Specific comparisons between Turkey and selected EU Member States are highlighted below:

- **Denmark**

A part of Greater Copenhagen Suburban Train System was built by the Ministry of Transport, Building and Housing in a public-private partnership In Turkey, the central administration may undertake the construction of the subway as in Ankara. Also, private public buses and minibuses provide local public transport services through regular concessions.

The Danish Act on Public Traffic Corporations (2015) constitutes the basic legal framework for public transport in Denmark. In general, five regional authorities are responsible for regulating regional bus traffic and local (privately operated) railways, while the municipalities regulate bus transport within their borders. Local public transportation outside the capital is operated by intermunicipal cooperations, featuring as a compulsory minimum one municipality and one region. Operation of public transport is either done inhouse or through contracted private companies. The two largest metropolitan areas - Greater Copenhagen Area and Aarhus City - also provide subway lines jointly-owned by central and regional administrations and operated by public companies run by independent contractors. In Turkey, the metropolitan municipalities provide local public transport service via public entities governed by the provisions of the private law. For example, in Ankara, the Ankara Electricity, Gas and Bus Operations Organization (EGO General Directorate) undertakes the operation of buses and rail systems (subway) and transportation planning services to ensure the traffic management and safety of the city.

In Turkey, public transport companies take over all the responsibilities in public transport regarding common bus route services, coordination of the mobility as a service (for example public transport service for the citizens with disabilities), fares, creation of ticketing systems and regulating train services operated locally. According to the paragraph (p) of the article 15 of the Municipality Law in Turkey, municipalities are empowered to determine the numbers, fare and tariffs, timing and routes of any type of local public transportation vehicles operated on land, sea, waterway and railway.

Danish public transport companies are administered by a board of participating municipalities and regions with a majority representation of the municipal councils. The companies are subject to government approval according to the regulation for binding inter-municipal cooperations established by the Local Governance Act (Article 60).

According to the Law on Unions of Local Authorities, the Turkish municipalities can establish unity to carry out public transport services. However, municipalities do not seem very eager to try this route. The number of municipal associations in the area of public transport services is very rare.

- **The United Kingdom**

Buses play a significant role in UK local public transport and is subject to various regulation. The bus transport in London is regulated by Transport for London under the Greater London

Authority, and it is also responsible for several railway networks including main road network of London, London metro and underground. The Mayor of London implements the transport strategy and administers transport services throughout the capital. Transportation services including inner-city bus services have been privatized in London as of 1980. Despite these developments, re-municipalization of the local public transport in London has been raised. Transport for London terminated the public-private partnership contract in 2011.

The resolutions of the Transport Coordination Centers, which have to be established in the metropolitan municipalities in Turkey, are binding on municipalities and state institutions and organizations and concerned parties. Furthermore, the public entities governed by the provisions of the private law such as EGO in Ankara and IETT in Istanbul are responsible for local public transport service.

- **France**

The public transport service is operated locally. Regional administrations are responsible for upstate transport (intercity buses, regional trains, school buses for high schools), each municipality is responsible for providing all aspects of local public transport within its borders and establishes its own local public transport system.

The transport regulation designates specific transport responsibilities and duties to the Transport Authority, which by default is the municipality. However, inter-administrational cooperation for local public transport services are widely applied according to the three regulatory frameworks (EPCIs), which accommodate such cooperations according to the size of the municipality. When transport responsibilities are delegated to such EPCIs, they become the Transport Authority within their territory, with regulatory and operational responsibilities.

Services may be operated in-house or through open tenders of concessions and private operators play an important role. However, France have seen recent trends of re-municipalization due to the cost and quality concerns, but also labor disputes. Instead of negotiating with private companies' service provision, some municipalities found that it may be more cost-efficient to operate the service inhouse.

In Turkey, local public transport service differs in the sense that the authority given to provincial and district municipalities as per the Law no 5393 on Municipalities is different from the one given to metropolitan municipalities which are subject to Law no 5216 on Metropolitan Municipalities. In metropolitan cities, this power belongs to metropolitan municipalities; metropolitan sub-provincial municipalities are not empowered in this regard. A similar process to that of re-municipalization France does not happen in Turkey. However, some municipalities combine the services of public and private transportation entities. For example, Ankara metropolitan municipality introduced single card system usable in both public and private public transport entities.

- **Bulgaria**

As in the other EU states, local public transport service is subject to a series of EU regulations and policy interventions which constitute the "Acquis Communautaire" for the sector. EU framework includes interventions which include incentives for mobility and sustainability in public transport, incentive for multimodal transport systems in metropolitan areas, outsourcing and public-private partnerships. All these interventions have an impact on local public

transport service provided by the municipality and this impact emerges mostly in the metropolitan multimodal transport systems of Sofia, Plovdiv, Bourgas and Varna.

In particular, the local public transport service has undergone major changes following the transition to the market economy and accession to the EU. As the market economy emerges and gradually clarified its position between public and private sector, along with the other Central European States, Bulgaria witnessed privatization of minibuses services.

The municipal councils may operate local public transport services in-house or regarding providing public transport services they may decide to transfer service to the private companies. Also, in Turkey, the municipal councils are empowered for privatization of the local public transport services.

- **Spain**

Law on Local Government (1985) makes local public transport service obligatory for the municipalities with a population over 50.000. In all other cases the provincial councils (Diputaciones Provinciales) provide local public transport services on behalf of the smaller municipalities. In parallel with Spain's political decentralization process, the power to decide on the routes within a region has been transferred to 17 Autonomous Regions. As far as Turkey is concerned, local public transport service is compulsory for the municipalities and there is no limitation regarding the population. In general, each local administration may operate the public transport services in house or with the privileges given to private companies.

## **4. Fire Services**

### **4.1 Fire Services in Turkey**

#### **4.1.1 Service Description**

Fire services are included among the public order and security services provided by the municipalities. Fire units have a wide range of duties such as fire protection and fire extinguishing, disaster coordination, chimney inspection, emergency response, emergency ambulance, training and lifesaving on the beaches in coastal municipalities.

#### **4.1.2 Legal Basis**

The primary legal basis of the fire service is the Municipality Law and the Law on Metropolitan Municipalities. The paragraph (a) of Article 14 of Municipality Law No. 5393, which entered into force in 2005, states that municipalities shall provide or cause to provide fire services.

According to Article 52 of the Municipality Law, a regulation issued by the Ministry of Interior shall lay down the working procedures and principles of the firefighting service, duties and powers of employees, qualifications required for access to civil servant status, in-service training they are to receive, promotion, dismissal from service, dresses, devices they are to use in self-defense and the units to be set up in the firefighting service in accordance with service requirements. The municipality may introduce additional arrangements, provided that they do not contravene the regulation. Firefighting service shall be carried out without interruption. The working period and hours of the firefighting service shall be arranged in a way to perform the services without interruption regardless of the working period and hours specified in the Law No. 657 on Civil Servants.

According to Article 48 of the Municipality Law, the municipal organization shall consist of units of secretariat, financial services, technical services and municipal police in accordance with standard job positions. Where necessary, in the light of the town's population, physical and geographical structure, economic, social and cultural characteristics and development potential, units of health care, firefighting, land development planning and control, human resources, legal affairs and other necessary units may be established as appropriate in accordance with the principles of job position standards. Such units shall be established, abolished or combined by resolutions of the municipal council.

In metropolitan municipalities, fire service is within the scope of duty and power of metropolitan municipalities in the distribution of duties and powers between metropolitan municipality and district municipalities. According to Paragraph (u) of Article 7 of the Law on Metropolitan Municipalities No. 5216; in accordance with provincial-level planning, metropolitan municipalities shall make metropolitan-level plans and other preparations relating to natural disasters; where necessary, provide other disaster areas with support in the form of equipment and supplies; provide fire-fighting and emergency services; designate production and storage locations for explosives and inflammable substances, inspect homes, businesses, recreational facilities, factories, industrial enterprises and public entities with regard to fire and other disaster prevention measures and issue the statutory permits in this respect.

Another legal basis is the Municipality Fire Department Regulation dated 21.10.2006 prepared by the Ministry of Interior (Official Gazette dated 21.10.2006, numbered 26326). Article 1 of the Regulation states that the purpose of the Regulation is to regulate the establishment, duties, powers and responsibilities of the fire department organization, qualifications, promotion and professional training and clothes of the firefighters, the, the vehicles, equipment and materials to be used and the inspection procedures and principles. According to Article 6 of the Regulation, the duties of the fire department organization are as follows:

- Respond to and extinguish fires
- Respond to the incidents requiring technical rescue in all kinds of accidents, collapses, explosions, being stranded and similar situations, provide first aid services, carry out all kinds of search and rescue activities on land and above and under water,
- Respond to floods,
- Participate in rescue works in natural disasters and emergency situations,
- Carry out the duties conferred by the Regulation Referring to the Fire Protection of Buildings which entered into force by the Decision no. 2002/4390 dated 12.6.2002 of the Council of Ministers,
- Provide trainings for the fire service taxpayers established pursuant to the Regulation on Personal Liability, Evacuation, Planning and Other Services Regarding Civil Defense” which entered into force by the Decision no. 6/3150 dated 5.6.1964 of the Council of Ministers, and assist them in the treatment of contaminations with nuclear, biological, chemical (NBC) substances,
- Inform the public, institutions and organizations about fire services, provide trainings for them about the measures to be taken and carry out practices on this issue,
- Assist in the training and education of fire departments of public and private organizations and volunteer fire personnel, audit the compliance of their buildings, tools and devices and equipment with fire standards, issue the fire competency certificate for these units and cooperate with them when necessary,
- Respond to the incidents outside the municipal boundaries,
- Sweep or cause to sweep the chimneys within the municipality boundaries for a fee to be determined by the municipal council and audit the chimneys in terms of fire prevention measures,
- Participate in forest fire extinguishing activities upon request,
- Determine the inflammable, explosive and ignitable material storage places according to the zoning plans,
- Audit the workplaces, entertainment places, factories and industrial organizations in terms of fire prevention measures, issue permits and licenses as stipulated by the legislation on these issues,
- Perform other duties assigned by the mayor.

Another legal basis is the Regulation Referring to the Fire Protection of Buildings (Official Gazette 19.12.2007/26735) which entered into force by the Decision no. 2007/12937 of the Council of Ministers. Article 1 of the Regulation states that the purpose of the Regulation is to determine the procedures and principles of the measures to be taken to minimize the fires that may occur during the design, construction, operation, maintenance and use of any structures, buildings, facilities and enterprises used by public institutions and organizations, private organizations and real persons and ensure that any fire can be extinguished in a way to minimize the loss of life and property.

### **4.1.3 Mandatory or Optional Service**

Although there is no separation of mandatory and voluntary duties in the Municipality Law no. 5393, the fact that paragraph (a) of Article 14 includes the phrase "shall ... or cause to ...." shows that the firefighting service is one of the mandatory services.

### **4.1.4 Organizational Structure**

According to Article 5 of the Municipality Fire Department Regulation, municipality fire department shall be established with the decision of the municipal council within the framework of the Norm Staffing Principles and Standards of Municipalities, Affiliates and Local Administrations which entered into force by the Decision no. 2006/9809 dated 29.11.2005 of the Council of Ministers. During the establishment, it shall be considered to use the resources in an effective and efficient manner, increase the quality of fire services, and employ the staff according to the qualifications, titles and numbers required. The town's population, physical and geographical structure, sensitivity to fire and other disasters and development potential shall be also taken into consideration in the establishment of the units. Women are employed in the fire brigades of municipalities and metropolitan municipalities. However, there is no provision regarding positive discrimination or gender discrimination in the legislation on fire fighting.

On the other hand, Article 45 of the Regulation regulates voluntary firefighting. This Article states that "where fire service needs to be supported, voluntary fire organizations may be established in accordance with the provisions of the Regulation on Voluntary Participation in the Services of Special Provincial Administration and Municipality published in the Official Gazette no. 25981 dated 9.10.2005".

The working order of the fire department is also regulated in the Regulation. According to Article 7, fire services shall be carried out on a 24-hour basis, including public holidays. The working hours and times of the firefighters shall be determined regardless of the working hours and times specified in the Civil Servants Law no. 657 dated 14/7/1965 after the approval of the State Personnel Presidency so as to ensure that the service is carried out without interruption. The working hours of the firefighters shall be arranged in shifts. The provisions of Law No. 5393 shall apply to overtime wages. The workers employed in the fire service due to lack of staff in accordance with the provisions of the Labor Law No. 4857 dated 22/5/2003 shall be paid overtime wage, provided that their consent is obtained in advance. According to article 8, the fire department consists of the staff of manager, branch manager, fire chief, fire sergeant and firefighter. According to Article 9 of the Regulation, the fire personnel consists of firefighters, fire sergeants, fire chief, branch manager, manager and director. It is the duty and responsibility of these personnel to be present on the foreground and respond to the fire.

When the metropolitan municipalities are individually examined, it can be determined that they have a similar organizational structure in order to provide fire service within the framework of the existing legal basis. For example; in Ankara Metropolitan Municipality, there are 4 Directorates affiliated to the Fire Department; namely the Directorate of Administrative Affairs for Fire, the Directorate of Fire Response, the Directorate of Fire Search and Rescue and Training and the Directorate of Fire Prevention. The Directorate of Administrative Affairs for Fire consists of the Administrative Affairs Office for Fire (1), the Personnel and Registrar's Office, the R & D and Public Relations Department, the Stock and Inventory Office, the Purchase Office, the Maintenance and Repair Office and the Construction and Real Estate

Office. The Directorate of Fire Response consists of the Fire Response Coordination Office (1), the Regional Fire Office (3), the Fire Control Office, the Fire Research and Statistics Office, the Fire Group Office (18) and the Firehouses (21). The Directorate of Fire Response consists of the Fire Prevention Coordination Office (1), the Technical Office, the Fire Prevention Office and the Chimney Services Office. The Directorate of Fire Search & Rescue and Training consists of the Fire Academy Office, the In-service Training Office, the Formal Training Office, the Training Office for External Institutions, the Sports and Health Office and the Search and Rescue Office.

The Fire Department under Istanbul Metropolitan Municipality consists of the Directorate of Fire Brigade Support Services, the Directorate of European Side Fire Brigade, the Directorate of Asian Side Fire Brigade, the Directorate of Emergency Relief and Rescue Service and the Directorate of Disaster Coordination Center (DCC).

In Izmir Metropolitan Municipality, the Fire Department consists of the Directorate of Fire and Emergency Response, the Directorate of Fire Search and Rescue and Disaster Affairs, the Directorate of Fire Inspection and Prevention, the Directorate of Fire Brigade Training the Directorate of Fire Research, Planning and Coordination and the Directorate of Fire Brigade Promotion and Resource Management.

In Adana Metropolitan Municipality, the Fire Department consists of the Directorate of Fire Search and Rescue, the Directorate of Fire Brigade Support and Training, the Directorate of Fire License and Prevention and the Directorate of Fire.

Antalya Metropolitan Municipality has a similar organization. The directorates affiliated to the Fire Department of Antalya are the Directorate of Disaster Coordination, the Directorate of Training and Prevention, the Directorate of Administrative Services and the Directorate of Intervention.

#### **4.1.5 Service Provision**

Provision of fire service depends on the competence of the personnel, service provision and inspection of the personnel, the tools and equipment used in the service, and the facilities owned.

Competence of the staff working in the fire brigade department is regulated in the Regulation. For example, Article 15 specifies the conditions for the appointment of firefighters. In addition to general conditions stipulated in Article 48 of the Law no. 657, the criteria sought to be appointed as a firefighter are as follows: having at least a high school or equivalent school diploma; being suitable for the working conditions of the fire brigade, provided that the applicant has no phobia of indoor space, narrow space and height; having at least 1.67 m of height for men and 1.60 m of height for women, provided that weight and measurement values are taken on empty stomach with bare feet and no clothes and there is no more than 10 kg difference (+, -) between the weight and the value of height exceeding 1 m; not exceeding 25 years of age. Those who will be firefighters are required to take the written and oral exam. Similarly, the conditions for promotion, test for promotion, training of executive staff and in-service training are also regulated in the Regulation.

The works of the fire brigade and its personnel are regulated in Article 32 of the Regulation. Inspection shall be conducted by the General Directorate of Civil Defense or the Ministry's inspection staff, governors, district governors and mayors and other personnel to be assigned by these.

According to Article 33, the physical characteristics of the firefighters shall be supported by the sports programs prepared. Work efficiency shall be increased by making the personnel do cultural-physical activities, athletics, instrument sports, strength and balance sports and other professional sports activities deemed appropriate. While preparing the training programs, the time required for the sports activity of the day shall be added to the applied course hours of at least 3 days of the week. The municipality shall provide the required space arrangement, equipment and special sports clothes for the firefighters to perform the specified sports activities and professional sports. The sports and social facilities of the municipality shall also be used in this regard. Firefighters shall be provided with the opportunity to participate in sports events in firefighting sports competitions organized in Turkey and abroad. Voluntary firefighters can also benefit from these rights and opportunities.

It is stated in Article 34 that the service building of the fire brigade personnel, storage, maintenance and repair units, garage and other residential units shall be designed and established in accordance with the service requirements, and the necessary arrangements for the sporting activities of the fire brigade personnel shall be taken into consideration as a priority.

According to Article 36; in addition to normal clothing, firefighters shall be provided with special equipment and clothing against fire, flood, avalanche, nuclear, biological, chemical and similar hazards in accordance with today's technologies and Turkish Standards Institute (TSE) or European Norms (EN) standards.

The social rights of the firefighters and disciplinary penalties are also regulated in the Regulation in a way to ensure that the service is carried out continuously, effectively and efficiently.

Article 42 of the Regulation specifies the minimum number of fire station vehicles to be determined based on which criteria in accordance with the related TSE (Institute of Turkish Standards) and EN standards.

For example, at least 1 fire extinguishing vehicle should be available in places where the population is up to 10,000 while at least 2 emergency rescue vehicles, 2 multi-purpose rescue vehicles, 3 ambulances, 14 fire extinguishing vehicles, 4 vehicles with ladders, 4 small vans with double cabinets and 2 service vehicles are provided in places with a population of 400,000-600.000 people. Fire vehicles are developed and renewed in terms of type and quality in accordance with technological developments.

According to Article 43; the type, quantity and qualifications of the equipment and materials to be used in the fire brigade department shall be determined pursuant to the service requirements in accordance with the technological developments. Equipment and materials are supplied in accordance with TSE and EN standards.

The Fire Department of Ankara Metropolitan Municipality provides fire service with 165 vehicles and 840 personnel at 39 fire stations in 25 districts of Ankara. The services provided by the directorates within the body of the Department are as follows: The Directorate of Administrative Affairs of the Fire Brigade is obliged to coordinate the official workflow of the Department, exchange correspondences with institutions and keep archives and statistics. The Directorate of Fire Response is obliged to intervene in fire and rescue related incidents and keep the required environment, tools, vehicles and equipment ready to intervene. The Directorate of Fire Prevention is obliged to ensure the on-site inspection of the approved projects, examine the workplaces wanting to obtain business license to be established in existing and new buildings and inspect the fire safety measures in line with the received demands pursuant to the Regulation Referring to the Fire Protection of Buildings. The

Directorate of Fire Search and Rescue and Training is obliged to provide in-service training to the staff of the Department, provide training to the staff of other institutions and organizations on fire Response and search and rescue issues upon request, carry out cooperation with the institutions providing formal firefighting trainings and raise public awareness about fire and rescue related incidents.

The mission of the Fire Department of Istanbul Metropolitan Municipality is to respond efficiently to every kind of fire – related incidents within the period of time provided by the international standards, raise well trained and qualified firefighters who will respond efficiently to fire – related incidents, make activities of heightening awareness of fire prevention in order to minimize loss of life and material loss in case of disasters and provide pre – hospital emergency care within internationally approved standards. The vision of the Department is to be a trailblazer among fire departments worldwide by internalizing continuous improvement as an organizational policy by means of well trained and experienced personnel, modern vehicles, and technological equipment after disasters, and activities of training and fire prevention– aimed controls before disasters.

The mission of the Fire Department of Izmir Metropolitan Municipality is to concentrate on preventive activities for natural and man-made disasters, access to international standards for Response in emergency situations and to ensure that the staff go through a training process effectively for that, follow modern technologies and innovations, take in principle dynamism, change and development and to make permanent this principle, and, as the main target, to be the center of innovation and a fire department followed by The World. The vision of the Department is to train firefighters who are familiar with all kinds of risks (fire, earthquake, flood, flood, traffic accidents, etc.) in the responsibility area of the fire department, train firefighters whose risks are minimized and have maximum benefit methods and techniques and be a fire department that takes all kinds of rescue activities as an essential element by taking the people to the center, and ready to disasters happening in our city, our country and other countries.

Izmir Metropolitan Municipality also implements some projects within the framework of fire services. The 112 Emergency Call Centers Project, which is carried out by the Ministry of Interior, is the project of collection of the emergency call numbers under the roof of 112 Emergency Call Number. (155 Police, 112 Health, 110 Fire, 122 AFAD, 177 Forest Fire, 156 Gendarmerie, 158 Coast Guard). The ATHENA project (Use of New Communication Methods and Social Media in Crises) is a project realized under the EU 7<sup>th</sup> Framework Programme Security Themed Research Project. The Fire Department Management System is implemented as an innovation project that will change the vision of fire departments in Turkey by adapting the processes related to fire department services to digital environment.

The duties of the Fire Department in Antalya Metropolitan Municipality determined in a very detailed manner together with the relevant laws and regulations are as follows;

- Respond to and extinguish fires,
- Respond to the incidents requiring technical rescue in all kinds of accidents, collapses, explosions, being stranded and similar situations, and ensure that first aid services are provided by the Response personnel with a first-aider ID card from the Provincial Directorate of Health,
- Ensure that the personnel to carry out all kinds of search and rescue activities on land and above and under water are authorized (and formation of Diving staff),
- Respond to floods
- Participate in rescue operations in case of disasters and emergency situations,

- Provide sufficient special tools and devices and equipment to participate in the treatment process in the cases of contaminations through nuclear, biological, chemical and (NBC) substances,
- Obtain permission from the top management for urgent response to incidents outside the provincial borders,
- Participate in forest fire extinguishing activities upon request,
- Determine the places where fire hydrants will be placed in accordance with the relevant legislation and standards, notify the relevant organizations (ASAT) in this regard and provide periodic controls to ensure that the fire hydrants operate in full,
- Evaluate the reports and applications made to the 112-Emergency Call Center and send the teams in an urgent manner, issue the necessary reports on the events intervened, ensure that the call center operators have knowledge of the required foreign language,
- Prepare the daily, monthly and annual training plans for the personnel in the affiliated fire stations and cause to prepare in-service trainings according to these plans,
- Ensure coordination between the affiliated fire stations and their stakeholders,
- Ensure cooperation with fire department organizations of the public and private institutions and refer, manage and call these organizations for assistance when necessary, referral and management of these organizations,
- Draw up a general plan for access to fire and water resources, general plan of access to fire and water resources, process this plan on the city map of 1/25.000 and collect the digital data,
- Establish open pools and water tanks where the fire department can supply water,
- Provide basic and in-service trainings for firefighters,
- Carry out the duties conferred by the Regulation Referring to the Fire Protection of Buildings no. 27344 dated 09/09/2009 which entered into force by the Decision no. 2007/12937 dated 17/11/2007 of the Council of Ministers,
- Audit the workplaces, entertainment places, factories and industrial establishments in terms of fire prevention measures, and issue the permits stipulated by the legislation on these issues,
- In cooperation with the Department of Housing and Urban Development; to determine the storage locations for inflammable, explosive and ignitable materials according to the Zoning Plans, carry out joint works on the metropolitan scale to prevent fires and minimize the loss of life and property in possible fires,
- Inform the public, institutions and organizations about fire services, provide trainings for them about the measures to be taken and carry out fire drills, prepare printed bulletins and brochures in order to raise public awareness on fire safety and also organize visual programs,
- Provide educational support in schools with the cooperation of the Provincial Directorate of National Education,
- Cause to sweep the chimneys within the boundaries of the municipalities to the companies authorized by the Directorate for a fee to be determined by the municipal council, inform the public about chimney fires and measures to be taken, and audit the Chimney Sweeping organizations,
- Examine the projects delivered by the institution or persons that show the fire safety systems of the buildings and deliver opinions on these projects,
- Cooperate with national and international experts and organizations in order to increase the knowledge and efficiency in fire prevention and training activities,
- Help detect the damage in fires, floods and similar incidents that occur within the boundaries of the municipality,

- Help determine which vehicles, equipment and other materials to be kept against fires in the buildings used by the state,
- Provide internship opportunities for the students studying in firefighting departments of the universities within the bounds of possibility,
- Coordinate the works including the phases of harm reduction, preparedness, Response, improvement in line with the principles of disaster management within Antalya Metropolitan Municipality,
- Ensure the cooperation between the units affiliated to Antalya Metropolitan Municipality, non-governmental organizations and voluntary organizations and coordinate their works,
- Conduct informative activities to raise public awareness on disasters (seminars, training, exercises, brochures, publications, etc.),
- Provide tools, equipment and materials to Disaster Coordination Center (AFKOM), maintain or cause to maintain and to conserve these tools, equipment and materials;
- Align the units established in the AFKOM to the developing and changing situations.
- Perform or cause to perform and coordinate the duties stipulated in the Regulation on the Working, Procedures and Principles of the Disaster Coordination Center of Antalya Metropolitan Municipality,
- Participate and cooperate in the preparation of disaster and emergency plans and drill scenarios to be prepared in Antalya,
- Organize free training programs for the staff to be employed in disasters likely to occur in Antalya,
- Prepare directives on Services, Works, Procedures and Principles and implement or cause to implement them following the approval of the Directorate and Municipal Council,
- Perform the duties of Personnel Affairs,
- Respond to all kinds of letters on behalf of the Directorate and deliver the necessary information to the relevant units,
- Carry out all works and correspondences related to the procurement and budget implementation,
- Determine and provide the needs of tools, devices and equipment of the fire authorities together with the relevant directorates and make all relevant correspondences,
- Carry out or cause to carry out the maintenance and repair works of fire service buildings, vehicles, tools, devices and equipment together with the relevant directorates, and make all relevant correspondences,
- Recruit the personnel that can be required by fire authorities and make all relevant correspondences,
- Record and store the materials received by the Department and carry out all the works and operations related to the transfer of these materials to the related sub-units,
- Cause to perform the supply maintenance and repair of all materials and equipment including facilities and motor vehicles, keep them ready for service,
- Lease fire trucks and equipment to real and legal persons according to the fee schedule updated and determined annually by the Metropolitan Municipality Council,
- Prepare Internal Service Directives and implement them after the approval of the Directorate,
- Ensure the preparation of Strategic Planning and implementation of Performance Program and prepare Activity Reports,
- Ensure the implementation of TS EN ISO 9001: 2008 Quality Management System,
- Increase the spirits and motivation of the personnel of the Department, organize sportive, artistic, cultural and social activities to improve the team spirit, meet the needs required for these activities.

Municipalities fire brigade directives are prepared within the framework of the "firefighting service regulation" issued by the Ministry of Interior. There is no big difference between them. Therefore, the provision of fire services of municipalities is largely common and there is no significant difference between them.

## 4.2 Fire Services in Six EU Member States

### Summary findings

Formation of national fire services and assignment of functional responsibilities and standards for local fire brigades are not as such subject to EU regulation, which is more aimed at thematic civil protection issues like fire safety in buildings, transportation of dangerous cargo, protection of critical infrastructure and storage of chemicals.

The tasks of national fire services vary within the EU as highlighted in Annex 2. The structure and organization of national fire services also vary considerably among EU Member States, which is also reflected by the diversity of the six countries in this study. In Denmark, Spain, Germany and the UK (England and Wales), local fire services are a municipal function assigned by the Local Government Act and/or specific sector legislation. In contrast, France, Bulgaria and the Parliaments of Scotland and Northern Ireland maintain a more centralized, deconcentrated fire service; in France split between the Ministry of Interior and the Ministry of Defense with some municipal participation.

The composition of fire brigades and their employment status also vary from country to country. In Spain, Bulgaria and the UK, firefighters are predominantly fulltime professionals, while most firefighters in Germany, Denmark and France are volunteers. Professional firefighters are civil servants employed by the municipality in Spain, Germany and the UK (England and Wales), while they are employed as civil servants by the Department in France, by the Oblast in Bulgaria and by the respective central statutory bodies in Scotland and Northern Ireland. In Denmark, professional firefighters are public contractual workers employed by the municipality.

Officially, women can become firefighters. However, European fire services remain very male-dominated. This study was not able to identify effective policies and campaigns, which promote a more gender balanced composition of the fire brigades. In spite of efforts in member states such as the United Kingdom and Sweden to encourage women into the fire services, there are still very few women firefighters. In all European countries, women firefighters make up less than 4% of the professional workforce. While some of this lack of interest may be explained by the working conditions and physical demands of the job, studies have pointed to an entrenched macho culture in the fire service that hinders women's entry into the profession.

In general, dimensioning of fire brigades are made according to local assessments of risks, geography and levels of urbanization rather than fixed staff/population ratios. To this end, fire service response time in urban areas, along with fire appliance staffing ratios are among the comparable service standards applied in national legislation and guidelines. Urban area response times vary across the six countries in this study, from 20 minutes in Ain département to 8 minutes across the board in German municipal fire services. Hence, regulation response time differs by country and even by region, like in France and Spain, since it takes into account the area coverage and specific organization of fire services: e.g., a faster response is generally required from professional than volunteer or retained firefighters to the same type of call.

National monitoring of compliance and efficiency in terms of response time inform regulators and the public at large about actual standards and adequacy of fire service provisions. Whilst no comparative study has been identified on compliance and efficiency, it is clear from discussions in the UK, that recent downscaling of fire services has stirred a political debate about the adequacy of the current fire service capability. Trade unions have also voiced

concerns about general under-manning in the sector, where numbers are too small to ensure a proper, quality service at all times. E.g. Spain and France see trends of retiring professional firefighters to be replaced by volunteer firefighters on temporary contracts. In Denmark, there are concerns about the aging of the workforce.

Within the EU, human resource and operational costs are mostly covered by earmarked local or regional taxes, while training provision, part of the equipment (especially fire appliances) and large-scale rescue operations are subsidized by relevant national authorities. Such mixed public funding is a. o. found in Denmark and the UK, while all costs are covered by the regional and local authorities in Spain. In France and Bulgaria, fire services are funded by the Interior Ministry, except Paris and Marseilles where they are part of the French army and navy, respectively.

Intermunicipal cooperations are widely applied, while outsourcing is not. Apart from industrial fire services, few EU Member States allow and practice outsourcing of fire services to private contractors. However, outsourcing practices are widespread in Denmark, where more than 50% of municipal councils procure their fire services from private operator Falck, Europe's biggest private firefighting and rescue operations company.

#### **4.2.1 Denmark**

The Danish Local Government Act is in essence a governance framework act, and does not list sector specific responsibilities. Due to the massive role of municipalities in public service delivery, sector related functions assigned to municipalities are only laid out in specific sector regulations. This also includes firefighting services.

At the national level, firefighting services refers to the Ministry of Defence and the Emergency Response Act assigns the responsibility of local disaster response to the municipal council. this covers not only firefighting and fire prevention, but also health and environmental emergencies, although legislation regarding ambulance services refers to the Ministry of Health and is mandatory responsibility of the regional authorities (the hospital owners).

According to the Emergency Response Act, the municipal emergency response must have the capacity to provide adequate emergency responses to personal injuries as well as property and environmental damage caused by accidents and major catastrophes, including acts of war. The exact size and capability of the emergency response is to be decided by the municipal council, based on its own local risk assessment.

Supervision of the municipal firefighting services is the responsibility of the Danish Emergency Management Agency under the Ministry of Defence, and maintained by the Audit and Advisory Department.

Notably, the municipal fire services are also mandatory stakeholders in the processing of local spatial planning and approval of all construction permits. This means that they are included in all hearing processes related to municipal spatial planning, environmental impact assessment of large project schemes and the issuing of building permits.

Funding of fire services is covered by municipal taxes and central government subsidies. Local fire stations, who only have voluntary firefighters without pay, also receive private donations from local companies and foundations.

## **Institutional arrangements**

The fire services are part of the municipal emergency response services. If the municipal council decides so, it can outsource this service. In practise, a number of municipalities did outsource its fire services, either to a private contractor, or to a larger neighbouring municipality within the framework of a binding intermunicipal cooperation. The service can also be outsourced to the Danish Emergency Management Agency.

Municipalities, which operate municipal emergencies inhouse, including fire services, may also operate ambulance services upon contractual agreement with the regional authorities. Large cities such as the City of Copenhagen, operate all emergency response services inhouse, including ambulance services.

In terms of private contracting, there is in practise only one major service provider, namely Falck which has more than a century long background of delivering emergency response services of behalf of public authorities in Denmark. Today, it also delivers international services in more than 30 countries. In the case of firefighting, Falck is the biggest service provider and maintains 60% of all firefighting and ambulance services in Denmark.

In 2014, central and local governments agreed to merge municipal emergency response units in order to improve their efficiency and economies of scale. Due to this agreement, municipal emergency response units were reduced to twenty intermunicipal units only. Some of the services are still produced by private contractors, though, in which case the emergency response unit act as the intermunicipal purchaser. Recently, some reversals were noted due to municipalities deliberating to leave the intermunicipal emergency units and revert to inhouse delivery or outsourcing to Falck.

There is also another dimension to public-private cooperation within fire services. A number of Danish municipalities has started using sale and lease back arrangements as part of their fleet management, rather than owning the vehicles. Such arrangements are also applied in municipal fire services. Sale and lease back arrangements are facilitated by private leasing companies and by the intermunicipal credit scheme institute owned jointly by all Danish local authorities.

### **4.2.2 United Kingdom**

The Fire and Rescue Services in the United Kingdom operate under separate legislative and administrative arrangements in England and Wales, Northern Ireland, and Scotland. In England and Wales, the fire services refer to the Ministry of Housing, Communities and Local Government and similar ministries under the devolved parliaments in Scotland and Northern Ireland. The Fire and Rescue Services have seen significant reforms in recent years, a. o. driven by devolution of central government powers and by new legislation and changes to operational procedures in the light of terrorism attacks and threats. In contrast to England and Wales, the Parliaments of Scotland and Northern Ireland both opted to establish single, centralised Fire and Rescue Services rather devolved local council operated brigades.

Fire and Rescue Services are established and granted their powers according to a series of legislation passed by the respective parliaments. Key legislation includes the Fire and Rescue Services Act (2004), which pertain to England and Wales. In relation to firefighting, the Act clarifies the duties and powers of fire authorities to promote fire safety, fight fires and protect citizens and property from fires. Accordingly, the fire and rescue services are required to:

- Extinguishing fires in their area
- Protecting life and property in the event of fires in their area
- Rescuing and protecting people in the event of a road traffic collision
- Rescuing and protecting people in the event of other emergencies.

A separate Greater London Authority Act (1999) was passed to allow for the formation of the Greater London Authority and in turn the London Fire and Emergency Planning Authority.

Fire authorities in England and Wales have the power to raise a council tax for funding, whilst central government provides subsidies. Accordingly, funding for fire service comes from two principal sources: a central government grant, and a small levy on the local council tax called 'a precept'.

### **Institutional arrangements**

Emergency response is provided by more than fifty Fire and Rescue Services throughout the UK. In England and Wales, the Fire and Rescue Services are local statutory bodies governed by a committee of local councillors which establishes and oversees the policy and service delivery of a Fire and Rescue Service, distributes funding, and approves major spending.

In England and Wales, some Fire and Rescue Services are Combined Fire Authorities, managed by Combined Authorities on behalf of more than one local council. Combined Fire and Rescue Authorities are also established by statutory order, and in such cases, usually each of the constituent local authorities appoints a fixed number of members of the Combined Fire Authority, depending on their relative populations.

Central government maintains national standards and direct oversight is provided by a body of independent advisers through the Chief Fire and Rescue Adviser, who is also Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services provides. The title and role of Her Majesty's Chief Inspector of Fire and Rescue Services in England, Scotland and Wales are combined with the title and role of the Fire and Rescue Adviser (or Government Fire and Rescue Adviser) appointed by the devolved and national governments of the United Kingdom. Despite holding both titles simultaneously, the roles of the Chief Inspector and that of Fire and Rescue Adviser differ slightly. The Chief Inspectors in England, Wales, and Scotland are also Fire and Rescue Advisers to their respective governments.

Firefighters are predominantly fulltime professionals in the UK and volunteers are rarely applied. Firefighters work at the individual fire stations according to the following types of work patterns:

- *Wholetime*: Firefighters work full-time in on 2 day and night shifts within the fire service.
- *Day crewed*: Firefighters work a 10-12-hour day shift and are retained at night.
- *Day crew plus*: Firefighters work a 24-hour shift consisting of 12 hours in station and spending the night at an accommodation building on the fire station plot.
- *Retained*: Retained firefighters are on call for long periods (at least 50 hours a week) to respond to incidents. They are paid a salary for the time they spend on call and a greater amount for each incident they respond to, on average 2 or 3 per week. Many have jobs outside of the fire service.
- *Volunteer*: Volunteer firefighters are now rare, though some stations are run by volunteers in certain rural areas, such as Scotland and North Yorkshire.

Large town fire stations have full-time crews, though many employ retained firefighters as well. Small rural fire stations are usually staffed only by retained firefighters.

The approximately 40,000 professional firefighters in the United Kingdom are allowed to join unions, the main one being the Fire Brigades Union, while chief fire officers (the heads of the various Fire and Rescue Services) are members of the National Fire Chiefs Council, which has some role in national co-ordination.

### 4.2.3 France

The professional fire services in France is essentially a deconcentrated service provided under the jurisdiction of the Ministry of Interior. The fire services are regulated by the Law on Fire and First Aid Services (1996) and the Law on formation of voluntary services within fire brigades (1996).

Outside Paris and Marseille, the fire service is organized according to the structures of the Departments. Each Department has a Departmental Fire and Rescue Service (*Service Départementaux d'Incendie et de Secours* - SDIS), responsible for operations within its territory. The actual locations of the fire service units are further subdivided within the various Arrondissements and Cantons. The SDIS refer under the jurisdiction of the Prefect and is one of the public services which has not been decentralised, but remained a central government service. However, the local voluntary fire services are partially under the responsibility of municipalities, either individually or jointly with the Department fire brigades or operated through intermunicipal EPCs, but they can also request the SDIS to take over the fire service management within their territory. In any case, municipalities contribute somewhat to the funding of the fire services even if the departments are the main funding authority.

According to the Law on Fire and First Aid Services, the fire services are responsible for firefighting, and prevention of - and protection against - fire. Jointly with other government departments, they also work towards prevention of - and remedial action against - other accidents, disasters and catastrophes, assessment and anticipation of natural or technical risks, as well as providing emergency assistance.

Within their jurisdiction, they carry out the following tasks:

- Anticipation and assessment of public safety risks;
- Preparation of safety measures and organization of the means of assistance;
- Protection of people, property, and the environment;
- Provision of emergency services for victims of accidents, disasters and catastrophes, and evacuating them from the area.

There are around 40,000 professional firefighters in France supplemented by almost 200,000 paid-on-call voluntary firefighters. Voluntary fire crews are engaged on five-year rolling contracts for which they receive a regular remuneration, as well as an entitlement to a pension.

To this end, a Department fire service would be composed of

1. Full-time professional firefighters (who may also be attached to municipal fire services and then refer to the Mayor for the duration of the attachment)
2. Voluntary firefighters employed by municipal or Department councils, serving main or subsidiary emergency assistance centres;

3. Voluntary fire-fighters employed by municipal or Department councils, serving main or subsidiary first aid centres, for which the local authorities or EPCIs have asked for attachment to the Department service, on the authority of their governing body;
- Auxiliary firemen governed by public safety committees (in cases of crisis response)

The actual dimensioning of each fire service relies on specific department risk analyses, prepared by the SDIS under the authority of the Prefect.

The fire services in the cities of Paris and Marseille stand out, as they basically belong to the French military. The Paris Fire Brigade (*Brigade des sapeurs-pompiers de Paris*, BSPP) is a French Army unit which serves as the primary fire and rescue service for the city of Paris, the city's inner suburbs and certain sites of national strategic importance. The Marseille Naval Fire Battalion (*Bataillon de marins-pompiers de Marseille*, or BMPM) is a branch of the French Navy (*Marine nationale*). Both the BSPP and the BMPM consist entirely of military personnel as well as a branch of the French Gendarmerie.

#### 4.2.4 Germany

According to the German Constitution, each of the 16 states regulates its own system of fire and rescue service. Each State Assembly adopts the legislation related to firefighting services within the state which defines the regulatory framework for technical rescue or assistance, fire prevention, disaster control, medical rescue/ambulance service and regulations for the recruitment and training of professional fire-fighters. It is the Minister of the Interior who is the supreme fire and rescue service authority in individual states. The Ministry of Interior constitutes the executive government body in charge of the legal and supportive framework of the fire services and overall supervision of the fire service sector. The lowest supervisory authority is the county or the independent city (*Kreisfreie Stadt*), respectively.

According to laws of each state, the German firefighting services (*Feuerwehr*) is a functional responsibility of municipalities (*Gemeinde and Städte*) and all management related aspects of fire service operations fall under the municipalities. This include funding, operating and equipping the fire services. In the larger cities, this is usually performed by the Fire Prevention Bureau, one of the higher-ranking authorities.

The German fire services predominantly consists of voluntary fire brigades (*Freiwillige Feuerwehr*), with a lesser number working as professional fire brigades (*Berufsfeuerwehr*). A small portion consists of drafted members of a Compulsory Fire Service (*Pflichtfeuerwehr*), established in just a few places.

According to the state law, cities with a population of more than 80,000–100,000 people (depending on state regulation) are required to have a professional fire-fighting force. Smaller cities and towns may set up a full-time force (*Hauptamtliche Wachbereitschaft*), which is basically a brigade occupying a large fire station around the clock. This force deals with smaller incidents on its own and is supported by voluntary forces for larger incidents. Each community meets the need of firefighting personnel by setting up a voluntary force. A community or a city may also set establish a professional firefighting force without additional volunteer forces. In case it is not possible to recruit enough personnel, the mayor is required to set up a Compulsory Fire Brigade, where he will draft the number of personnel required.

In some states, smaller municipalities have formed intermunicipal co-operations (*Verwaltungsgemeinschaften*) in order to deliver their mandatory fire service coverage.

In terms of voluntary firefighter remunerations, municipalities are required by law to provide social security benefits (health and accident insurance, pension) and pay the employer for out of service time during absence caused by duty calls.

At the federal level, there are ongoing discussions with the aim to establish a more streamlined fire service throughout Germany.

#### **4.2.5 Bulgaria**

As in France, fire services in Bulgaria remains a central government function and is the responsibility of the Ministry of Interior. Key legislation governing firefighting and rescue include the Law on the Ministry of Interior and the Law on Disaster Protection. According to Art. 52 g of the former, the Fire Safety and Civil Protection Chief Directorate is a national specialized structure of the Ministry of Interior for ensuring fire safety, rescue and protection in case of disasters.

The Law on the Ministry of Interior further specifies the powers of both the volunteer and the professional fire brigades and assign the state authorities for Fire Safety and Civil Protection to provide methodological and expert assistance to mayors of municipalities on how to mobilise voluntary units. The authorities for Fire Safety and Civil Protection maintains a professional fire force of 7,000 firefighters, but are also assigned the right to recruit volunteers when necessary. The Disaster Protection Law further assign the mayors to establish voluntary units in case of major disaster emergencies

#### **4.2.6 Spain**

Firefighting is a decentralised function in Spain, although only with regard to larger municipalities. Most municipalities in Spain are small as more than 80 % of them have less than 5,000 inhabitants. In addition, municipalities only dispose of 10-15 % of public expenditure. The Local Government Act (1985) and later amendments, such as the Law on the Rationalisation and Sustainability of Local Administration (2013), define municipalities' "core competencies" and optional tasks by using demographic size to differentiate core competences according to their complexity (brackets of municipal size are 1) All, 2) above 5,000, 3) above 20,000 and 4) above 50,000 inhabitants)

Firefighting services is a competence, which the Local Government Act assigns to municipalities with a population above 20,000 inhabitants. Fire services for all other municipalities are covered by the provincial administrations. However, this law does not regulate or define the fire service and there does not seem to be a unified fire service legislative regime in Spain. There are for example no common criteria that regulates the requirements to join the Fire Service, the fire training or the professional career of Spanish Fire and Rescue Services. In most cases such matters are regulated by individual authorities responsible for firefighting and rescue services, and included in their own Fire Brigade Regulations based on local needs. Hence, the dimensioning, structure and management of the Fire and Rescue Services can be quite different throughout Spain.

The majority of firefighters in Spain are professionals, employed as municipal civil servants, and enjoying the rights and perks entitled to civil servants (lifelong employment, fix salary schedules, including two extra months of payment).

### 4.3 Turkey and the EU Member States in comparison

#### Summary findings

The framework of local firefighting services varies across the EU Member States. It is essentially a deconcentrated central government function in France, Bulgaria, Scotland and Northern Ireland, even if municipalities have some complementary role in operations and funding. In Denmark, Spain, Germany and the United Kingdom (England and Wales), local fire services are a mandatory function of the municipality defined by the Local Government Act and/or sector legislation.

In this respect, the structure of responsibility in Denmark, Spain, Germany and the UK (England and Wales) is more in line with the Turkish set up, where fire services are a mandatory municipal service listed in the definition of common local needs. In the metropolitan municipalities, firefighting is under the authority and responsibility of the metropolitan municipalities; in the other municipalities, it is among the duties of the municipalities. In all cases, the responsible authority defines the actual capacity of local fire stations based on local risk assessments and national standards to the extent they are defined (response time, manning of fire appliances etc.)

The duties and common structures of individual fire services are quite similar and defined by national regulatory frameworks, both in the EU Member States and in Turkey. Only Spain stands out in this regard with a lack of a common framework and criteria for recruitments, operations and career management.

The use of professional and volunteer firefighters also varies considerably, independently of whether the fire service is centralised or decentralised. Turkey also applies both professional and volunteer firefighters according to national regulations, which is in line with the EU Member States, except Spain.

Intermunicipal cooperations are widely applied in the EU, while outsourcing is not. Denmark is an outlier in terms of outsourcing as more than half of its fire services are outsourced to a private operator (Falck). Turkey operates its fire services within the municipal structures and do not apply private operators.

In Turkey, the firefighting departments have a wide range of duties including particularly fire protection and fire extinguishing, disaster coordination, chimney inspection, emergency response, ambulance, life-saving at the beaches for coastal municipalities, moreover, firefighting service is among the obligatory tasks of the municipalities.

The delivery of the local firefighting services varies across the EU Member States. In Denmark, Spain, Germany and the United Kingdom (England and Wales), local firefighting service is a function of the municipality defined by the Local Government Act and/or sector legislation. On the other hand, the central governments of France, Bulgaria, Scotland and Northern Ireland are firefighting service providers, even if municipalities do have complementary roles and duties, especially mobilisation of volunteers in times of emergencies. In Turkey, the firefighting service is a mandatory municipal service listed in the definition of common local needs. In the metropolitan municipalities, firefighting service is under the authority and responsibility of the

metropolitan municipalities; in the other municipalities, it is among the duties of the municipalities.

The structure and employment situation of the fire brigades vary by the countries. In Spain, Bulgaria and the United Kingdom, firefighters are mainly full-time professionals whereas in Germany, Denmark and France, the majority of the firefighters are volunteers. The professional firefighters are civil servants employed by the municipalities in Spain, Germany and the United Kingdom whereas the relevant department in France, Oblast in Bulgaria and the firefighters in Scotland and Northern Ireland work as civil servants hired by the relevant central administrative bodies. In Denmark, professional firefighters are contractual employees employed by the municipality.

In Turkey, the firefighting department is structured based on the principle of norm staffing in the municipalities; the firefighters are municipal employees; according to the legislation, the volunteers may also assist in provision of this service. The national legislations of the EU Member States also define a set line of command structure with ranges, titles and responsibilities.

Within the EU, while human resources and operating costs of the firefighting department are mainly covered by specific local and regional taxes; providing training, a part of the equipment (especially fire equipment) and large-scale rescue operations are subsidized by the national authorities. In Denmark, the UK and Spain, service expenses are covered by regional or local authorities. In France and Bulgaria, firefighting services are financed by the Ministry of Interior except for Paris and Marseille, which belong to the army and navy, respectively. In Turkey, firefighting service is a municipal service and is financed by the municipality.

Except for industrial firefighting services, only a few EU member states allow and implement the outsourcing of firefighting services to private contractors. Outsourcing is particularly common in Denmark, where the services of private operator Falck, Europe's largest private firefighting and rescue operations company, are used.

Specific comparisons between Turkey and selected EU Member States are highlighted below:

- **Denmark**

While the Emergency Response Act confers certain power to Ministry of Defence, at national level firefighting services is under the responsibility of Ministry of Justice. This law also gives municipal councils the responsibility for local disaster response. firefighting services do not only include firefighting and fire protection, but health and environment related emergencies as well; however, ambulance service is under the responsibility of the Ministry of Health and it is also a private service under the regional administrators (hospital owners). In Turkey, firefighting services are covered under the public order and security services group provided by the municipalities. The firefighting departments have a wide range of duties including particularly fire protection and fire extinguishing, disaster coordination, chimney inspection, emergency response, ambulance and life-saving at the beaches for coastal municipalities. On the other hand, AFAD (Disaster and Emergency Management Authority) under the Ministry of Interior is responsible for emergency situation, disaster and rescue services.

According to Emergency Response Act, emergency response of the municipality must have the capacity to provide sufficient emergency response for personal accidents and also material and environmental damage arising from extreme disasters including wars and accidents. The magnitude and capability of the emergency response should be decided by the municipal council based on its local risk assessment.

Within the scope of emergency response services, the municipalities may provide ambulance services under contractual agreement with regional administrations. The large cities such as Copenhagen operate all emergency response services including ambulance services within the institution, using their own resources. According to the legislation, ambulance services are included in firefighting services in Turkey as well.

There is a service provider called Falck with a history of more than a century in providing emergency response services on behalf of public authorities in Denmark. Today, it also provides international services in more than 30 countries. In case of fire extinguishing, Falck is the largest service provider and it carries out 60% of all fire extinguishing operations in Denmark. In Turkey, firefighting service is among the public safety services and according to the Constitution, it has to be provided by the public officials.

- **The United Kingdom**

Fire and rescue services are subject to separate legal and administrative regulations in England and Wales, Northern Ireland and Scotland. Since there are no regional administrations in Turkey as in the United Kingdom and as required by the unitary structure that Turkey has, the municipalities have standardized firefighting service organization and form of delivering this service.

According to a series of legislation passed by the related parliaments, Firefighting and Rescue Services include the exercise of following powers: to extinguish fire in their territory; to ensure safety of life and property in case of fire; to rescue and protect people in case of traffic accident on a road and to rescue and protect people in other emergency situations.

## 5. Early Childcare

### 5.1 Early Childcare in Turkey

#### 5.1.1 Service Description

Day care centers for children and nursery services are under the social services provided by municipalities and metropolitan municipalities. However, it is observed in application that district municipalities provide more kindergarten services in metropolitan cities. As a result of the social state understanding, the social services include all kinds of social services provided by municipalities to disadvantaged groups such as the elderly, people with disabilities, women, young people and children. It is determined that this service is provided by the social aid units for this reason. Elderly, women, people with disabilities and children constitute the groups that primarily benefit from the social aid services. Services for children are diverse and include nursery services.

#### 5.1.2 Legal Basis

The paragraph (a) of the Article 14 of the Municipality Law No. 5393 states that municipalities shall provide or cause to provide the services of "... social services and social aid; weddings; vocational and skills training; economic and commercial development...". According to paragraph (v) of Article 7 of the Law on Metropolitan Municipality, metropolitan municipalities shall manage and develop health care centers<sup>10</sup>, hospitals, mobile health care units and social and cultural services of all kinds for adults, elderly people, people with disabilities, women, young people and children, and to this end, establish, operate or cause to operate social facilities, open vocational training and skills courses; cooperate with universities, colleges, vocational schools, public entities and civil society organizations in the provision of such services. According to paragraph (d) of Article 7; among the services provided for in the first paragraph, district and first-tier municipalities shall exercise powers conferred on municipalities by the Law No. 775 on Squatter Houses, build car parks, sporting, leisure and recreational facilities and parks; provide social and cultural services for elderly people, people with disabilities, women, young people and children; open vocational training and skills courses; build, and carry out maintenance work on and repairs to health care, educational and cultural facilities and buildings, and protect cultural and natural assets and the historical urban fabric; and provide services for the development of areas and functions of historical significance to the town.

It is also determined that municipalities have issued Regulations in which the service description, powers and responsibilities are determined in order to provide this service more effectively and efficiently. For example, Social Welfare Department of Çankaya Municipality issued the Regulation on the Working Procedures and Principles of Establishment, Duties, Powers and Responsibilities.

---

<sup>10</sup> Although the authority such as granting permissions for health services and supervising health facilities belongs to the Ministry of Health, municipalities have the authority to build and operate health institutions. Law No. 5393 (14 / b) and Law No. 5216 (7 / v)

### **5.1.3 Mandatory or Optional Service**

The paragraph (a) of Article 14 of the Municipality Law no. 5393 that contains the phrase "shall ... or cause to ...." states the relevant service as " social services and social aid; weddings; vocational and skills training". Therefore, day care and nursery services included in social services are one of the mandatory services of the municipalities.

### **5.1.4 Organizational Structure**

Day care centers and nursery services are provided by the Department of Social Services in metropolitan municipalities. In the case of Eskişehir Metropolitan Municipality, this service is also provided within the Department of Social Services.

In the metropolitan district municipalities, for example Şişli Municipality, the Directorate of Nursery and Day Care Center provide these services. In Yenimahalle Municipality, the Directorate of Culture and Social Affairs provides this service. In Çankaya Municipality, the Directorate of Social Aids is responsible for these services; there is a Child and Youth Services Office within this directorate. In Kırşehir Municipality, the Directorate of Culture and Social Affairs provides nursery services.

### **5.1.5 Service Provision**

Day Care Centers for Children of Şişli Municipality provide services for the children of the municipality staff, civil servants working in the district and the citizens living in the district. It is stated that Day Care Centers for Children that aim to help the physical, mental, emotional and social development of children between 36-72 months provide an environment based on love and interest in realizing this aim. Children from 3 to 6 years of age receive trainings in 6 children day care centers affiliated to the Directorate of Social Welfare Affairs of Şişli Municipality.

One teacher and assistant personnel provide services to each age group. These personnel are selected among those who have graduated from the Child Development Division of Girls' Vocational High School or have an Associate's Degree in Child Development or Preschool Education through interviews.

The children of martyrs and veterans benefit from Day Care Centers for Children, free of charge, which provide services at affordable rates in line with the social municipality approach. Day Care Centers for Children are open between 08:30 and 17:00 on weekdays.

The Directorate of Culture and Social Affairs of Yenimahalle Municipality carries out works in order to meet the cultural, educational, social and artistic needs of the public, ensure the transfer of cultural values to future generations and increase social solidarity within the framework of contemporary and social municipalism. As a requirement of social municipalism, protection of the disadvantaged groups including children is adopted as a principle. In this context, nursery and day care services are provided. It is determined that Yenimahalle Municipality also provides kindergarten service with the Ministry of National Education.

Theater, cinema and cultural excursion activities are organized for students in order to make social and cultural activities a habit. Children are also provided with such classes as English, drama, folk dances and gymnastics; students are fed with food suitable for their development through breakfast, lunch and afternoon breakfast. Teacher-parent relationship is kept dynamic throughout the year. Students are given a report card at the end of the first semester and a diploma at the end of the year. The students receiving trainings in kindergartens are examined by doctors every month.

Altındağ and Keçiören Municipalities are opening kindergartens in the framework of the protocol signed with the Governorship of Ankara. Children from 3 to 6 years of age receive trainings in 6 children day care centers affiliated to the Directorate of Social Welfare Affairs of Municipalities. Children are also provided with such classes as English, Art, Theater, drama, folk dances and gymnastics. Some daily trips and visits are organized by kindergartens.

The duties of the Directorate of Social Welfare Affairs in Çankaya Municipality are to open day care centers and study centers, child clubs, toy libraries and guidance and development units for primary and secondary school children in order to take care of the children of municipality staff and other parents living in the district, meet the education of pre-school children and prepare them for school.

There are 12-day care centers owned by Çankaya Municipality. These day care centers are for the age group of 3-6 and 1500 children benefit from them. Throughout the year, experts and teachers provide services for pre-school children and children attending school. In order to contribute to the awareness of children on cultural and art and scientific issues, activities are organized for students to learn about the cultures of different countries in cooperation with the embassies.

Child-centered education programs based on family participation that support creativity and base on universal values such as gender equality, ecological thinking, freedom, equality, contemporary life, peace and friendship are implemented in child nursing homes. The aim of the programs implemented is to make children learn by experience and respond to the needs of every child as their awareness on world develops. Each group promotes a positive self-concept and provides the most developmentally appropriate materials and activities for children in the fields of social / emotional, intellectual, aesthetic growth and psychomotor development. Through the planned activities, children are provided with trainings that will help them discover new ideas, develop and expand the problem-solving skills, language and concepts; feelings of self-efficacy and the self are encouraged. The education process adds many new values such as arts and sports activities to children. In Day Care Centers; music, chess, painting, ceramics, physical education and dance lessons are provided to help children express themselves through art and develop their intuition and skills.

Nursery services are provided through a private enterprise established within Izmir Metropolitan Municipality. The nurseries, kindergartens and Study-Training Centers of İzelman Anaokulu İşletmeciliği are suitably qualified for fire protection and heating systems. The classrooms are brightly lit, easily ventilated, and the floors and walls are covered with coating and paint that will not harm children. The game rooms and bedrooms are arranged in a way to provide an area of two square meters with 6 cubic meters of air per child. One classroom, one playroom, and one bedroom is allocated for each age group, and one toilet and one washbasin for 10 children. A teacher and a class mother are allocated for up to 25 children. One teacher and one class mother provide education for a maximum of 15 children between 18-36 months. A bed, a chair, a cushion, a personal storage cabinet, a shoe cabinet, a sufficient number of activity and dining table, toys and educational materials are allocated

for each child. There is a cafeteria, a kitchen, a sandbox and a children's playground including sufficient garden toys for the number of children.

The duties and responsibilities of the Directorate of Child and Youth Services within the Department of Social Services in Antalya Metropolitan Municipality is to carry out all kinds of services for children and young people, determine the working procedures and principles of nurseries and day care centers, kindergartens, child clubs, counseling centers the youth opened for these services and act in cooperation with public institutions and non-governmental organizations while performing these services. It opens nurseries and day care centers, child clubs and provides kindergarten services in cooperation with provincial / district directorate of national education in order to support the dissemination of preschool education.

In Antalya Metropolitan Municipality Kindergartens established in cooperation with Antalya Metropolitan Municipality and Provincial Directorate of National Education, preschool education and various socio-cultural activities such as celebrations for special days and weeks, excursions, theater, drama and foreign language are provided for the 48-66 month-old students by expert trainers in the field.

The duties of the Child and Youth Services Office of Directorate of Training Services under the Department of Social Services in Mersin Metropolitan Municipality are to provide social aids and services to all the target groups of children and young people in need, women, the elderly, orphans and disadvantaged who need to be supported socially and economically within the borders of Mersin Metropolitan Municipality, make in-kind and cash aids within the possibilities of budget, establish, operate or cause to operate facilities in order to determine, implement and develop appropriate social work models for all target groups of adults, the elderly, women, young people, children and the disadvantaged, establish and operate nurseries and day care centers in order to provide the care and pre-school education and early childhood trainings of 0-4 year-old children within the budget facilities and prepare them for school.

## 5.2 Early Childcare in Six EU Member States

### Summery findings

Women's access to the labour market is a strong driver of EU policies within Early Childhood Education and Care (ECEC). Access to child care is seen as an enabling factor for equal employment opportunities for women and men, and by 2002, the EU adopted common ECEC policy targets, the so-called Barcelona objectives. It promotes high quality and affordable childcare and presents the European Commission's strategy to ensure women's full participation in the labor market. The Barcelona objectives state that by 2020, 33% of all 0-3-year-old and 90% of all children aged 3 to mandatory school age, have access to child care. (See 7.2.4 for more detail).

In most EU Member States, local authorities have compulsory responsibilities in provision of early childhood education and care. Traditions and levels of service provisions differ, however, and mandatory provision of day care services is closely linked to family and leave policies and driven by women's employment patterns and by urban migration. Whilst France and Denmark have strong traditions in public day care services, the picture has been less clear in Germany, where establishment of day care services have been lacking behind due to more traditional family policies. However, this is changing and urban areas like the City of Berlin are catching up fast. In countries like Spain and Bulgaria, early childhood education and care is closely linked to education rather than care, with a stronger role of regional and central government in the service provision.

In Spain and Bulgaria, universal legal entitlements to day care services are not found for children below the age of three, which has an impact on how well local service coverage and flexibility match the demands of working parents. In the UK, children from the age of two with working parents are legally entitled to part-time day care service, while Danish children are entitled to fulltime day care from the age of six months. In Germany, legal entitlements start from the age of one. Whilst there is no early age legal entitlement in France, about 50% of all children under the age of three, receive formal day care services. In all the six countries, early age day care service is voluntary, except in cases of special social needs.

In most cases, public day care services entail partial user-payment regulated by law and scaled according to income. Again, different approaches abound. In Denmark, municipalities have discretion to charge a user payment of up to 25% of the operational costs for nurseries and kindergartens. At the other end of the scale, the City of Berlin decided in 2018 to make all municipal day care free of charge.

Provision of public day care is done both inhouse and by CSOs and private actors in all six countries. There is also a wide variety of service types, from individual or integrated municipal nurseries and kindergartens, to home care services for the youngest children. In general, service standards are uniform no matter the service provider and strict certification and monitoring rules apply in all countries along with regulated educational standards for professional caretakers. In some, but not all countries, there are legally established standards for staff/child ratios. While no national standards are found in Denmark, Bulgaria and Spain, national staff/child ratios are established in Germany and the UK for all age groups and in France for children below the age of three.

In most countries, however there is a gap between demand and supply no matter what the law says. This has not only been caused by strong urban migration and slow reform implementation, but also by austerity measures introduced in the wake of the financial crisis.

In general, municipalities try to meet high demand through more provision of homecare services by private childminders. This is more flexible for the municipality and avoids high costs driven by capital investments in new nurseries and kindergartens. In countries like the UK, Spain and Bulgaria, however, budget cuts seem to have undermined early childhood education and care service delivery in municipalities in spite of legal obligations and/or political action plans.

### 5.2.1 Denmark

Denmark has a strong tradition for early childhood education and care and most pre-school children attend a day care facility. Danish women's employment rate is among the highest in the EU and early childhood care is an essential part of Danish family life. The purpose of day care is to promote a good environment for children's well-being, development and learning and to give parents flexibility in their work and family life.

Daycare services are a core municipal function in Denmark whilst the regulatory framework of kindergartens is the responsibility of the Ministry for Children and Social Affairs. Daycare services are regulated under the Act on Day Care Facilities (2007), whilst the individual municipal council have the competence to further define the local service level, set local goals, and supervise the day care facilities.

The Act on Day Care Facilities establishes a number of rights and minimum standards, notably a daycare guarantee, and all children are entitled to admittance into a municipal daycare arrangement from the age of six month until the attendance of primary school. To this end, the daycare guarantee makes it compulsory for the municipal council to offer any resident child access to a caretaking arrangement which corresponds to its age and development stage. Further, it is the responsibility of the municipal council to ensure that daycare services are accessible for all residents by establishing an appropriate admission framework, provide a healthy lunch and align caretaking opening hours with the demands of the labor market and the need for families to have some flexibility. The business hours of daycare facilities are typically 6:30 am to 5 pm and Fridays until 4 pm. A maximum of 48 hours of care is offered per week.

The municipal day care system is partially funded through user-payments. The Act on Day Care Facilities assigns the municipalities fiscal discretion to charge parents up to 25% of the operational costs of daycare arrangements, while the remainder of the operational costs are covered by municipal own revenues (mainly through personal income tax).<sup>11</sup>

The Act on Day Care Facilities is complemented by the broader Social Service Act, which a. o. lists a range of municipal social service obligations vis-à-vis local residents and oblige the municipal council to regularly (or on demand) test the competitiveness of its services through public tender. The Social Service Act outlines a broad commitment for municipal councils to include daycare arrangements in a development plan with general and preventive measures for individual children. Accordingly, the municipality in co-operation with the parents, establish a framework which promotes the development, well-being, and independence of children within a daycare framework of stability, security and close links with adults.

---

<sup>11</sup> Low-income families are subsidized up to 100% depending on income. There are also special discount rates for single-parents and for siblings.

## **Day care admission priorities**

In theory, the only admission requirement to a day care service is the age of the child, so that the minimum age to attend a nursery is six months, kindergartens three years, and so-called 'integrated institutions' (combined nurseries and kindergartens) one year. However, since demand may exceed local capacity, municipal admission often takes into consideration the needs of the following categories of children:

- Children with special pedagogical or social needs
- Children of one-parent families
- Children referred by another authority
- Children of parents with long commuting distance for work
- Children whose brothers or sisters are already enrolled in a day care institution

## **Day care institutions**

Day care is typically offered through the following institutions:

- Nurseries for children between six months and three years of age. Size: 30 to 60 children;
- Kindergartens for children between three and six to seven years of age. Size: 20 to 80 children
- Integrated institutions for a wider age-group than above. Size: 40 to 150 children;
- Municipal child-care facilities established by private individuals taking in a few children. Size: 4 to 5 children.<sup>12</sup>

## **Sourcing practices**

Municipalities have a choice of operating daycare services inhouse or outsource them to private operators. Overall, 75% of all day-care institutions are municipal day-care centers staffed and operated by the municipal council. The remaining 25% are operated under contractual agreements with the council by private institutions owned by CSOs like Red Cross, groups of parents, or private businesses. Both in terms of funding and operational standards, municipal and private institutions function according to the same principles and local standards. This includes a. o. the adult-children ratio and the professional/unskilled staff ratio as the work of the day care centres are carried out by professional pedagogues assisted by unskilled assistants.

## **Oversight**

There are no formalized rules regarding monitoring and evaluation of daycare centers, except that daycare centers are managed by a board which also includes parents' representatives. It is common for daycare centers to arrange for regular consultations with parents, to discuss the well-being and development of their child. Municipalities will arrange for regular M&E exercises by independent evaluators.

Notably, service standards and quality of municipal daycare services became a key discussion point during the election campaign up to the 5<sup>th</sup> June 2019 general elections. As a result, there could be an introduction of mandatory minimum standards for all municipal daycare centers in the future, even if standards are high in a European perspective. Currently, standards being debated include staff/child ratios in nurseries and kindergarten of 1:3 and 1:6, respectively and

---

<sup>12</sup> The size mentioned reflects local practice. These institutional arrangements are supplemented by pre-school classes established at primary schools and catering for children from the age of five to six as the first year of compulsory education Average class size: 19.7 children

an 80% share of professionally qualified staff. Such fixed standards is resisted by the municipalizes, who prefer more flexibility and local discretion.

## 5.2.2 United Kingdom

The statutory framework of day care services for pre-school children is laid out by the Childcare Act (2016) and the Childcare Act (2006) and refer to the Ministry of Education. The Acts also outline the responsibilities of local authorities and are further unfolded by the Statutory guidance for local authorities on early education and childcare (2018).

Basically, the Childcare Acts guarantee free day care entitlements for working parents of two, three- and four-year-olds. More specifically, this is entitled to some two-year olds, but all three- and four-year-olds in England and include 570 hours of annual free childcare, the equivalent of 15 hours a week for 38 weeks of the year.

Free childcare for a two-year-old is conditional to the child having a disability, or being socially cared for by the local authority. Day care for three- and four-year-old may be extended by an additional 15 hours of free childcare a week for working parents, provided they are single parent or a couple where both are working and, in each case, have an annual income of less than £100,000 per year.

It's the local council's responsibility to facilitate day care services, either delivered inhouse by council nurseries or by private, community, council or workplace nurseries or private childminders (i.e. self-employed child carers who look after children in their own home). In the UK, there is a strong tradition for the appliance of private service providers rather than inhouse council institutions and strong efforts are applied to inform and facilitate a free choice between municipal and private service providers.

All private service providers are to be registered by the Office for Standards in Education, Children's Services and Skills (Ofsted) voluntary childcare register in England or by the Childcare Approval Scheme under the Social Services Inspectorate Wales (CSSIW) in Wales.

In addition, to secure sufficient childcare uptake, local authorities' capacity needs assessment should take into account:

- What is 'reasonably practicable' when assessing what sufficient childcare means in their area
- The state of the local childcare market, including the demand for specific types of providers in a particular locality and the amount and type of supply that currently exists
- The state of the local labour market including the sufficiency of the local childcare workforce
- The quality and capacity of childcare providers and childminders registered with a childminder agency, including their funding, staff, premises, experience and expertise
- Should encourage schools in their area to offer childcare from 8.00am until 6.00pm and in school holidays
- Should encourage existing providers to expand their provision and new providers to enter the local childcare market if needed.

Local government funding is intended to deliver 15 or 30 hours a week of free, high quality, flexible childcare. However, it is not intended to cover the costs of meals, other consumables, additional hours or additional services, which must be borne by the parents themselves and

paid directly to the service provider. This also include additional costs for consumables such as nappies or sun cream, and for services such as trips and specialist tuition.

The local council may pay an additional subsidiary – the so-called Early Years Pupil Premium (EYPP) - to a private service provider in support of disadvantaged three- and four-year-olds. According to the Equality Act (2010), the local council is obliged to promote equality and inclusion, particularly for disadvantaged families, looked after children, children in need and children with special educational needs and disability, by removing barriers of access to free places and working with parents to give each child support to fulfil their potential.

All day care service providers are inspected by Ofsted, which is a non-ministerial department of the UK government, reporting to Parliament. Ofsted is responsible for inspecting a range of educational institutions, including state schools and some independent schools, but it also inspects childcare, adoption and fostering agencies and initial teacher training, and regulates a range of early years and children's social care services. As mentioned above, local council cooperation with private service providers is conditional to registration and supervision by Ofsted. Local authorities must only refer to the Ofsted inspection judgement of a service provider as the benchmark of quality and it is recommended only to cooperate with providers scoring 'satisfactory' as minimum rate.

### 5.2.3 France

Along with the Nordic countries, France leads the European Union in provision of public childcare and benefits aimed at reducing child care costs for families. The progressive arrival of mothers on the labour market since the 1970s has prompted the introduction of services for working parents, which has in turn enabled mothers to gain access to jobs.

Provision of day care services for pre-school children is the responsibility of the municipality and around 50% of the country's children under age three are now enrolled in some type of formal care. The regulatory framework for day care facilities is split between the Ministry of Social Affairs and Health (*Ministère des Affaires sociales et de la Santé*) for children in childcare up until the age of 3 years (or 2 in institutions belonging to a priority area), and the Ministry of National Education (*Ministère de l'Éducation nationale*) for children in pre-primary education aged between 2-3 and 6 years. Licensing of day care services is undertaken by the Child and Maternal Protection Agency (*Protection Maternelle et Infantile*, PMI), while the national government accredits and licenses pre-primary schools in collaboration with local authorities.

The regulatory framework work refers to certain quality criteria, implicitly defined through minimum standards, a curriculum, and a competency framework for staff. Minimum regulatory standards for day care are found in the general guidelines for crèches/nurseries (*The Orientations générales pour les crèches*) and covers quality standards regarding hygiene, safety, staff qualifications, size of the location, size of each day care group, and the optimal conditions in which to foster the physical, intellectual and emotional development of children. The guidelines of public health and facilities (*Orientations du code de la santé publique et les projets d'établissements*) also define minimum requirements in terms of pre-primary school curriculums and a competency framework for kindergarten teachers defining their tasks and objectives.

Municipal day care services are operated either by the council itself or by a number of public and private service providers (associations, private companies) on behalf of the municipality. Overall, group day care services (*Accueil collectif*) are open to all infants until they start their

pre-school, known as *école maternelle* (usually at three years old but sometimes from two years old if toilet-trained), and to children up to six years old outside pre-school hours. Day care services fall into different categories and designations, including nurseries or *crèches* (*crèches collectives*), workplace nurseries (*crèches d'entreprises*), *haltes-garderies* providing before and after-school care only, kindergartens (*jardins d'enfants*), and *micro-crèches* (mini nurseries allowed take a maximum of 10 infants).

Although admission is principally free and open to all, in practice, local capacity is often outpaced by demand. Parents therefore may have to opt for an alternative solution beyond the council operated *crèches collectives* and the more institutionalized private service providers. Alternatives include:

- Parent-Run Crèches (*Accueil parental*), which are managed by a parents' association. They are limited to 20 infants, occasionally 25 depending on circumstances, but are otherwise subject to the same regulations and welfare subsidies as other public and private nurseries. Some parents may be active in the day-to-day care of the children at the crèche.
- Childminders (*Maisons d'assistantes maternelles*, or MAM) have been allowed to work outside their own home since 2010, with up to four childminders permitted to work together in a shared location and each permitted to look after four children at the most.
- Childminder in the parents' home (*La Garde à Domicile*), in which case parents becomes the childminders employer and hence subject to paying French employer's social security charges on top of a salary.

Any of these options notwithstanding, the local council through the local family welfare service, (*Caisse d'Allocations Familiales*, or CAF), will fund or reimburse most of the costs. However, parents must pay a user charge depending on their income and family status and family own-contributions are calculated on a sliding scale according to their income.

## 5.2.4 Germany

Unlike France or Denmark, child care in Germany remained for a long time linked to traditional family values and policies. Therefore, Germany does not have a strong tradition of provision of public kindergartens (even though 'kindergarten' actually is an 19<sup>th</sup> century German name and concept), but that seemed to change after reunification. In 1996, a federal law was passed making it mandatory for local authorities to offer all children between the ages of three and six the opportunity to attend a preschool (Kindergarten). To compensate for years of neglect, the Federal Government agreed to subsidise local authorities in order to ensure that the provisions of the new law were carried out.

Compulsory kindergarten services were since amended by another law which made it mandatory for municipalities since 2013 to provide childcare facilities to all children above one year, whose parents are working, or undergoing professional training. Accordingly, preschool child care is a compulsory municipal function in Germany and now include provision of nurseries and kindergartens. Kindergartens are an integral, yet voluntary, part of the education system and more than 80% of all children between three and six years attend a kindergarten in Germany.

In general, longstanding cultural and institutional obstacles have dampened the pace of childcare reforms in Germany and have led to a patchwork policy in which all childcare is provided at the municipal level, often by local non-profit providers or NGOs (e.g. members of large non-profit welfare associations - *Wohlfahrtsverbände*) and churches. A mere 1% of the

market is covered by commercial providers. As a result, Germany still faces a shortage of day care facilities.

In summary, day care services include

- Children up to the age of three may attend a municipal or private nursery, which offers all-day care. Both public and private nurseries must adhere to certain standards set by the state.
- If local nursery capacity can't meet the demand (one out ten children under the age of three cannot get access to a nursery), the alternative is to make use of a *Tagesmutter* (nanny). This is a private individual who looks after other people's children in her own home during normal working hours. Any *Tagesmutter* who offers childcare for more than 15 hours a week and over three months in a row needs an official license from the youth welfare office (*Jugendamt*). The requirements for obtaining this license are: A clean health record, certificates of good conduct for all adults living in the nanny's household, a certificate for attending basic pedagogical training and a first-aid class for kids. Roughly a third of this care will be provided by registered childminders as they represent a less expensive option for local authorities than the construction of more institutional childcare facilities.
- Children between the age of three to six may attend a kindergarten. Kindergartens are either operated by the municipality, by private initiatives or non-profit organizations including religious associations. In line with the nurseries, both public and private kindergartens must adhere to certain standards set by the state. In contrast to an average nursery, many kindergartens only offer childcare for two or three hours in the morning and another three hours in the afternoon and is a reflection that Germany for a long time maintained a more traditional family policy, where (non-working) mothers were expected to attend to young children at home. Kindergartens with all-day care programs for children are still the exception rather than the norm, and generally more expensive for local residents.

Child care is partially paid by the parents according to local policies. However, there is a movement underway in Germany towards fee daycare for all children. The City of Berlin made all municipal day care centers free of charge by August 2018 and other states may also phase out payments from working parents in the future. Parents in around one-third of German states still have no exemptions from childcare fees, while other state governments have either subsidized or completely lifted fees for certain age groups. In Rhineland-Palatinate, for example, children from the age of two have been exempt from payments since 2010, while in Lower Saxony and Hessen children from age three were exempt from payments since 2018. Meanwhile, other states continue to charge hundreds of euros per month for childcare, often putting mothers off from returning to work after giving birth.

### **5.2.5 Bulgaria**

Access to and demand for day care services changed considerably after Bulgaria's transition to market economy. Pre-school children below the age of five are not entitled to a day care service arrangement and Kindergarten attendance for 3- to 5-year olds is not obligatory. However, since 2003, it has been a statutory requirement for 6- and 7-year olds to attend a pre-primary group, and this was extended to the 5-year olds in 2012/13. Accordingly, attending

a pre-primary group for two years between the age of 5 and 7 preceding school entry is compulsory (and free of charge).<sup>13</sup>

The emphasis on education rather than care is reflected by the regulatory framework and the system of early childhood education and care in Bulgaria is organised in two sectors, i.e. as a 'split system'. At the national level, the Ministry of Education and Science is responsible for kindergartens and compulsory pre-primary education up to 7-year olds and for the implementation of curricular frameworks and education reforms. The core of the regulatory framework is the Pre-school and School Education Act (2015). The guidelines and orders outlining the implementation of the Act define kindergartens as preparatory institutions providing care and education for children aged 3 years up to school entry. Nurseries for children below age 3 come under the auspices of the Ministry of Health and is regulated by the Health Act (2004), last amended in 2016.

Within this setup, there is a lesser role for local authorities than in other EU Member States. The Local Government Act briefly mentions that municipalities must 'resolve issues relating to pre-school education (article 11). In practise, this translates to being in charge of providing kindergarten buildings, their maintenance, supervising health and safety aspects, and providing meals and transport for the children.

For the parents, this framework provides the following pre-school services:

3 – 7 years may attend a kindergarten (*detski gradini*), which are largely self-contained institutions, although sometimes pre-primary groups for 5- to 7-year olds (see below) may be located in school buildings. The children are divided into same-age groups (3-4 years, 4-5 years, 5-6 years and 6-7 years), occasionally (in the smaller villages or towns) to mixed-age groups. According to the Pre-School and School Act, 2-year olds may also be admitted into kindergartens. Kindergartens comprise a minimum of four and, in a large city like Sofia, may also have ten groups or more. Most children attend on a full-day basis in settings which are open from 7:00 to 19:00. A much smaller number of half-day kindergartens are open mornings only. Free transport to the nearest kindergarten is usually provided by the municipality for children living in remote areas

Pre-primary groups (*podgotvitelna grupa*) provide for 5 to 7-year olds on a compulsory basis. They are usually located in kindergartens, but also in a large number of primary schools, partly also as a measure to solve infrastructure problems.

Children from 3 months up to 3 years may attend a nursery (*detski yasli*). These may be stand-alone settings, or a unit attached to a full-day kindergarten. As a rule, children start attending nurseries once they have learned to walk. The Pre-school and School Act defines the appropriate age range as 10 months to 3 years. Nursery staff have a recognised educational background and are supported by a university-qualified Nursery Teacher who is shared between several settings.

Strong rural-urban migration patterns have created an imbalance between supply and demand, both in the rural and urban areas. Urban migration towards the bigger cities and the capital in particular triggered by demand for better-paid work has meant that kindergartens in small towns and villages have closed while there is a shortage of such services in bigger cities.

---

<sup>13</sup> The Ministry of Education and Science is currently discussing implementing compulsory pre-school education at the age of 4.

## **Oversight**

Individual children's development is continuously assessed through observations made by the teacher, who informs parents on a regular basis. Assessment takes place at the beginning and end of each year in kindergartens. In the pre-primary groups, teacher assessments include a child's Bulgarian language skill and consultations with the parents. Each child receives a certificate at the end of the pre-primary education period which confirms their 'school readiness' and is required for entry into the first class of primary school. Assessments of preschool settings and staff are compulsory and conducted at the national and regional level and at the settings themselves. Staff qualifications are audited by specialist units of the Ministry of Education, while municipal mayors monitor in particular the flow of funds.

## **Service providers**

Pre-school daycare and education may be provided by both public and private service providers. In reality, the majority of the kindergartens are public, and private providers only constitute around 5%. The latter are often operated on a for-profit basis and are generally too expensive for most parents.

Private kindergartens and schools can now offer training in customized pre-school programming systems regulated and approved by order of the Minister of Education and Science through entry into the register of private kindergarten or private school.

## **Financing and costs for parents**

Almost 87% of the Bulgarian education system is state funded. Kindergartens and compulsory pre-primary groups, which are mainly operated by local authorities, are funded primarily through municipal budgets. The compulsory two years preceding school entry are free of charge, otherwise parents pay on average a fee of 23€ a month (to cover subsistence) in public kindergartens and between 230-430€ a month in private settings. In the latter, fees can be as high as the average monthly wage (roughly 467€ gross).

Private kindergartens are not funded through the state or municipal budgets. However, according to the Pre-school and School Act, they may apply for a state subsidy if they provide the compulsory pre-school education places for 5- and 6-year old children.

The funding of nurseries, which are part of a kindergarten comes from the budgets of the municipalities (infrastructure, O&M) and the Ministry of Education and Science. Funding of independent nursery institutions are similarly shared between municipalities and the Ministry of Health. For each child attending a nursery, the parents are charged a fee of approx. 30€ per month. In order to mitigate the demographic crisis in smaller towns and villages, some municipalities have decided to waive nursery and/or kindergarten fees for children born within their territory.

## **5.2.6 Spain**

In Spain, childcare services have always been provided in the context of education, whilst childcare provided outside the realm of education are considered the responsibility of families. Accordingly, preschool education and care refers to the Ministry of Education, Culture and Sport (*Ministerio de Educación, Cultura y Deporte*, MECD).

Overall, the Spanish education system is relatively decentralized, albeit mostly to the regional level. Through the MECD, the central government designs the regulatory framework of principles, objectives, and organization of the different school levels, as well as a proportion of the curriculum. Ministries (or departments) of Education in the 17 Autonomous Regions develop and manage their education systems based on these guidelines.

An overarching national law on education was passed in 2006, the *Lei Organica de Educacion*. This law repealed and amended a number of existing pieces of legislation and sets the objectives, standards and evaluation procedures for all levels of education, including that of early childhood education. Besides this organic law, a number of Royal decrees were also implemented, providing more specific regulations for the national level.

Compulsory education in Spain starts at the age of 6, whilst voluntary public preschool (nurseries and kindergarten) are divided into two 'cycles':

- The first cycle covers children between the ages of 0-3 and is not free, although there are various regional or central financial aid programs that help families cover the cost of preschool, either partly or fully. The first cycle of preschool is taught in separate nursery schools (*escuelas infantiles* or *guarderías*).
- The second cycle is for children between the ages of 3-6. This cycle is considered an integral part of the education system and is free for everyone. The second cycle is taught at primary schools.

### **Role of municipalities**

The level of decentralization of the education system and hence the role of municipalities in early childhood education and care varies considerably across Spain. The Law on the Rationalisation and Sustainability of Local Administration (2013) does not assign mandatory responsibilities to municipalities in terms of education, but in practice services for the 0 to 3-year-olds is the most decentralized as municipalities are responsible for provision, registration and funding of these services. They also administer admission to the nurseries and the main criteria for admission is the proximity, siblings in the same school and social criteria.

Some autonomous regions practice a dual system, where nurseries are managed partly under educational regulation, partly under social or other regulations. The first cycle of early education (under 3) is therefore challenged by some ambiguous share of competences and responsibilities between the levels of government. Further, a lack of resources has favored great diversity of relations between municipalities, provinces and regions and subsequently, a great deal of diversity in the availability of care for school-age children in Spain, with the municipality size often playing a role. As a consequence, administrative responsibility for childcare varies significantly and may be assigned to different regional, provincial or municipal departments, such as education, social welfare, or social affairs.

More recently, public funding for childcare services was drastically cut in Spain and in the 2012 budget, financing for childcare for children under the age of three was discontinued. The new Organic Law for Quality Improvement of Education (2013) then no longer mentions services for children under age three as the first stage of early education.

This notwithstanding, Spain does meet or even surpass European early childhood education and care participation targets. In a move to mitigate service cuts and guarantee affordable prices, the Ministry of Labour and Social Issues launched a programme of subsidies to help the Regions finance new childcare services. However, the diversity of service levels is

reflected in variations of preschool participation levels with higher participation in the Basque Country, Catalonia, Aragon, and Madrid; and lower participation in areas of southern Spain.

### **Funding and sourcing**

Early childhood education and care is provided by three different types of institutions: public, private and private, but publicly supported nurseries and preschools, the latter known as “*Conservado*” schools. There are also a variety of ‘integrated’ private schools that take children between the ages of 2-6. Non-profit child care facilities receiving public funding are sometimes managed by cooperatives promoted by pedagogues or parents.

Even though municipalities are responsible for publicly managed nurseries, many municipalities outsource the management of municipal nurseries to private companies (profit and non-profit); in some cases, tenders included both the construction and the long-term management of the municipal nursery.

The share of funding between levels of government is complex. For the first cycle, the MECED and the Regions may or may not offer grants to help families meet the costs of first-cycle childhood education, which are based on the family income. The overall aim is to incentivize both more teachers and better facilities. Part of the national childhood education budget is transferred to the Regions, which then allocate it directly to the nurseries and kindergartens. The individual institutions themselves acquire and manage goods and services necessary for their operation, while the municipality covers recurrent operational costs such as water consumption and energy supply.

Working parents often face difficulties in finding care for school-age children as school hours (25 hours per week) and terms (from early or mid-September to 22nd June) do not fit well with the standard working time. Some schools offer childcare services and activities in the early morning (from 7:30 am to 9:00 am) or after school and such services are administered by individual parents’ associations, and are paid by the parents.

## **5.3 Turkey and the EU Member States in comparison**

### **Summary findings**

Formal responsibility of daycare services is a mandatory municipal function in Turkey, and services are provided by the municipalities and metropolitan municipalities. While the authorization of the municipalities to open a kindergarten (or pre-school education institution) has been cancelled by the Constitutional Court, in practice, the municipalities may still open kindergartens in partnership with the Ministry of National Education. The Ministry of National Education has also the authority to open and operate nurseries and kindergartens. Moreover, the private sector also offers these services.

The landscape of preschool daycare services is very diverse within the EU. Most local authorities have compulsory responsibilities regarding early childhood education and care, but traditions and levels of service may vary, and de jure and de facto day care services may not correspond for various reasons. Some EU Member States guarantee a municipal daycare arrangement by law, but demand often outrun actual supply, which in some cases then are covered by municipal facilitated homecare arrangement as a cheaper, stop-gap option. The question is also how well supply and demand are matched in Turkey.

Some countries offer daycare services for free, while others charge partial user-payment based on actual costs. Turkey also applies partial user payment, which, like the EU Member States, is scaled according to annual income and social needs.

Preschool daycare is voluntary in the EU Member States and in Turkey. The exception being Bulgaria and Spain, which have mandatory preschool attendance from the age of five and three, respectively, since these age groups are included in the formal school curriculum.

In Turkey, kindergartens (day care centres/nursery) services for children are under the social services provided by the municipalities and metropolitan municipalities, moreover, they are among the statutory duties of the municipalities. As a result of the social state understanding, social services include all kinds of social services provided by the municipalities for disadvantaged groups such as the elderly, people with disabilities, women, young people and children. Therefore, this service is provided by the units related to social welfare activities. The elderly, women, disabled people and children constitute groups that primarily benefit from social welfare services. The services for children are quite various and kindergarten services are among these services.

As in Turkey, local administrations in most of the EU Member States have compulsory responsibilities regarding early childhood education and care. On the other hand, the traditions and levels of service may vary and kindergarten services are closely linked to the family and labour market policies. While there is a strong tradition of providing this service in France and Denmark, this case is less apparent in Germany, where traditional family policies are favoured by many people. In countries like Spain and Bulgaria, early childhood education and care are closely associated with education rather than care.

Although the laws in many countries include this service, and even guarantee minimum service standards, there is a gap between demand and supply and the services that are delivered in real life. This situation has worsened further by austerity measures imposed after the financial crisis in countries like England, Spain and Bulgaria. In these countries, budget deductions seem to have undermined the delivery of early childhood education and care services. In Turkey, kindergarten service is among the social services and obligatory duties of the municipalities. The authorization of the municipalities regarding opening a kindergarten (pre-school education institution) has been cancelled by the Constitutional Court. However, today in practice, the municipalities may open kindergartens in partnership with the Ministry of National Education. The Ministry of National Education has also the authority to open and operate nurseries and kindergartens. Moreover, the private sector offers these services.

Specific comparisons between Turkey and selected EU Member States are highlighted below:

- **Denmark**

There is a strong tradition regarding early childhood education and care, and majority of the pre-schoolers attend kindergartens and nurseries. The employment rate of Danish women is one of the highest rates in the EU and early childhood care is an important part of Danish family life. The objectives of day care are to promote a good environment for children's welfare, development and learning, and to bring flexibility to parents in their work and family life. In Turkey, there is no strong tradition regarding providing social services for children at local level. The fact that women do not get ahead in the labour market has left the kindergartens behind; however, this service has gained significance in recent years.

In Denmark, kindergarten service is a basic function of the municipality, the regulatory framework of the kindergartens is under the responsibility of the Ministry for Children and Social Affairs. According to the Act on Day Care Facilities (2007), the municipal council has the authority to determine the level of this local kindergarten service and to monitor the nurseries and kindergartens, although this is done in a municipal cooperation set up defined by law.

The Act on Day Care Facilities determines various rights and minimum standards, including a day care guarantee. Accordingly, every child has the right to enrol in childcare arrangements of the municipality from the age of six months until to primary school. To that end, the day care guarantee obliges the municipal council to provide children residing within its own territory with access to a child care arrangement corresponding to the age and stage of development of the child. In addition, ensuring that child care services are accessible for everyone and providing a healthy lunch are under the responsibility of the municipal council. The working hours of the kindergarten are in most cases 6:30 am to 5 pm and Fridays until 4 pm. A maximum of 48 hours of care service is offered per week. In Turkey, each municipality determines these conditions on its own behalf. The kindergarten accommodates children aged 3-6; and the opening time is 07:30 in the morning and the closing time is 18:00 or they remain open between 08:30-17:00. In kindergartens, cinema and theatre visits and cultural trips are organized in order to get the children adopt social and cultural habits.

There are no formal rules regarding monitoring and evaluation of the children's nurseries, however, they are administered by a board that includes parents' representatives. It is common for day-care centres to regularly hold a consultation with parents to discuss the well-being and development of their children. The municipalities are regularly audited by independent assessors. In Turkey, such supervision is conducted by the Ministry of National Education. Collaboration with parents also exists in Turkey.

- **The United Kingdom**

The legal framework of the kindergarten services for pre-schoolers is identified by the Childcare Act (2016) and the Childcare Act (2016) and the Ministry of Education is the authorized body. These acts also outline the responsibilities of the local administrations and provide guidance for local authorities on early education and child care. In Turkey, the supervisions and standards are developed by the Ministry of National Education.

Basically, the Child Care Act guarantees the right to part-time, free of charge, kindergarten for the working parents having children aged two, three and four.

- **France**

Together with the Scandinavian countries, France leads the EU regarding childcare and efforts aiming to reduce the childcare costs for families. The fact that mothers have gradually accessed the labour market since 1970s enabled the introduction of the services for working mothers.

Providing kindergarten services for pre-schoolers is under the responsibility of the municipality and almost 50% of the children aged below three years in the country are nursed by the government. However, this is not a legal entitlement.

The minimum standards for the kindergarten concern hygiene, security, qualifications of the staff, the size of the facility, the size of the kindergarten group and appropriate conditions to encourage children's physical, intellectual and emotional development. In Turkey, there are specific standards set by some municipalities. For example, the schools in Izmir Metropolitan

Municipality have the suitable features regarding fire protection and heating system. Classes are well-illuminated and easily ventilated, the floors and walls are covered with coating and paint which are harmless for children. The playrooms and bedrooms are designed in a way that each child has 2 square meters space and 6 cubic meters air. There is one classroom, one playroom, one bedroom for each age group, there is a toilet and washbasin for every ten children. There is a teacher and a classroom parent for up to 25 children. For a maximum of 15 children aged 18 to 36 months, a teacher and a classroom parent provide education. There is a bed, a chair, a cushion, a personal storage cabinet, a shoe cabinet, a sufficient number of activities and a dining table, toys and educational materials per child. There is a cafeteria, kitchen, sandbox and children's playground including sufficient number of garden toys for children.

Municipal day-care centres are operated by the municipality itself or by a number of public and private service providers on behalf of the municipality (associations, private companies). Even though in principle they are free of charge and open to everyone above the age of three, in practice the local capacity is limited. In addition, parents must pay a user fee depending on their income and family status, and the family's own contributions are calculated based on their income. In Turkey, the kindergarten services are paid. However, the children of families without the ability to afford such services, orphan children looked after by a relative, children of convicts kept in a jail and children of martyrs and veterans may benefit from this service free of charge.

## 6. Adults with Disabilities

### 6.1 Adults with Disabilities in Turkey

#### 6.1.1 Service Description

People with disabilities are also considered among disadvantaged groups in the society including the elderly, women and children. The services of the municipalities for these groups also fall under the group of all kinds of training support services such as training centers and skills training courses and social aid services. It is necessary to understand that the term "person with disabilities" covers both people with mental disabilities and people with physical disabilities. The term "person with disabilities" refers to a person who has difficulties in adapting to social life and meeting his / her daily needs and needs protection, care, rehabilitation, counseling and support services due to the loss of his/her physical, mental, spiritual, sensory and social abilities to various degrees.

Services for the people with disabilities are included as social services in the duties and powers of both the municipalities subject to Law No. 5393 and the metropolitan municipalities and district municipalities.

Article 4 of the Regulation on Disabled Service Units of Metropolitan Municipalities (Official Gazette 16.08.2006 / 26261) defines services for adults with disabilities to a large extent. Accordingly, some terms are as follows; *care* refers the services provided to the adults who are not able to obtain or lost her/his living skills independently and needs special care, support and protection although he/she benefits from rehabilitation; *information* is providing information to adults with disabilities, their families and people working on this subject regarding the existing programs and services for the adults with disabilities, *awareness raising* is the activities conducted to inform people that the adults with disabilities have the same rights and obligations as other people and to overcome the barriers for full participation of disabled adults in social life; ; *consultancy* refers to the services related to the personal, familial, social and legal problems arising from being a disabled person and the rights of the adults with disabilities and their families, also the works carried out to produce realistic solutions for the problems of the adults with disabilities and their families; *vocational rehabilitation* refers to the actions enabling the adults with disabilities, who need a job safe and fit for their physical, mental and emotional incompetence, to have a job and profession, gain proper working skills considering the labour demand in the region and monitoring them in the workplace they are employed and their adaptation to work; *social rehabilitation* refers to activities to define and solve all kinds of problems that the adults with disabilities and their families encounter and the activities aiming their participation in social life; *social welfare* refers to in-kind and in-cash aid provided to the adults with disabilities and their families who live in poverty and are not able to meet their basic needs and have difficulty in maintaining their lives even at the lowest level; *community based rehabilitation* refers activities aiming at getting people take responsibility in rehabilitating the adults with disabilities, enhancing distribution of services, equalization of opportunities, improving and protecting the rights of disabled adults; *guidance* refers rehabilitation of the disabled adults in society, development of self-help groups by the families of disabled people to ensure social adaptation and equalization of opportunities and activities to change negative attitudes of society towards people with disabilities.

## 6.1.2 Legal Basis

The primary legal basis for these services is the Municipality Law no. 5393 and the Law on Metropolitan Municipalities no. 5216. The paragraph (a) of the Article 14 of the Municipality Law No. 5393 states that municipalities shall provide or cause to provide the services of "... social services and social aid; weddings; vocational and skills training; economic and commercial development...", and again according to Article 14, municipal services shall be provided to the public at the nearest possible locations and by the most appropriate methods and the methods used in service provision shall be appropriate to the situation of the people with disabilities, elderly people, the poor and those on low income.

According to paragraph (n) of the Article 38, the mayor shall spend the budget appropriation set aside for the poor and destitute, provide services for the people with disabilities and establish the center for people with disabilities.

According to paragraph (i) of the Article 60 of the Municipality Law, municipal expenditures shall be social welfare and aid payments to people on low income, the poor and destitute, the desolate, and the people with disabilities.

According to the Article 77 of the Municipality Law that regulates the voluntary participation in municipal services, municipalities shall carry out programs designed to encourage the voluntary participation of individuals with a view to ensuring solidarity and participation in the town's or city's provision of health care, educational, sporting and environmental services, social welfare and assistance services, libraries, parks, traffic and cultural services and services for the elderly people, women, children, the people with disabilities, the poor and destitute, and to increase effectiveness, economy and efficiency in service provision.

According to paragraph (v) of the Article 7 of the Law on Metropolitan Municipality, metropolitan municipalities shall manage and develop health care centers, hospitals, mobile health care units and social and cultural services of all kinds for adults, elderly people, people with disabilities, women, young people and children, and to this end, establish, operate or cause to operate social facilities, open vocational training and skills courses; cooperate with universities, colleges, vocational schools, public entities and civil society organizations in the provision of such services.

According to paragraph (d) of the Article 7 listing the duties of the district and first-tier municipalities; district and first-tier municipalities shall provide social and cultural services for elderly people, people with disabilities, women, young people and children and open vocational training and skills courses.

According to paragraph (m) of the Article 18 of the Law on Metropolitan Municipality, the metropolitan mayor shall spend the budget appropriation set aside for the poor and destitute, establish the center for people with disabilities to support activities for the people with disabilities. On the other hand, the paragraph (j) of the Article 24 states that metropolitan municipality expenditures shall be expenditures on the pursuit and collection of taxes, duties, charges, contributions, service fees and other revenues.

Another legal basis is the Regulation of the Service Units for People with disabilities of the Metropolitan Municipalities issued by the Ministry of Interior (Official Gazette dated 16.08.2006, numbered 26261). The purpose of the Regulation is to regulate the principles and procedures regarding the establishment, operation and duties of the service units for people with disabilities that will provide information, awareness, guidance, counseling, care, social and vocational rehabilitation services for people with disabilities in metropolitan municipalities

and the powers, responsibilities and duties of the staff working in this unit in order to facilitate the participation of people with disabilities living within metropolitan municipalities and urban areas to community life and ensure that they have equal access to social opportunities like healthy individuals. The regulation covers the service units for people with disabilities established in metropolitan municipalities.

Article 26 of the Law Approving the Ratification of the Convention on the Rights of People with disabilities No. 5825 (Official Gazette dated 18.12.2008, numbered 27084) includes the phrase "...shall be provided to the people with disabilities at the nearest possible locations where they live". Most of the services for people with disabilities listed in articles 28 and 30 fall into the service area of municipalities.

According to the Provisional Article 2 of the Law on the People with disabilities and Amendments to Some Laws and Decree Laws No. 5378 (Official Gazette dated 07.07.2005, numbered 25868), all existing official structures of public institutions and organizations, roads, pavements, pedestrian crossings, open and green spaces, sports fields and similar social and cultural infrastructure areas and all kinds of public buildings built by real and legal persons shall be made accessible to people with disabilities within seven years from the date this Law enters into force. According to Provisional Article 3, metropolitan municipalities and municipalities shall take the necessary measures to ensure that the public transport services provided or audited by themselves are suitable for the access of people with disabilities. Existing private and public transport vehicles shall be made accessible to people with disabilities within seven years from the date this Law enters into force.

The phrase "people with disabilities" is added to the Law on Real Estate Tax No. 1319 through an amendment by the Law no. 5378 dated 11.07.2005 to be followed by the phrase "veterans". According to this, people with disabilities shall be exempted for the taxes that the property owners are obliged to pay.

According to the Supplementary Article 1 of the Law on land development planning and control no. 3194 (Official Gazette dated 09.05.1985, numbered 18749), it is mandatory to conform to the relevant standards of the Turkish Standards Institute in the land development plans and in areas and structures of urban, social and technical infrastructure in order to make the physical environment accessible and livable to the people with disabilities.

The supplementary paragraph added to Article 42 of the Turkish Condominium Law no. 634 (Official Gazette dated 02.07.1965, numbered 12038) in 2005 states that reorganization of the project shall be discussed at the meeting to be held by the condominium owners within three months at the latest in case it is a necessity for the life of the people with disabilities and the decision shall be made with the majority of votes and land share.

### **6.1.3 Mandatory or Optional Service**

The paragraph (a) of Article 14 of the Municipality Law no. 5393 that contains the phrase "shall ... or cause to ...." states the relevant service as " social services and social aid; weddings; vocational and skills training". Therefore, services for adults with disabilities are one of the mandatory services.

### **6.1.4 Organizational Structure**

Service units for people with disabilities are regulated in the Regulation on the Service Units for People with disabilities of Metropolitan Municipalities (Official Gazette 16.08.2006 / 26261).

According to Article 5 of this Regulation, these units are established in accordance with Article 21 of the Law on Metropolitan Municipalities No. 5216 in accordance with the norm staffing principles and rules in the metropolitan municipalities. The unit consists of information, awareness raising, guidance, training, consultancy, care, social and vocational rehabilitation services and hierarchical levels that facilitate the lives of the people with disabilities in accordance with the population, needs and budget of the metropolitan municipality provided that it is shown in the council decision. According to Article 6 of the Regulation, the main operation principle of the unit is to

- respect human rights and human dignity,
- ensure social integration,
- take participation and sharing as a basis,
- regard equality of opportunity
- ensure that services are effective, efficient, quality, sustainable, accessible, free or discount while providing services for people with disabilities to continue their lives in safety, health and happiness benefitting from urban facilities with a contemporary service understanding.

According to Article 7, the functioning of service units for people with disabilities is as follows;

- The unit operates under the deputy general secretary or other relevant superiors shown in the organization chart within the framework of the principles to be determined by the metropolitan mayor or general secretary.
- The Unit prepares preliminary information about the issues to be discussed in the authorized bodies of the metropolitan municipality and delivers it to those concerned.
- The Unit coordinates information, awareness raising, guidance, training, consultancy, care, social and vocational rehabilitation services for the people with disabilities with the relevant institutions and organizations, universities, trade associations or non-governmental organizations and the activities and works that will facilitate the lives of people with disabilities.

It is determined that the services for people with disabilities are institutionalized under the Department of Social Services in the metropolitan municipalities. For example, according to the organizational structure of Ankara Metropolitan Municipality, the services for the people with disabilities are provided by the Directorate of People with disabilities and Rehabilitation within the Department of Social Services. Within the framework of the Regulation of the Service Units for People with disabilities of the Metropolitan Municipality, the duties and responsibilities of the Directorate of People with disabilities and Rehabilitation are as follows:

- Carry out all kinds of social activities in order to meet the material and spiritual needs of people with disabilities,
- Establish social service centers for the prevention and resolution of the social problems faced by the people with disabilities and take all kinds of measures for the continuation of their activities.
- Carry out social activities to improve and raise the living standards of the people with disabilities.

Within the framework of the Regulation of the Service Units for People with disabilities of the Metropolitan Municipality, the areas of work of the Directorate of Services for People with disabilities affiliated to the Directorate of People with disabilities and Rehabilitation are as follows:

- Establishing a service center to reach and identify the people with disabilities, support them socially and economically, guide them in solving their problems, and carry out all works and operations in order to maintain their activities,
- Providing on-site care for people with disabilities (cleaning, health, care-repair, psycho-support)
- Organizing social organizations and celebration programs for the people with disabilities,
- Taking necessary measures to make transportation easy for the people with disabilities
- Providing all kinds of social and economic aids (nutrition, clothing, cleaning set materials etc.) to the students with disabilities
- Providing all kinds of tools and devices (battery powered wheelchair, wheelchair, white cane, talking clock etc.) to the citizens with disabilities according to their disability status,
- Providing rehabilitation services to those who have special psycho-social disorders,
- Producing solutions for the health and social problems of the people with disabilities, rehabilitate them and ensure that they participate in community life, establish social service and rehabilitation centers in order to produce and implement projects in this field and carry out all the works and operations in order to maintain their activities,
- Establishing service units to make people with disabilities benefit from social activities, and carry out all the works and operations in order to maintain their activities,
- Establishing social service units to facilitate visually impaired people's access to information and carry out all the works and operations in order to maintain their activities,
- Establishing trade centers in order to provide vocational training courses, vocational rehabilitation centers and trade opportunities for people with disabilities to get a job within the possibilities of municipality, and carry out all the works and operations in order to maintain their activities,
- Carrying out services for the people with disabilities in cooperation with national or international institutions and organizations when necessary,
- Ensuring the provision of services in accordance with the regulations of the affiliated unit,
- Carrying out other duties for the people with disabilities specified in the relevant legislation.

The Counseling Center for People with disabilities, Service and Rehabilitation Center for People with disabilities, Trade Center for People with disabilities, Training and Technology Center for the Visually Impaired of Metropolitan Municipality and Club for People with disabilities established within Ankara Metropolitan Municipality provide services for people with disabilities.

In Istanbul Metropolitan Municipality, services for people with disabilities are carried out by the Directorate of People with Disabilities within the Department of Health. The duties of this Directorate are as follows:

- Ensure the registration of the people with disabilities applying to the Directorate and regular record of their information,
- Arrange statistical information in order to provide data for the works of the Directorate,
- Provide information, guidance and consultancy services to the institutions / organizations and individuals applying to the Directorate,
- Carry out informative activities individually or as a group for people with disabilities, relatives of people with disabilities and partner institutions and organizations about the legal rights of people with disabilities, provide consulting services in court other than file tracking,
- Inform the relevant institutions in order to eliminate the problems and contradictions related to the current laws and regulations and make suggestions in this regard,

- Provide psycho-social services to the people with disabilities and their families applying to the Directorate,
- Organize events, seminars, panels, conferences, symposiums, and congresses to ensure that the people with disabilities and relatives of the people with disabilities applying to the Directorate, the staff and institutions / organizations working on disability are informed, trained and aware of the educated in the disability- related issues,
- Carry out activities that will increase the employment of people with disabilities,
- Carry out research and development activities to develop and expand the services of the Directorate in the field of disability,
- Take part in research studies on the national and international practices related to disability, observation of these practices on site and adaptation of these practices to the needs of the institution and local needs, ensure communication and coordination during this process,
- Prepare programs and provide training services for people with disabilities by using special education methods and techniques
- Conduct field activities in order to determine the demands of people with disabilities and relatives of people with disabilities based on reliable data, carry out social investigation activities and prepare social investigation reports on these activities.
- Organize activities in order to raise consciousness and awareness about people with disabilities and disability in the society.
- Organize volunteer individuals willing to work for the benefit of the society in line with their wishes and skills during the service provision for the people with disabilities by the Directorate and make them provide services to individuals with disabilities and their families within the framework of volunteering principles.
- Prepare, publish and distribute printed, audio and visual publications such as informative and awareness-raising books, magazines and brochures related to sharing the works of the Directorate with public, prevention of disability and the concept of disability.
- Conducting joint activities and works for people with disabilities with universities, private organizations, non-governmental organizations and their supreme organizations, public institutions and organizations and professional institutions qualified as public institutions or conduct activities in cooperation with these organizations and institutions,
- Provide transportation services for the people with disabilities and the elderly who are unable to use public transportation independently to the places they want to go,
- Provide summer camp services for people with disabilities and their relatives to ensure equal share of social developments, their integration with the society and social rehabilitation,
- Provide in-kind aids that will meet the needs of people with disabilities in need and make their lives easier,
- Conduct and disseminate sports rehabilitation activities for people with disabilities applying to the Directorate,
- Establish and disseminate social service units where care services can be provided for people with disabilities and where they can engage in social and educational activities.
- Provide Turkish Sign Language Trainings to the institutions / organizations and persons requesting from the Directorate in order to ensure a healthy communication with hearing-impaired individuals and produce and distribute visual materials,
- Fulfill other duties and services conferred pursuant to the provisions of the relevant legislation.

The Directorate of Services for People with Disabilities operates under the Department of Social Projects within Izmir Metropolitan Municipality. The duties and powers of this

Directorate are defined in the Directive on the Working Procedures and Principles of the Directorate of Services for People with Disabilities under the Department of the Social Projects of the İzmir Metropolitan Municipality. According to this Regulation; it is the duty of the Directorate of Services for People with Disabilities to provide information, awareness, guidance, counseling, social rehabilitation, accessibility, employment and vocational rehabilitation services for people with disabilities in local authorities and, thus, to facilitate the participation of people with disabilities living within the borders of İzmir Metropolitan Municipality to community life and ensure that they have equal access to social opportunities like healthy individuals.

Çankaya Municipality, which is one of the district municipalities within the Ankara Metropolitan Municipality, has services for the people with disabilities. It provides these services under the Directorate of Social Aid Affairs. The Department of People with Disabilities under Gaziantep Metropolitan Municipality is organized as Directorate of Health Affairs, Directorate of People with Disabilities and Elderly, Directorate of Trainings and Rehabilitation for People with Special Education Needs and Directorate of Life House. Şişli Municipality, which is one of the district municipalities within the İstanbul Metropolitan Municipality, provides services for the people with disabilities within the body of the Directorate of Social Aid Affairs.

### **6.1.5 Service Provision**

According to Article 8 of the Regulation on Service Units for People with disabilities of Metropolitan Municipalities (Official Gazette 16.08.2006 / 26261), the duties of the units providing services for the people with disabilities are as follows:

- Create a database about people with disabilities,
- Conduct activities that ensure and facilitate the integration of people with disabilities into community life and carry out, promote and disseminate sports, social and cultural activities for people with disabilities,
- Implement community-based rehabilitation programs for people with disabilities by conducting activities and works in cooperation with universities, private organizations, foundations and associations for people with disabilities and their supreme organizations, public institutions and organizations and professional institutions qualified as public institutions
- Provide psycho-social counseling and guidance services to the people with disabilities and their families applying to the unit, organize events such as conferences, seminars and symposiums that will inform and train them about disability related issues,
- Prepare, publish and distribute printed, audio and visual publications such as books, magazines and brochures for the prevention of disability,
- Provide informative and awareness raising services for the people with disabilities and their families and ensure that the staff who will provide these services receive the necessary trainings to have the technical knowledge and skills.
- Ensure that people with disabilities participate in working life by transforming them into qualified labor force and give appropriate vocational rehabilitation and trainings by evaluating the people with disabilities who apply for vocational rehabilitation and training programs,
- Provide in-kind and cash support to people with disabilities with low socio-economic status,
- Ensure that people with disabilities can reach the places such as hospitals, schools and rehabilitation centers by means of vehicles suitable for their situation if required.

- Provide care services for people with disabilities and the elderly in need of care or purchase this service in accordance with the relevant legislation.

It is essential to seek the principles of the supports to be provided in Article 12 and the criteria of the Social Aid and Solidarity Foundations in the provision of supports to the people with disabilities and their families who will benefit from the social aids of the unit.

Voluntary services for people with disabilities are regulated in Article 13 of the Regulation. According to this, the Unit ensures the provision of voluntary services for people with disabilities in cooperation with universities, private organizations, foundations and associations for people with disabilities and their supreme organizations, public institutions and organizations and professional institutions qualified as public institutions in accordance with the provisions of the Regulation on Voluntary Participation in the Services of Special Provincial Administration and Municipality.

In Ankara Metropolitan Municipality, the main duties have been determined as organizing cultural, educational and sporting activities as well as providing all kinds of social aid and services for the people with disabilities defined as a person who has difficulties in adapting to social life and meeting his / her daily needs and needs protection, care, rehabilitation, counseling and support services due to the loss of his/her physical, mental, spiritual, sensory and social abilities to various degrees.

Ankara Metropolitan Municipality provides services for visually-impaired or hearing-speaking impaired people, and people with orthopaedical or mental disabilities and all people with psychological disabilities or chronic diseases residing within the borders of the municipality and document a loss of body function in 40 % and above with the Medical Board Report for People with Disabilities obtained from a full-fledged hospital.

The Counselling Center for People with Disabilities carries out activities in order to take measures to ensure the mobility of people with disabilities living within the borders of Ankara Metropolitan Municipality without needing another person and conducts practices in this regard, to produce solutions for the health and social problems of the people with disabilities, to ensure the rehabilitation and socialization of people with disabilities and produce and implement projects in this regard. The services provided for these purposes are as follows: Social Services, Psychological Support Services, Health Services, Social and Cultural Activities, Emergency Aid Services, Cleaning and Care Services, All kinds of In-House Repairs, Financial Support Services, Disabled Person's Ankarakart, Accompanied Disabled Person's Ankarakart, and Guidance, Accompaniment and Counseling Services.

The services provided by the Center of Services and Rehabilitation for People with Disabilities are as follows;

- Guidance and Counseling Services

People with disabilities applying to the center in person or by phone are provided with the necessary information about the services by social workers. The Social Worker refers the individual with disabilities to the unit where he / she will receive service and follows up the service provided. Whether the service is available to individuals, who are members of the Center is inspected and necessary measures are taken in case of dissatisfaction. Psychological, social and economic problems of individuals are determined and necessary works are carried out to solve these problems.

- Psychological Support Services

Members and their families are periodically visited at home by a clinical psychologist. Psychologists provide support to members on such issues as loneliness, stress, basic life events, social adjustment problems, communication conflicts, family problems and sleep problems.

- Social Aid Services

Social aids such as battery-operated wheelchairs, wheelchairs, white cane and diapers are provided to those in need.

- Health Services

The doctors and nurses working in the center visit the members and carry out their general health checks at their homes. In addition, individuals with disabilities are referred to the relevant units of hospitals after their complaints are heard when necessary and consultancy services are provided to them and their relatives.

- Education Support Services

The support provided in the field of education consists of educational aid, bag-stationery aid, support courses, Beltek courses, provision of food, uniform, physical education equipment and sports clubs' materials to the MoNE's Schools for Individuals with Disabilities.

- Social - Cultural Services

In order to make the perspectives of people with disabilities and the society on each other more sensitive; picnics, excursions, special day celebrations, entertainments and concerts, panels, conferences and conversations are organized in cooperation with social service units affiliated to the metropolitan municipality, hospitals, rehabilitation centers and schools. Travel, food and trip costs are covered by the Municipality and holiday camps are provided to a certain number of members once a year.

- Transportation Services

For the people with disabilities using battery- operated or manual wheelchairs, transportation services for urban areas and hospital visits are provided through vehicles with wheelchair lift that belong to the Center. The members who want to benefit from these services are taken from their homes to the hospital and, then, from the hospital to their homes at the time they specify, provided that they make an appointment in advance.

- Financial Support Services

Municipalities provide food, fuel (coal, etc.), clothing aid (boots - coats) for people with disabilities in need.

- Cleaning and Care Service

General cleaning of the house is periodically carried out by the cleaning teams. The garden arrangement and maintenance of the residents living in the detached houses are also carried out by the center teams. At the request of the members in need of care who have nobody to take care of them, at least three types of meals are cooked with their own materials and ingredients and the dishes are washed once a week. Body cleaning and personal care of the members with serious health problems, living alone and in need of care are also done periodically.

- In-house Repair Service

Such services as electricity wiring and plumbing repairs, carpentry, painting and whitewash are provided. The repair of the devices or goods which cannot be repaired in the house of the members and, therefore, need to be repaired outside is done by the center, provided that the fees are covered by the member.

- Emergency Service

In case of emergencies (flooding, fire, gas cylinder explosion, natural gas leakage, roof leakage etc.), members are provided with the necessary assistance. The members in need of aid are taken to the nearest health institution by the ambulance of the institution during working hours and provided with necessary treatments upon the request of themselves or their relatives. In case of death of the member receiving service; forensic medicine, morgue and washing operations are carried out, funeral vehicle is provided and burial procedures are performed. After the death of the members with no family and those in need, the religious duties such as prayer and mawlid are performed.

Ankara Metropolitan Municipality provides the opportunity for people with disabilities to sell certain products and services at the booths located in Bahçelievler Trade Center (10 units) in order to enable them to adapt to society and social life easily by gaining their economic freedom in the Trade Center for People with Disabilities.

The Center of Training and Technology for the Visually Impaired People of the Metropolitan Municipality was established to enable visually impaired individuals to benefit from information technology, which has become an indispensable part of human life. The technological facilities in the center have been offered to a wide range of use in line with the needs of the members. In the center, the members can conduct research on the Internet, prepare homework, print out all kinds of documents in the Braille alphabet and write CDs with audio or other files. All class notes or textbooks of the members are prepared through a "scanner". Shuttle buses are delivered to the schools twice a week and laboratory services are provided to the students coming in groups with the help of computer teacher. Weekday and weekend courses are provided for computer users of all levels. When the members are outside Ankara and have to carry out a transaction related to the center, the files they send to their e-mail addresses are prepared and sent to them by cargo upon their request. Every week, Braille prints in a wide range of fields such as general culture, health, technology, science and sports are distributed to the primary schools for the visually impaired people. In addition, all the publications of the Ankara Metropolitan Municipality and the prints in every field prepared in Braille alphabet are also available to the members at the center. Tests in Braille alphabet are printed for the students preparing for the exams or these tests are transferred to the CD in audio record.

The center, which is in constant dialogue with school principals and teachers, aims to make the students benefit from the opportunities at the highest level. As a result of the joint studies with the trainers, all information and documents regarding the training of the students are prepared in accordance with their requests. In addition to training-oriented activities, members are also provided with information that will facilitate their daily lives or that they cannot obtain even though they are curious. Information on the prospectus of any instrument, recipes, train times, menus of the restaurants they use the most, travel guide and important phone numbers is prepared and provided to them.

Cultural and sports activities are also organized in the center, and competitions are held in the relevant areas (chess tournaments, goal-ball tournaments, swimming race etc.). Activities with the associations, sports clubs, district municipalities, rehabilitation centers, schools for people

with disabilities and Directorate of Special Education of Directorate of National Education Directorate are going on.

Club for People with Disabilities: various services such as guidance and counseling services, painting and handicrafts, music, computer, English courses, billiards, table tennis, chess trainings and health screenings are provided in the Club for People with Disabilities in the Family Life Center in order to support all people with disabilities living in Ankara in social, cultural, health, sports, education, informatics and economic terms and to ensure their integration with the society.

It is determined that Istanbul Metropolitan Municipality provides some services specific to Istanbul for the people with disabilities. One of these services is "Accessible Tourism: The Project of Barrier-Free Istanbul for All". This is a project planned to bring Istanbul to a competitive level in global tourism in terms of "accessibility". The project aims to enable the people with disabilities to visit the museums by themselves by contributing to the accessibility activities especially in museums in Istanbul and provide supportive solutions in this regard. It is planned to increase the quality of museum visits of people with disabilities through the information kit to be prepared on the museums and their contents within the scope of the project, and to upload this information kit, which provides Turkish and English language options and museum contents to the website. When the visitor wants to receive information, he / she will be able to access the information about the art works by entering the code that can be taken both via the website and on mobile phone. It is also planned to provide transportation services for people with disabilities through free transportation service between museums. The project is sustainable with new institutions and museums that can be added to the track and each phase of the project can be developed.

The Directorate of People with Disabilities of the Department of Health of Istanbul Metropolitan Municipality (İSEM) provides psychological support services for the hearing-impaired and visually-impaired people and people with orthopaedical disabilities, down syndrome, mental - emotional disorders, autism, and their families with 24 psychologists in 24 centers. In İSEM, works and activities for supporting the educational, professional, emotional and social development of people with disabilities are carried out. Through individual and group consultancy activities, individuals with disabilities and their families are supported to solve the mental problems they experience. Training programs and seminars are organized to ensure that families develop a correct and healthy approach to their children and have information about disability. Participation of individuals with disabilities and their families in social life is ensured through the psychological support services.

Izmir Metropolitan Municipality carries out the services for people with disabilities within the framework of the participatory democracy policies based on human rights, family policies, health policies, educational policies, transport policies and employment policies and the international conventions.

Psychological Counseling-Guidance and Social Counseling services are provided within the Psycho-Social Service Department of Directorate of Services for People with Disabilities. Psychological Guidance and Counseling is another service provided to the individuals with disabilities that have special educational needs and their families. In addition, first interviews and evaluations of the individuals with disabilities applying for educational purposes are made and the educational services are supported with the "Family Education Program". The expert staff provides guidance on education, health, social aids, transportation, employment and legal issues for the people with disabilities and their relatives and refers them to the related institutions in accordance with their needs, and provides consultancy services for them on the services of the Izmir Metropolitan Municipality and rights they have. Children with disabilities

and their families receive trainings within the framework of a program prepared in line with preliminary interviews and related reports. The trainings given in line with the Reports of the Counseling and Research Center (RAM) on Pre-school and School Individualized Education are prepared for the development of talents of the children and young people by considering their developmental characteristics and individual differences and for the expectations of families.

Music trainings are provided to ensure the socialization of children and adults with disabilities and support their personal development. In this context, the choirs of Turkish Folk Music and Turkish Classical Music consisting of people with disabilities continue their activities and give concerts on special days at different times during the year. Sports courses such as Boccia, Table Tennis, Step-Modern Dance and Aikido are provided to support the psycho-motor and physical development of children and young people in the service centers.

In the framework of a joint program with the Turkish Jockey Club, "hippotherapy" trainings are provided for children with disabilities. It is aimed to prevent behavioral disorders through exercises for children with physical disabilities that strengthen their muscles and improve balance coordination and completion of missing senses in children with mental disabilities.

Since Izmir Province and Turkey in general are under natural disaster risk, basic disaster training is provided to protect the people with disabilities from natural disasters such as earthquakes, fire and floods and to inform the relatives of the people with disabilities about how to behave in case of a disaster. The trainings starting in October each year are organized in collaboration with the IMM Fire Department and the Directorate of Services for People with Disabilities.

The Directorate of Services for People with Disabilities provides 6 Handicap Minibuses with special equipment for the transportation of the citizens with orthopedic disabilities to public institutions such as hospitals, banks and educational institutions.

Various devices and tools are also provided for the use of citizens with disabilities:

- Battery-operated wheelchair every 5 years,
- Battery demand every 2 years
- Manual wheelchair every 3 years,
- Patient bed and overbed table for once
- Medical air bed for once
- 4 packs of adult diapers per month,
- White cane, medical dressing support
- Financial aid
- A discount of 50 % on water usage up to 20 m<sup>3</sup> for people with disabilities
- Free Accessible Public Transportation
- Free Summer Sports Schools
- City Guide for the Visually Impaired.

In Mersin Metropolitan Municipality, services for the people with disabilities are provided directly under a department. The organizational structure includes the Department of People with disabilities and the Directorate of Vocational Education and Sports for the People with disabilities and Directorate of People with disabilities. The duties of the Directorate of People with disabilities are as follows:

- Implement community-based rehabilitation programs for people with disabilities with universities, private organizations, foundations, associations, public institutions and organizations,
- Establish an expert team consisting of persons specialized in their fields to meet the needs of the individuals with special needs and their family,
- Create an environment in which people with disabilities can participate equally in non-governmental organizations and other institutions,
- Meet the education and rehabilitation services needed by individuals with social adaptation difficulties in order to perform the biological, environmental and expected roles in their family and schools, support the psychological processes of families,
- Carry out awareness activities on the prevention of disability (preparation of video, film, public spot, to display on local media and public transport vehicles),
- Conduct activities that ensure and facilitate the integration of people with disabilities into community life, carry out, promote and disseminate sports, social and cultural activities,
- Provide psycho-social counseling and guidance services to the people with disabilities and their families applying to the unit, organize events such as conferences and seminars that will inform and train them about disability related issues,
- Make sure that the sports facilities in the city are also suitable for the use of people with disabilities in order to ensure that people with disabilities are able to do sports, develop sports training programs and supportive technologies and provide the necessary materials.

Services for people with disabilities are also among the duties of the municipalities subject to Municipality Law No. 5393 and the metropolitan district municipalities. For example, the duties of the Directorate of Social Welfare Affairs in Çorum Municipality is to provide the necessary support and assistance to people with disabilities, develop projects to make the lives of people with disabilities easier, establish and operate rest homes or social spaces for the elderly and people with disabilities living within the municipal boundaries.

Çankaya Municipality, which is one of the district municipalities within the Ankara Metropolitan Municipality, also has services for the people with disabilities. It provides some services under the title of support services for people with disabilities of the Directorate of Social Aid Affairs. One of these services is the Visually Impaired Sports Club. The Visually Impaired Sports Club is the first sports club belonging to a local authority founded for the people with impaired vision in Turkey in order to ensure the mental and physical development of people with disabilities.

Within the scope of the Project of Barrier-Free Training Center, which provides courses free of charge, carried out with the aim of preparing visually impaired students for high school and university exams due to the fact that they cannot benefit from the existing training centers, the Barrier-Free Training Center provides courses every weekday with a staff of 150 volunteer teachers from METU, Bilkent, Hacettepe, Gazi, Ankara and Yildirim Beyazit Universities in Ankara.

As of 2009, all pedestrian roads, pavements, open areas, municipal service buildings and sports areas of Çankaya Municipality have been designed and built considering the criteria of barrier-free design. Building managements which are in public use in the Çankaya district are warned to make the necessary arrangements in terms of accessibility. Within the scope of the project of Barrier-Free Training, wheelchair ramp support is provided to the schools within the district boundaries. Primary, secondary and high school buildings are inspected in terms of wheelchair ramp in the building entrance and toilet and elevator for handicapped. Municipal employees also determine whether there is space for the establishment of toilet and elevator for handicapped in schools.

An Audio Library was established to bring together the visually impaired citizens with world classics and contemporary novels on various topics. Those who wish to listen to about 100 books voiced by volunteer readers can visit the library and benefit from this service.

Şişli Municipality, which is one of the district municipalities within the Istanbul Metropolitan Municipality, provides services for the people with disabilities within the body of the Directorate of Social Aid Affairs. The units within this Directorate facilitate the provision of services. The Service Unit for People with disabilities provides the necessary tools and equipment for citizens with disabilities in a way to protect their freedom and independence by considering the equality of opportunity, accessibility and gender equality, delivers these tools and equipment to those in need, ensures that citizens with disabilities and their families live their life and benefit from social municipal services fully and effectively and identifies the inequalities faced by citizens with disabilities and develop solutions for these inequalities. Necessary coordination and organizations are held to provide psychological support and trainings for the people with disabilities and their families, and activities which protecting the identities of children with disabilities by respecting their rights and increase their development capacity are conducted.

## 6.2 Adults with Disabilities in Six EU Member States

### Summary findings

Social support to disabled adults brings together various sectors and levels of governments in most countries, including the six Member States in this study. It spans financial and personal assistance, but may also entail housing, education, vocational training and support to participation in the regular labour market or more protected employment schemes. Specialized institutions may be a solution for severely disabled persons with multiple diagnoses. Given the complexity of the service area, it is no surprise that there is not a common approach to the role of municipalities in disabled adult assistance. Whilst support to disabled adults is fully devolved in Denmark and to a large extent in the UK, it is a predominantly mixed central/regional responsibility in France, Germany, Spain and Bulgaria delivered through deconcentrated state agencies. Bulgaria and Spain have lesser, not always clear roles for municipalities, which in the case of Spain has been challenged in the Constitutional Court. Another dimension of disability support relates to municipal planning and building codes, namely adequate access for disabled persons to public transport and public spaces.

The rights of disabled persons are subject to various international conventions with a bearing on national legislation, either directly or through the EU system. Of particular significance is the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and its Optional Protocol adopted on 13 December 2006 by the United Nation in New York. The UNCRDP has been ratified by Spain in 2007, Denmark and Germany in 2009, France in 2010 and Bulgaria in 2012. In December 2010, the European Union also became a party to the Convention and in doing so, the EU recognized the challenges persons with disabilities face in securing their rights and highlighted the need for collective actions by EU and its Member States. This commitment is reflected in the European Disability Strategy 2010-2020, which builds on the UNCRPD, and numerous sector specific regulations, such as EU Regulation No 181/2011 concerning the rights of passengers in bus and coach transport.

The Convention reflects a paradigm change in support to disabled persons from passive receivers of social assistance, often including an institutional approach, towards personal self-determination and support to overcoming barriers for participation in normal life. Each Member State has adopted such an approach, if not in practice then at least by law, and attempts are made to streamline legislation, services and service entry points. In order for this integrated approach to succeed, a clear-cut share of responsibilities between levels of government and flow of funds are essential, and most of the six Member States have only succeeded partially in transforming traditional, siloed support into more person-oriented assistance. A common feature among the countries is the introduction of a joint entry point to assess of the degree of disability, before individually tailored services are provided.

A direct cross-country comparison of institutional and community-based service types and standards is difficult due to the diversity, variety of definitions and the limited range of information currently available in many EU Member States. Certain types of community-based services can, however, be found across the EU, with others only found in a limited number of Member States. For example, in-home services, residential care and day-care centres are available in all 28 EU Member States. Less common types of services include peer support and counselling, provided by non-professionals with the counsellor and the client having equal status, and sharing experience and assistance in gaining independence and self-confidence. Such services are found in 16 EU Member States, including Germany, France and Spain and facilitated through the joint service entry points.

All six countries of this study cooperate with, and procure disabled adults support from, CSOs, charities and private sector businesses. The public-private cooperation covers a wide diversity of service types, from highly specialised rehabilitation centres operated by not-for-profit associations over private landlords providing social housing to private companies delivering labour market counselling in Spain. National disability associations also participate in formal policy forums and oversight of local service delivery performance in all the six countries of this study.

The financial crisis and subsequent budget cuts made adverse impact on the often quite expensive disability support, and seem to have undermined disability services in the UK, Spain and Bulgaria in particular. Bulgaria has also been challenged in the European Court of Human Rights for its failure to depart from its traditional 'institutionalization' approach. In Denmark, municipalities struggle to gap legal entitlements and excessive service provisions in the past with very tight budgets and the complexity of the service has also proven to be at the edge of many municipalities' technical capacity after the local government reform in 2007.

### **6.2.1 Denmark**

Danish support to disabled adults is enshrined by four main principles, namely the right to equal opportunities, the right to compensation for a handicap, sector-based responsibility for equal access to services and a collective funding responsibility. These principles are mainstreamed in various sector laws and tally with the basic principles of the Convention on the Rights of Persons with Disabilities, which Denmark became a signatory to in 2009.

The Ministry for Children and Social Affairs has the overall responsibility for policy and coordination regarding disabled people, including cross-sector facilitation of disability support vis-à-vis other Government ministries, who are required to mainstream disability objectives in their respective remits. For instance, the Ministry of Employment is responsible for the policies regarding employment of disabled people and the Ministry for Education is responsible for policies concerning the special support in schools and wider education and the Ministry of Transport, Building, and Housing is responsible for promotion of accessibility in public buildings. Danish municipalities are key implementers of all regulations associated with disability.

The Act on Social Services (2015) constitutes the core legislative framework for social support to disabled persons and it establishes that aid is provided for persons with permanent impairment of physical or mental function. Social services are provided to compensate the needs following from a reduced physical or mental function and improve the individual's social and personal level of function and potential development.

#### **The role of municipalities**

Overall, the Danish welfare state is fully devolved and managed by the municipalities with a high degree of discretion and fiscal autonomy, and mostly funded through municipal own-revenues (especially personal income tax). Accordingly, Danish municipalities deliver and fund support for handicapped citizen based on individual needs assessments. Each municipality decide its level of services, the content and the extent of the support, within the scope of the regulatory framework. Ultimately, the individual assessment will decide the level and scope of the handicap services provided, but local residents may file a complaint about any such decision to the National Appeals Board on social aid.

The scope and level of support to physically and mentally disabled adults is very broad and, in each case, the municipality compose its support based on individual assessment, often made with external expert assistance. Depending on this assessment, support could range from provision of equipment, personal assistance and suitable housing to much more specialised support such as institutional day care support or permanent residence in sheltered institutions with highly specialised staff offered to citizens with multiple diagnoses. The latter is very expensive and frequently subject to political debate. Adults with disabilities may also receive a permanent disability pension, or alternatively assistance to maintain a regular job with reduced working hours, or perhaps part-time employment in a specialised municipal employment scheme.

## **Sourcing**

Some of the more specialised services, such as day care centres or institutions offering timebound or permanent residents for severely disabled adults, are procured by the municipality from privately operated institutions, mostly not-for-profit associations. In recent years, such procurements have faced increasing scrutiny by individual municipal councils, a. o. with consultancy assistance from the Union of Danish Municipalities. It is an area, which has seen hard-to-control expenditure increases and the potential for cost savings has not always been exploited, a. o. due to lack of transparency and a need for more intermunicipal cooperation. Sometimes institutional support is excessive, e.g. permanent institutional support may be substituted by day care support or more ad hoc approaches, but such reversals are often resisted by clients.

In some cases, the regional authorities also operate specialised institutions and deliver support on behalf of a municipality, which still have to fund it. Basically, such arrangements are a reminiscence of the old local government structure prior to 2007, where the counties took care of all specialised social support. Regional specialised social services may eventually become fully municipalised; if not by agreement then by the abolishment of the Regions, which has some political support.

## **Participation and accountability measures**

Apart from individual rights to second opinions and appealing of municipal decisions, a number of participation and accountability measures are also defined by Law. These include:

*The municipal disability council:* According to the Act on Legal Protection and Administration in Social Matters (2012), each municipality is obliged to receive guidance from the municipal disability council. The council is elected in alignment with the local election term and consists of 6-14 members, hereof 3-7 members appointed by locally resident handicap associations and 3-7 municipal councillors. The municipal disability council is mandated to advise the municipality on all relevant policy issues.

*The Social Audit Authority:* Other accountability measures include the regional social audit authority, which – in relation to adult disabilities – among others have the responsibility to approve and audit the technical quality of the social support rendered and engage in dialogues with individual specialised institutions to ensure maintenance and development of social support standards. According to the Act on Social Supervision (2013), the mandate and secretariat of the five regional social audit authorities are delegated to one of the municipal councils in the region, as defined by the Law.

*The Office of the Ombudsman:* The Ombudsman maintains the oversight of local government administrative practises and is accountable to the Danish Parliament. This mandate also includes the monitoring of specialised institutions, which have the opportunity to apply constraining measures, if clients exhibit abusive behaviour.

## 6.2.2 United Kingdom

Social support to disabled adults is a compulsory responsibility of UK local councils, who also have a key role in coordinating support with other relevant authorities and service providers. The regulatory framework of local authority responsibilities is as complex as in other EU member States and laid out by the Department of Health and Social Care. Notably, the regulatory framework with a bearing on local authority responsibilities is captured by the Care Act (2014), whilst additional regulations includes the following:

*Access to Information:* The local authority must ensure that there is an accessible information and advice service that is open to everyone who would benefit from it. The local authority should take account of information standards published by the Information Standards Board for Health and Social Care under the provisions of the Health and Social Care Act (2012). The Disability Discrimination Act (2005) also places a responsibility on public bodies to ensure that disabled people generally have equal access to their services (including the provision of information).

*Assistance with daily living:* Adult community care legislation and guidance laid out by the Care Act and establish a framework for the assessment and meeting of needs for daily living. The Care Act departs from previous legislation, which was service delivery oriented and somewhat 'siloed' rather than client oriented. The needs assessment should now be person-centred and take into account housing, health and other needs within a common framework of eligibility criteria to determining the collective service provision<sup>14</sup>.

*Direct payments:* Direct payments guidance states that disabled citizens with eligible needs for support must be offered direct payments as an alternative to services provided, they can manage them. This may include Personal Independence Payment (PIP) to cover extra costs associated to long term ill-health or disability or more permanent pension schemes.

*Housing:* Local authorities in Britain have responsibility for a variety of activities that may determine disabled residents' ability to obtain suitable housing:

- Direct provision and allocation of social housing for those unable to afford to rent or buy in the housing market
- Setting strategic housing policy, to determine the local requirement for accessible and adaptable homes of all tenures, including for sale
- Enforcing planning policy for new developments, to ensure that developers deliver the required number of accessible and adaptable homes
- Administering grants available to disabled people to make their homes accessible and suitable for their needs, and
- Delivering support to disabled people to sustain both social rented and private rented tenancies.

---

<sup>14</sup> Danish social aid follows a similar path with the introduction of a so-called BPA approach, which literally translates into 'citizen-prioritized assistance'.

## Local discretion trends

The funding of local support to disabled adults is shared between central government (cash benefits), the National Health Service (which pay for the Continuing Healthcare Programme in their area) and local councils. Since 2010, overall central government grant transfers to local governments have been cut by almost 60%, while council taxes were raised (property tax). In addition, since the introduction of the Care Act in 2014, discretion for local authority social support have shrunk as more central government transfers are allocated as tied sector grants, whilst the introduction of a common approach to assessment, national minimum eligibility criteria and additional statutory duties, promotes a central government vision of a more-consistent and arguably, higher-quality and more-efficient social care service provision across councils. However, the growing imbalance between policy and funding is criticized by the Local Government Association and CSOs.

## Sourcing

Local authority support to disabled adults rely on a cooperation with many external service providers, including charities. Housing schemes is an area, where local authorities apply both inhouse and outsourced service delivery. Some local authorities are landlords providing social rented housing, which are allocated based on need and let at regulated rent levels, set by Homes England – a new non-departmental public body, sponsored by the Ministry of Housing, Communities and Local Government. This service is often referred to as council housing and it is usually managed and maintained by the local authority itself, although in a small number of cases this responsibility can be subcontracted.

However, providing council housing is not a universal obligation and many local authorities do not provide it. In these councils, a similar quantity of housing is typically available at Homes England regulated rent levels, but the dominant social landlord would instead be a Private Registered Provider (England) or a Registered Social Landlord (Scotland or Wales), which typically are charitable Housing Associations.

### 6.3.3 France

Social support, including support to disabled adults, is a competence assigned to the General Council of each Department. Core legislation include the Act on Equal Rights and Opportunities, Participation and Citizenship of People with Disabilities (2005) (*Loi n° 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées*). The Act amended two 1975 acts on the disabled and on social and medical institutions, respectively, by strengthening existing measures and introducing new ones based on the principle of national solidarity and access for disabled to participate more fully in normal social life and benefit from more personalised assistance. The combined provisions of the acts are codified in the Social Action and Family Code (*Code de l'action sociale et des familles, Version consolidée au 24 mai 2019*).

#### Role and structure of the Departments

According to the 2005 Act, the General Council of the Department is required to establish the Committee for the Rights and Autonomy of People with Disabilities (*commission des droits et de l'autonomie des personnes handicapées*, CDAPH) to ensure equal rights and opportunities, participation and citizenship for people with disabilities. The committee is composed of representatives from the General Council, State services and public institutions, social welfare

organisations (*Caisse d'Allocations Maladie* or CAF, *Caisse Primaire l'Assurance Maladie* or CPAM, etc.), trade unions, parents' and students' associations and representatives of people with disabilities and their families, designated by representative associations. and a member of the Departmental Advisory Board for people with disabilities.

The CDAPH independently makes all decisions pertaining to aid and benefits. The CDAPH is responsible for:

- Guiding people with disabilities and deciding on the best measures to ensure their academic, professional or social integration.
- Designating institutions or services that contribute to the training, education, rehabilitation or housing of adults with disabilities and also deciding on the support needed for disabled people over the age of sixty housed in specialised residential facilities.
- Allocating disability cards
- Allocating disability allowances for disabled adults as well as disability compensation benefits
- Acknowledging the status of disabled workers.

The CDAPH also decides on the composition and level of financial support to disabled adults, which may range from disability benefits to ensure a minimum income for people with disabilities so they can cope with the cost of everyday life, to more permanent financial and institutional support.

The actual needs assessment and service delivery is managed by the Departmental Home for People with Disabilities (*maison départementale des personnes handicapées*, MDPH), which also provides secretarial support to the CDAPH.

The MDPH is in essence a one-stop service entry point for people with disabilities to receive information, guidance and dedicated support. The support is mutually adapted by multidisciplinary teams representing the General Council, State services, family and insurance welfare organisations and representatives from associations working with people with disabilities. These teams of medical and social professionals (doctors, nurses, social workers, occupational therapists, psychologists, etc.) assess the needs of each person based on their life plan and propose a personal disability compensation plan that takes into account factors such as their educational background and access to work. The MDPH is also responsible for the cooperation healthcare and medical-social institutions and appoint advisors to help adults with disabilities integrate into the workforce.

#### **6.4.4 Germany**

The regulatory framework for support to disabled adults is the responsibility of the Federal Ministry of Labor and Social Affairs. The key legislation for provision of rights and benefits for disabled people include Part 1 of Book IX of the Social Code of the Social Welfare Code (2001) (*Neuntes Buch des Sozialgesetzbuches*) and the Federal Participation Act (2016) (*Bundesteilhabegesetz*). Whilst the German Constitution fundamentally forbids discrimination on the basis of physical or mental disability, the Social Welfare Code and the Participation Act are based on the idea of equal opportunities and participation rather than merely welfare. They focus on assistance to overcome, as much as possible, the impact of the disability and to enable the disabled to participate in all areas of society, especially the labour market and community life. Germany became a signatory to the UN Convention on the Rights of Persons with Disabilities in 2010, which was also a factor in shaping the Federal Participation Act.

## **Federal, State and local implementation structures**

The management of the support to disabled adults is basically a state function, which is delegated to county level state agencies covering one or more municipalities or municipal offices under the one-tier system. The framework and administrative setup have been rather complex with multiple actors and service providers, including church-based charities which have a strong traditional role in German welfare assistance. Reforms have been introduced in recent years, but are still subject to criticism<sup>15</sup>. The Social Welfare Code brought forward a more citizen-oriented approach, while the Federal Participation Act introduced more streamlined administrative procedures and empower rehabilitation service providers to serve as one-stop entry points for applications targeting disability support. Previously, people with disabilities who needed services from different providers were faced with long delays, jurisdictional disputes over which agency was in charge, and unnecessary repeat assessments. The one-stop approach is aimed to eliminate any concern about submitting applications to the 'right' agency. Accordingly, all service providers must designate points of contact that provide applicants, employers and also other service providers with, among other things, accessible information on benefits and services and on the option to have them provided by way of a personal budget.

Accordingly, only one application is necessary to apply for a range of services, and a uniform procedure and cooperation among the different service providers is mandated. The Federal Participation Act also established federal funded counselling centres operated by independent providers and mostly based on existing structures and services. The counselling centres advise people with disabilities on their rights and on entering the labour market and emphasize the provision of peer counselling by people with disabilities.

## **Visitation and referral**

Access to disability assistance begins with the evaluation and needs-assessment of individual citizens and a rating of the level of disability. This is a responsibility of the district-based Pension and Benefits Office (*Versorgungsamt*). In addition, the Integration Office (*Integrationsamt*); and the deconcentrated Federal Employment Office (*Bundesagentur für Arbeit*) are responsible for labour market related services.

Benefit payments or "disadvantage compensation" (*Nachteilsausgleich*) vary according to the degree of disability. It may include

- Special medical care
- Assistance in job hunting or protection from dismissal
- A household assistant
- Support for childcare costs
- Free of cost transport by bus and train
- Early retirement pension
- Tax reductions

Further support is provided through a range of services and specialised institutions, which apart from the general counselling centres, include:

---

<sup>15</sup> Among the unresolved areas of improvement are the regulations relating to the self-determination of disabled people, in particular where benefits may sometimes be "pooled" among recipients, at the cost of self-determination.

- Special vocational schools, for instance for deaf pupils
- Vocational apprenticeships for visually impaired and deaf people
- Employment integration support
- Special employment protection for persons with severe disabilities
- Care and accommodation grants for disabled people
- Workshops for disabled people
- Transport services

These institutions and services are delivered mostly by private charities and church-based associations such as the German branches of Catholic charity Caritas and Diakonisches Werk, self-help groups, and parent associations or, where no private service is available, through state or local authority operated service providers.

### **6.2.5 Bulgaria**

Bulgaria struggled for years to modernise its support to disabled citizens along international standards and to overcome deeply rooted inadequacies of the social system, such as lack of stable and sufficient financing and inability to balance needs of equal importance. Whilst Bulgaria became a signatory to the UN Convention on the Rights of Persons with Disabilities in 2012, its disability legislation is still far from the philosophy of the Convention and persons with disabilities are still regarded as non-able in need of social assistance schemes/benefits. Access to community-based services is not guaranteed to all potential clients and the quality of care provided in them is generally low. People with mental disabilities and psycho-social problems are often deprived of their legal rights and placed under guardianship. Persons with disabilities (especially those with mental and psycho-social disabilities) are not provided with real opportunities for vocational training or employment on the open labour market<sup>16</sup>

A guarantee of non-discrimination is provided for in the Protection from Discrimination Act (Art.4) and the Integration of Persons with Disabilities (Act. 7). Principles of full and effective participation and inclusion in society, accessibility and equality are also partially regulated by the Integration of Persons with Disabilities Act. Bulgaria also adopted a number of strategic documents including the National Strategy for Persons with Disabilities (2016-2020) and related Action Plans.

The Local government and Local Administration Act itself does not reveal much in relation to disability service functions, besides stating that local governments are assigned competences to provide health care and social support as laid out by law.

At the nation level, the National Council for Integration of Persons with Disabilities under the Council of Ministers leads policy formulation in collaboration with the Ministry of labour and social policy, regional governors, the National Association of Municipalities, national disability associations, and employers and employees' organisations.

#### **Implementation structure**

Policy implementation is the responsibility of the Ministry of Labour and Social Policy, which include provision of institutional and community-based social services and social benefits for children and adults with disabilities and their families. The central Social Assistance Agency

---

<sup>16</sup> See e.g. Alternative Report about the rights of Persons with Disabilities in Bulgaria under the UN Convention on The Rights of Persons with Disabilities, Bulgarian Helsinki Committee, 2017.

under the Ministry of Labour and Social Policy provides technical guidance to the deconcentrated Social Assistance Departments and Employment Departments at regional and municipal levels.

The shared service delivery role between these deconcentrated state agencies and the municipalities is not entirely clear, but it appears that the Social Assistance Departments and Employment Departments are the primary responsible actors for providing social financial benefits and for referral to the respective social services, while the municipality is responsible for payment of specialised institutions such as protected homes where persons with disabilities live independently, supported by a team of professionals. Service providers are often charities licensed by the Social Assistance Agency and in such cases, municipal expenses are partially recovered through user payment and central government reimbursements. The mayors are also responsible for the appointment of guardianship councils and guardians for disabled persons.

Regional governors and mayors are obliged by the Regulation for Implementation of the Social Assistance Act to develop local five-year strategies and plans for support and services for persons with disabilities based on preliminary assessments of the needs and availability of both institutional and community-based services. Based on the regional strategy, the mayor elaborates the municipal strategy for social services development to be adopted by the municipal council. The content of the municipal strategies is identical to the regional strategy. To implement the municipal strategy, the municipal council - in consultation with the Social Assistance Department - adopts an annual action plan for the delivery of social services with associated budgets and staffing. The plan is submitted to the Social Assistance Agency upon adoption.

The Integration of Persons with Disabilities Act and the Regional Development Act ensure persons with disabilities accessible buildings and living environment and regulates the design of accessible building codes, including public buildings. For the municipalities, this translates into building and organizing assessable urban territories for disabled persons and accessible kindergartens, schools and public or special transport.

### **Enforcement**

The national Protection from Discrimination Commission has the powers to receive and investigate complaints filed by disabled persons and to issue binding rulings. It also has the power to carry out surveys on its own initiative. It can impose fines and compulsory administrative measures. The Office of the Ombudsman has the powers to intervene when citizens' rights and freedoms have been violated.

The National Construction Control Department is the controlling body for accessibility of the architectural environment. However, the law does not provide for any sanctions of state and municipal bodies that do not fulfil their obligation related to accessibility.

### **6.2.6 Spain**

Overall, it is difficult to present and assess municipal social services in Spain, including disability services, due to the fact that the country does not have an effective General Law of Social Services under which subnational governments can operate and deliver services. After adoption of the new constitution, each Autonomous Region worked many years to define its own social service system and only in 2006, with the approval of Law on the Promotion of Personal Autonomy and Care for dependent people (2006), a national framework started to

emerge. However, with the passing of the Law for the Rationalization and Sustainability of the Local Administration (2013), the ramification of the municipal social services was diminished to an extent at which is still challenged in the Constitutional Court.

In terms of current legislative framework for disabled adults, Spain adopted the UN Convention on Convention on the Rights of Persons with Disabilities in 2007. Further, there are several laws adopted to support and protect those with disabilities. These include the Social Integration for Disabled People Act (1982), the Non-Discrimination Act (2003) and the Equal Opportunities Act (2007).

Overall, observers noted that the significant number of rules, sometimes un-coordinated, too general and lacking regulatory development and at times not supported by sufficient human and financial resources to guarantee their implementation, is a problem. Financial restrictions and budget cuts in the public sector due to the recent economic crisis impacted heavily in the social and health sector, creating situations where the fundamental rights set by the CRPD are put at risk, including the right to receiving "appropriate assistance".<sup>17</sup> There are also no legislative framework specifically targeting the employment of persons with chronic diseases. Such measures are covered by the broader legislation for persons with disabilities.

The Ministry of Health, Consumer Affairs and Social Welfare is responsible for protecting the rights of persons with disabilities. The Ministry structure includes three relevant Directorates: The Directorate General for Equal Opportunities; the Directorate General for the Family and Childhood Services and the Directorate General on Disability. They all offer deconcentrated services to people with disabilities including the Disability Information Service, Centers for the Recovery of physical disability, and Care centers for people with disabilities

National disability assistance is furthered by multi-annual disability action plans spearheaded by the Ministry of Health, Consumer Affairs and Social Welfare and then adapted to the territorial and socio-economic profile by the Autonomous Regions. The regional plans differ between regions; some are complete action plans for disabled people, others are sector plans or plans that are aimed at specific groups, e.g. physically disabled persons.

For the reasons noted above, the role of municipalities in support to disabled adults is not very clear. Overall, the responsibilities of a municipality vary according to population. Whilst all municipalities are supposed to provide essential services, the Basic Law on Local Government (1985) establishes a scale of services which may be compulsory depending on the number of inhabitants of each municipality. To this end, the Law stipulates that municipalities above 20,000 inhabitants are responsible for social care. However, actual competences are not spelled out and left to the sector legislation to specify.

Prior to the Law for the Rationalization and Sustainability of the Local Administration (2013), a regionally-based system of municipal social services had evolved which emphasised subsidiarity as a basic principle. However, the 2013 Law amended the 1985 Law in such manner that municipal competences within social services were reduced to "the assessment and reporting of situations of need and immediate care for people at risk or risk of social exclusion." I.e. subsequent service delivery fall upon higher authorities (Regions) and as mentioned, this is still challenged in court<sup>18</sup>.

---

<sup>17</sup> See EU Country Report on Spain for the Study on Member States' Policies for Children with Disabilities, 2013

<sup>18</sup> See An Approach to Social Service Systems in Europe: The Spanish Case, Portillo & Arroyo (2016)

Access to disability support for individual persons starts with an assessment of the degree of disability, both permanent and temporary. The assessment is done by the regional authorities, including the assessment of work ability, but applications and personal guidance can be accessed from the municipality.

Employment advice and support to persons with disabilities in regular employment is regulated by the Public Service of State Employment (*Servicio Público de Empleo Estatal*, SEPE). Local SEPE offices are found in all provinces and persons with disabilities have access to special employment centres and supported employment schemes through the SEPE offices.

National legislation has authorised non-profit employment intermediation agencies to facilitate the integration of disabled persons in employment and there are many private organisations that render specialised activation and training services funded by regional and national authorities. However, observers noted that disabled persons are not readily signing up to employment programmes because the system is too complex with a high number of local, regional and central actors, including SEPE and the Institute of Social Security.

### 6.3 Turkey and the EU Member States in comparison

#### Summary findings

The service area has grown in complexity in line with increased disability rights to self-determination and support for active participation of normal life. All EU Member States as well as Turkey are committed to such aspirations, being signatories to the UN Convention on the Rights of Persons with Disabilities

EU Member States make efforts to comply with such commitments by streamlining national legislations, services and service entry points. In order for this integrated approach to succeed, a clear-cut share of responsibilities between levels of government and flow of funds are essential, and the six Member States have only succeeded partially in transforming traditional, siloed support into more person-oriented assistance. A common feature among the EU countries is the introduction of a joint entry point to assess of the degree of disability, before individually tailored services are provided. Another dimension of disability support relates to municipal planning and building codes, namely adequate access for disabled persons to public transport and public spaces.

The role of EU municipalities varies. It is a fully devolved service area in Denmark since 2007 and also partially devolved in the UK, whilst it is a predominantly mixed central/regional responsibility in France, Germany, Spain and Bulgaria delivered through deconcentrated state agencies. Bulgaria and Spain have lesser, not always clear roles for municipalities, which in the case of Spain has been challenged in the Constitutional Court. In Turkey, the services for disabled people are part of the social duties of the municipalities and they are among the obligatory tasks.

A direct country comparison of institutional and community-based service types and standards is difficult due to the diversity, variety of definitions and the limited range of information currently available in many EU Member States. However, in-home services, residential care and day-care centres are available in all 28 EU Member States and also provided in Turkey. All countries, including Turkey, also have planning regulations regarding accessibility in public transport and public spaces

All six EU Member States of this study cooperate with, and procure disabled adults support from, CSOs, charities and private sector businesses. The public-private cooperation covers a wide diversity of service types, from highly specialised rehabilitation centres operated by not-for-profit associations over private landlords in the UK providing social housing to private companies delivering labour market counselling in Spain. National disability associations also participate in formal policy forums and oversight of local service delivery performance in all the six countries of this study. In Turkey, collaborations with disability associations also takes place.

Adults with disabilities cover both physically and mentally handicapped persons. Disabled adults refer to a person who has difficulties in adapting to social life and in meeting daily needs due to the loss of physical, mental, psychological, sensory and social capacities at various levels by birth or by any reason thereafter and who therefore needs protection, care, rehabilitation, consultancy and support services. As stated in the previous sections, social support for people with disabilities is a complex service area with many dimensions from financial support and personal assistance, over housing, education, vocational training and participation in regular labour market or participation in more protected employment programs, permanent residence in specialized institutions for disabled adults who have more than one diagnosis, to facilitation of access to public transportation and public space. Therefore, it requires cooperation among various sectors and levels of management as seen in the six Member States.

In Turkey, adults with disabilities belongs to the disadvantaged groups as do the elderly, women and children, and municipalities are obliged to provide services for these groups. The services which the municipalities provide for the disabled include all kind of training centres and skill courses as well as services to support education. Such services are classified within the group of social aid services.

The rights of the adults with disabilities are subject to various international conventions transposed into national legislation, directly or through the EU system. United Nations Convention on the Rights of Persons with Disabilities was adopted by United Nations on 13 December 2006; was ratified by Spain in 2007, by Denmark and Germany in 2009, by France in 2010; Bulgaria became a party to the contract in 2012 and the also the European Union became a party in 2010. The EU acknowledged the difficulties in securing the rights of people with disabilities and stressed the need for joint action by the EU and its member states. Turkey became a party to this Convention in 2008 with the Act No. 5825 on Ratification the Convention on the Rights of Persons with Disabilities (Official Gazette 18.12.2008/27084).

The Convention reflects a shift in support models for people with disabilities from passive social support into support for overcoming barriers to participate in normal life entailing an institutional approach. Each member state has adopted such an approach, at least in legal terms, and attempts are made to improve legislation, services and service entry points.

In Turkey, Article 4 of the Regulation on Service Units for People with Disabilities of Metropolitan Municipalities (Official Gazette 16.08.2006 / 26261) defines the services for people with disabilities to a large extent. According to this Article; the specific terminology within disability services are defined, such as care, information and awareness raising, counselling, occupational and social rehabilitation, social aid, community-based rehabilitation and guidance, see Subsection 6.1.1 for further detail.

Specific comparisons between Turkey and selected EU Member States are highlighted below:

- **Denmark**

The Ministry of Employment is responsible for policies related to the employment of people with disabilities whereas the Ministry of Education is responsible for policies regarding special support at schools and education in general, it is also responsible for promotion of the Ministry of Transport, Building and Housing. The Danish municipalities are the key implementers of all regulations concerning the adults with disabilities. In Turkey, the services for disabled people are part of the social duties of the municipalities and they are among the obligatory tasks. The Ministry of National Education, Ministry of Family and Social Policies also have powers in this field.

Denmark is a welfare state and the municipalities are administrations having wide discretionary power and financial autonomy and financed by their own income to a large extent. Accordingly, Danish municipalities provide support to disabled citizens based on individual needs assessments and finance these services. Each municipality decides on the scope of these services, level and content of the service and the scope of the support. In Turkey, education for mentally disabled people fall within the remit of the Ministry of Education.

The scope and level of support for physically and mentally disabled people spans the full scope of the services mentioned above and in every case the municipality relies its support on individual assessments carried out usually with the help of external experts. Depending on this assessment, the support may vary from equipment supply to personal support. In Turkey, the Regulation on Disabled Service Units of Metropolitan Municipalities lists the tasks of the municipality units providing service for disabled people as follows: To create a database related to adults with disabilities; to carry out activities that enable and facilitate the integration of people with disabilities into social life, to carry out, promote and popularize sportive, social and cultural activities; to implement community-based rehabilitation programs for disabled people by cooperating with universities, private organizations, foundations established with the purpose of providing service to disabled people, associations and their umbrella organizations, public institutions and organizations and professional organizations with public institution status; to provide psycho-social counselling and guidance services to the disabled people and their families seeking for help to the relevant unit, to organize events such as conference, seminar, symposium enabling them to be educated, informed and aware on the issues related to the disabled people; to prepare, publish and disseminate printed, audio and visual publications such as books, magazines and brochures aiming at preventing disability; to provide in-kind and cash support to disabled people without adequate economic means; to provide transportation, when needed, from where the disabled people are present to the premises such as hospital, school, rehabilitation centre etc. by a vehicle which is fit for them; to provide care services for the disabled and elderly people who are in need of care or to procure this service in accordance with the relevant legislation.

In Denmark, NGO's representing disabled adults are active both in advocacy at the national at local level, whilst they also monitor local service delivery. In all these roles, the NGOs are granted legal rights and status. NOGs also provide services complementary to the public services such as independent counselling.

- **Bulgaria**

The Local Administration Act itself does not impose much regulation on disability service functions, rather it states that local administrations are empowered to provide health care and social support in the way that is stipulated by law.

Policies and regulation is the responsibility of the Ministry of Labour and Social Policy, whilst the responsibility for delivering institutional and community-based disability services primarily is a responsibility, which are delegated to deconcentrated state agencies operating under central government and located throughout the country.

At the national level, the National Council for the Integration of Adults with Disabilities reporting to the Council of Ministers lead policy development process in cooperation with the Ministry of Labour and Social Policy, regional governors, the National Union of Municipalities, national disability associations as well as employers and employees.

The regional governors and mayors are obliged to develop five-year local strategies and support plans for people with disabilities as per the Implementing Regulation on Social Welfare Helpdesk, based on a preliminary assessment of both institutional and community-based services. Based on the regional strategy, the mayor drafts a social service development strategy which needs to be adopted by the municipal council. The content of municipal strategies is the same as the regional strategy. In order to implement the municipal strategy, the municipal council adopts, in consultation with the Social Welfare Department, an annual action plan with the relevant budget and staff included to provide social services.

The Act on the Integration of the Disabled Adults and the Regional Development Act entitle the rights to accessible buildings and living spaces for people with disabilities and regulate the design of accessible building codes, including public buildings. For municipalities, this means creating and organizing urban spaces that will have kindergartens, schools accessible for the disabled and be fit for public or private transportation. In Turkey, some municipalities, such as in the Çankaya Municipality, produce a Guideline on Barrier-Free Workplaces and introduce practices that will facilitate the lives of the disabled through adopting such regulations as Pavement Construction Principles around Building Parcels and Considerations for Accessibility when Constructing a Building.

There is much national and international academic and political attention towards the rights of disabled persons in Bulgaria, which still attracts criticism from the EU and others about failing to comply with the guiding principle of conventions, it has signed up and a failure to disengage from the traditional institutionalisation approach.

## 7. Aspects of Local Service Standards

This chapter provides further detail on specific service standards in Turkey and within the EU. Taking point of departure in a number of crosscutting service criteria, it highlights aspects and issues of Turkish service standards within the five selected local services. In line with these considerations, key aspects of European local service standards are introduced, featuring examples of law-bound and discretionary service standards.

### 7.1 Turkish Local Service Standards

Local services that respond to the minimum requirements for quality, time and cost when being provided to a client are accepted as “local service standards”. Availability of the standards also define what a citizen can anticipate the state to do so. Further, identification of a set of minimum standards toward local service provision is significant in ensuring collectiveness across a country due to the fact that each community in a country has varying expectations of local services.

A set of targets is identified while improving local service provisions. The targets have two main objectives. The first objective is to help citizens have realistic views over local service provision, and is to increase their satisfactions by this means. A realistic expectation of municipal performance provides both success in management of organization and uprising job satisfaction of the staff.

In order for each local public service to have minimum requirements, there are phases to be followed as below;

- Definition of minimum standards of local service under the responsibility of municipalities,
- Development of principles to measure quality of service,
- Preparation of legal infrastructure for service provision,
- Establishment of organizational structure to provide service,
- Provision of uniformity and coherency in service delivery,
- Estimation of service costs,
- Development of methods for measurement, monitoring and assessment of the service performance,
- Establishment of necessary mechanisms in solving problems during service provision.

Service standards in Turkey are generally perceived as to have a pre-defined time in the provision of services to a client or citizens. In this respect, binding time for delivering services by municipalities is defined when addressing the service standards. However, an in-depth look at local transport, household waste, firefighting, services for adults with disabilities and day care services establishes a set of standards that municipalities in Turkey has mostly developed locally. In this sense, the service standards may consider numerous criteria such as citizen satisfaction, objectivity/neutrality, environmental protection, participation, monitoring-evaluation, transparency-accountability, development-innovativeness and safe service provision.

Improvement of service provision standards, ensuring efficiency of the standards and measurement and monitoring of the services are significant for Municipalities to enhance the service being provided to citizens. Besides, linking expectations of citizens and responsibilities

of municipalities to service provision through standards is an efficient tool in increasing effectiveness of service.

### **7.1.1 Processing Time**

Organizations or authorities with service responsibility are bounded by a time duration such as minute, hour, day and week etc. in providing a service or in completing service-induced operation. Clear time durations for each step of the local service provision, response to an application of a client, sustainability of service provision is clearly defined. Further, the number of expected steps and procedures for a client to receive a service is identified as each step has a compulsory processing time.

With regards to household waste in Turkey, collection of solid waste at the premises of household, frequency of collection and delivery time to the landfill establish the service standards.

Efficient responding to any fire incident within a time duration anticipated by international standards is the most important service standard. Accordingly, response time to an emergency call, maximum time in responding to a fire and arrival time to the fire scene are committed under certain standards.

A basic service standard for kindergartens cover a time period spent at the centers. Thus, working hours of the center is set as minimum.

The core of the time standard of services for adults with disabilities is the time duration of the social support provided. Provision frequency of equipment such as wheelchair, battery-operated chair, sickbed and walking stick of blind people for those who are in need is standardized. In addition, reoccurrence period of the supports such as in-house care, clothing and food is set by municipalities.

Establishment of daily service time of the vehicles in operation for local transport line and frequency of the trips constitute the most significant part of the standards for urban transport services.

### **7.1.2 Citizen Satisfaction**

In understanding the level of citizen satisfaction with local public services, there are several ways. Number of service provisions and measurement of their volume are one of the methods. Whether the service quality matches the expected standards is evaluated through some tools such as regularity and continuity of the service, frequency of the service disorder and its degree, and due diligence to the task. Additionally, in order for citizens to obtain information on services; several methods such as publication and distribution of Service Statement and establishment of Service Centre where citizens can report service-related issues are present.

One of the basic standards to develop the increase citizen satisfaction in Turkey is support centers, e.g. Mavi Masa (Blue Desk) and Hoşgeldin Masası (Welcome Desk). The centers serve as an office where the applications of citizens over various services are referred to relevant units within the municipality. The centers have functions such as establishment of a suggestion/box etc. in the receipt of the weekly complaints and notification of the client in the next working day following the receipt of the complaint as part of the joint standards set for each of five services within the scope of the project.

### **7.1.3 Objectivity/Neutrality/Equality**

Municipalities are obliged to treat all beneficiaries fairly regardless of gender, race, religion, disability, ethnicity and political views during the service provision. Therefore, municipalities need to establish a standard by developing various methods in providing services fairly to everyone.

Municipalities in Turkey share an adopted mission in their strategic plans where local services are delivered equally to anyone and any organization by taking freedom and rights of a citizen into account regardless of race, religion, language, gender within the scope of neutrality and equality in accordance with the Constitutional rules. During provision of the institutional services as per justice standard, efforts are made for each person, institution and region to enable accessing equal service provision.

Required measures are taken in avoiding exclusion of any community to have the services of local transport, household waste management, kindergartens, firefighting and disability. Further, attempts that support handicapped groups in receiving equal service provision are made. E.g. free local transport for those older than 65 years, collection of waste of disabled people at their premises rather than the street and free provision of kindergartens for children of poor families etc.

### **7.1.4 Environmental Concerns**

One of the most important dynamics of local public service provision is the sustainability. When providing a service, use of nature resources should consider ecological features. On the other hand, environmental impacts should be reduced to minimum levels. In accordance with the environmental standard, adoption of methods that do not damage nature and human health and accordingly provision of methods is important.

Use of technological applications when providing household waste services in Turkey and the provision of the services considering sustainable environmental management are important. In this regard, for instance, household waste is collected by the district municipalities at the premises, workplaces or streets by segregating the reusable wastes. Landfill gas that includes methane is formed by purification of organic materials at the landfills. The gas that is collected by collection holes is used for the gas plants in producing electric power. Monitoring of environmental data (appx. 30 year) is provided until the full consumption of gas after processing the leakage of waste water at the treatment plants by planting the most suitable crops in accordance with the soil texture of the landfills with no further capacity for waste. Landfill gas is transformed into electric power. Recyclables of the mixed household waste at the landfills are sorted, and the leftover waste is used for compost purposes following the fermentation process.

Establishment of well-scattered firefighting centers for the service provision particularly at the greater metropolitan municipalities in avoiding environmental destruction is a signification standard for shortening the response time.

With the aim to improve life and environmental standards and to protect historical environment, in the field of local transport services; measures to reduce use of private vehicles acting as a source of problems such as traffic congestion, air pollution and noise should be taken. In this regard, development of the projects that prioritizes measures in which comfort level and accessibility of public transport are increased, environmental awareness, priority use of buses

running with natural gas for environment and human health, carpark facilities linked with the public transport in the outskirts and transfer centers are the most dominating standards in this field.

### **7.1.5 Participation**

Feedback of stakeholders such as NGOs, private sector, community representatives and other service beneficiaries should be obtained, and they should be included in decision making process in the implementation, monitoring and assessment of local services. Feedback of citizens by taking account of their roles should be obtained systematically and regularly over the current and future services. Participation of the citizens in the process should be executed through fair, understandable and representable methods. In other case, the participatory approach may remain inefficient. With this reason, tools such as organization of meetings in obtaining the feedback of all stakeholders during service planning, budget process and identification of service fee need to be used to ensure participation.

The most essential regulation in ensuring participatory approach in urban service provision in Turkey is voluntary participation principle in Article 77 of Municipality Law. According to the this; a municipality implements programs for participation of volunteers in increasing efficiency, productivity and saving in the services such as health, education, sports, environment, social service and support, cultural services and traffic and for ensuring solidarity and participation of poor and disabled people, women and children, elderly people.

Efficient use of natural resources in solid waste field, organization of various seminars at schools on segregation of waste at source and awareness raising on the collection productivity for household and public increase the participation. Again, feedback and suggestions of persons or organizations should be obtained when delivering the services with the participatory approach.

In accordance with collaboration and coordination, necessary attention should be attached to relevant persons or organizations in providing expected level of local transport services. It should be noted that contribution of a staff at Ankara Metropolitan Municipality to the services of the Municipality is in proportion to increasing awareness of the corporate identity. With this regard, attention should be paid to the feedback of staff.

According to the firefighting regulation in Turkey, voluntary fire-brigade is regulated, and voluntary firefighting center could be established where needed in supporting firefighting services. Cooperation between the departments of Metropolitan Municipalities and NGOs and charities, and coordination of the works, awareness raising among public for disasters (seminar, training, brochure, publication etc.) are among significant standards.

The most significant standard for kindergartens in Turkey, that exists but needs dissemination, is establishment of a process that depends on family participation. Services at the kindergartens should be customized by family feedback, and should not be driven by caretakers only.

With an aim to ensure participation in services for adults with disabilities; services are provided on voluntary basis and in coordination with Universities, private sector, charities and associations for adults with disabilities and their boards, public institutions, and chambers of professionals operating as public institutions, according to the provisions of 'Volunteer Participation in Services of Municipalities and Special Provincial Administration'.

### **7.1.6 Transparency and Accountability**

One of the most significant essentials of democratic governance is transparency. Accessible decisions made for local public services and clear actions for service provision are transparency. In ensuring proper transparency, timely and sufficient access of citizens to information on actions taken and decisions made by Municipalities should be smoothly provided. In parallel, disclosure of the reasons by the responsible bodies for decisions made and actions taken is called accountability. Profit and loss account statement of services, budget notification and monitoring and evaluation reports on implementation are part of the accountability. The public trust is ensured thanks to transparency and accountability principles.

Paying due diligence to full and proper enforcement of legislation, regulations and rules for urban service provision in Turkey is the most fundamental service standard. In accordance with the relevant legislation and regulations; official and private audit for service provision and financial and administrative operations could be carried out under the transparency framework. All acts and actions specified in the "Right to Information Act" are executed transparently and openly.

### **7.1.7 Development and Innovation**

Development and innovation in urban services cover the development of environmental sensitivity, cost-saving and sustainability of the services. However, development and innovation in Turkey is known as keeping up with technology. This case is seen in each area of the five services under the project.

As a service standard, Metropolitan Municipalities have adopted methods for household waste management, such as participation in trainings, meetings and symposiums in the country or abroad, follow-up with technological development for disposal and management of waste and implementation of new technologies. Support is provided to renewing equipment and machinery inventory of municipalities, computer technology, automation applications and research & development in building innovations in the municipalities with an aim to implement rapidly developing technology. In addition, the fire equipment is improved and renewed in accordance with the technological developments, taking into account the type and quality.

Type, amount and quality of the fire appliances are identified through technological developments and requirement of the work. In the provision of fire appliances and equipment, compliance with TSE and EN standards is accepted as priority.

Municipalities refer to the care of children in a learning environment equipped with state of art technology at day care centers and kindergartens. Considering this point of view, establishment of technological infrastructure at kindergartens is seen as a first priority for development.

The most important indicator of the services for adults with disabilities is the establishment of Metropolitan Municipality Training and Technology Centre for Visually Impaired People. At the centers, by using the technological developments, trainings are provided for those who have dropped out of education resulting from their disability. As a service standard, the project needs to be disseminated and enhanced among the municipalities for handicapped groups.

One of the most significant standards with emphasis on development and innovation in local transport area is to provide support to computer technologies, automation applications,

renewal of equipment inventory and research and development with aim to implement technological capacity. Dissemination of smart transport systems and follow-up with technology through understanding the role of research and development studies are among the standards the Municipalities have adopted.

## 7.2 Local Service Standards in the EU

In light of the service standard aspects mentioned above, this subsection presents key service standards in the EU; some already touched upon in Chapters 2-6, others complementary to presentations above. The subsection presents examples of law-bound and discretionary service standards, which - given the complexity of the service areas – are meant as a general illustration of the service provision within the specific service area.

### 7.2.1 Household Waste Management

Due to the comprehensive EU regulation of municipal household waste management, the service area entails a number of hard service standards in terms of waste separation and treatment as outlined by the EU waste hierarchy. In other words, the 'Aqui Communautaire' is particularly extensive within this service area.

Uniform service standards/targets which are mandatory for EU municipalities include

- Waste separation at the source of paper, glass, biowaste, metal, plastic, hazardous waste, including electronics
- Targets for municipal waste recycling by weight: 2020: 50%, 2025: 55%, 2030: 60%, 2035: 65%
- Cost-based waste handling according to the Polluter-Pays-Principle
- Six-year waste planning, data tracking and reporting is maintained at the municipal level for accountability and policy development purposes
- Public consultations on waste planning

National authorities are expected to develop guidelines for local and regional authorities with minimum service standards for waste separate and collection, ensure that municipalities introduce 1) measures to encourage households to sort their waste, and 2) higher collection frequency for separated waste streams as compared to mixed waste. National authorities are also expected to sanction municipalities that fail to meet the targets, whilst municipalities are expected to sanction households failing to comply with their duties in waste separation.

As seen in Section 2.2, the practical implementation of the EU regulations differs widely, both in terms of waste planning, application of waste separation and recycling, data tracking and collection frequency. Accordingly, half the EU Member States are in risk of failing to meet the 2020 recycling targets according to the latest EU assessment. However, publicized – usually web-based - service declarations can be found in most EU municipalities with information on

- Mandatory waste separation duties and guidelines for households in single-family and attached houses and in blocks of flats,
- Collection frequency and dates for mixed waste, paper, metal, glass, plastic, biowaste, on on-call collection of hazardous waste, etc. as defined by the municipal council.
- Collection frequency and dates for bulk waste – types and separation duties
- Location, business hours and operational standards for citizens self-service at the municipal recycling stations,

- Complaint procedures in case waste is not collected,
- Household collection fees.

This information is also available at the municipal one-stop shop and distributed on leaflets, or available on smart phone apps with real-time information for individual households and communication access to the council administration. In many countries, designated waste bins for waste separation are distributed to the individual households, although as seen in Spain, this is by no means yet a uniform practice within the EU.

## 7.2.2 Local Public Transportation

Municipalities are mandated in most Member States with the responsibility for local public transportation, although increasingly management and competences are transferred to intermunicipal co-operations as the complexity of the service has grown fast. The municipal responsibility basically entails that citizen-oriented service standards for local public transport within the municipal territory are decided at the discretion of the municipal council, including geographical coverage, transport mode, frequency, time tables and subsidized ticket prices (subject to national and EU regulations).

Common and/or emerging service delivery standards across the EU Member States include

- Multi-modal urban travel systems, linking buses, trains, ferries, private cars and bicycles into a coherent transportation system
- Joint web/smart phone-based travel planners covering the entire multi-modal urban travel systems (supported by EU data-sharing regulations)
- Multi-modal ticketing systems allowing travelers to use all modes of public transport with a single ticket
- Promotion of transport systems with improved accessibility for disabled persons and discounted ticket prices for disadvantaged groups

Environmental criteria are a crosscutting concern, which is also backed by EU policies and regulations. Leading European municipalities increasingly adopt sustainable development and circular economy objectives as universal crosscutting development and budgeting criteria, e.g. the City of Copenhagen mainstreams its policy to become carbon neutral by 2025 in all its development plans, budgets and procurements, including transportation.

In local transport environmental concerns are targeted through transfer of commuters from private to public transportation, either entirely or through seamless linkage of long-distance car-bus-trains-bike commuters. In Denmark and the Netherlands, bike commuting is particularly strong and promoted by systematic application of bike lanes to protect the bikers and facilitate mobility. 50% of all daily commuters within Copenhagen use bikes, not motorized transportation, and bike-only 'super-highways' linking the city center with the suburbs were recently introduced to further increase bike commuting.

Motorized public transport also becomes increasingly environment friendly. LPG or natural gas-driven buses have been a standard in many European cities for a long time and electrical busses are increasingly introduced in cities like Amsterdam, Rotterdam and Paris. The City of Paris has just ordered 800 electrical city busses for introduction before 2024 and the Mayor currently contemplates banning diesel cars within the same timeframe.

Rural mobility is also furthered by innovative local public transport systems, with the aim to uphold rural-urban mobility in spite of rural depopulation. Section 3.2 gave some examples on

innovations in rural mobility, such as the car-ride systems in the UK and France, the guided buses in the UK and the on-call, semi-scheduled taxi services in Denmark.

Local public transportation is a service area that very systematically apply citizens satisfaction surveys in order to improve the service. These days, this is quite easy to facilitate through travel planners and social media, both in terms of data harvesting and interactive engagement with the customers. But more comprehensive user-interviews are also widely applied, assisted by professional opinion poll companies, which meet commuters during daily travelling for work. In any case, public transport is highly visible and if the service is interrupted or service levels slide, the traffic companies will know immediately and so will the Mayor and the Council.

### 7.2.3 Fire Services

Comparative fire service standards across the EU member States are not readily available since it is not an area of as much EU regulatory attention as the other services in this study. However, there are a number of European technical networks run by firefighters' associations or emergency response authorities, which are engaged in e.g. advocacy for firefighters' rights and working conditions. The European Trade Union Institute conducted a comparative fire service study within the EU, which also gave access to comparable service standards, including the all-important maximum fire service response time for urban areas. The study, published in 2012, presented comparative service standards on differences in appliances/manning ratios and response times in 13 EU Member States, including Denmark, Germany, France and Spain<sup>19</sup>:

*Table 1: Coordination of appliances/manning and response times across the EU*

Country	Required manning level for turnout of a turntable ladder	Required manning level for turnout of a pump water tender	Response time for a fire in urban areas
Belgium	2	From 4 to 6	Turnout within the minute by professionals. Response time 8 to 15 minutes for professionals, and 13 to 20 for volunteers
Croatia	2	4 or 5	15 minutes
Denmark	2	6 in Copenhagen, 4 in smaller towns like Roskilde	Turnout must be within the minute of call acceptance. Response time is 15 minutes
Estonia	2	4	5 minutes in urban areas
Finland	1	4	By region: between 6 and 20 minutes
France	2 or 3	4 or 5	By département. E.g. Ain: 20 minutes; Nord: 15 minutes.
Germany	2 or 3	5	8 minutes
Italy	1 or 2	5	Depends on the territorial area but must never exceed 20 minutes. In 2009, the response time averaged 15 minutes in central Italy and 13 minutes in the north and south.
Netherlands	2	6	8 to 10 minutes

<sup>19</sup> Scandella (2012), p. 9. In several countries, a fire engine can only turn out with a crew leader on board who must at least hold the rank of corporal or sub-officer, as in Belgium, Croatia, Spain, France, Italy, Norway, the Netherlands and Sweden. In Slovakia, an emergency response vehicle can only turn out with an officer on board. This rule is not always kept to in practice.

Country	Required manning level for turnout of a turntable ladder	Required manning level for turnout of a pump water tender	Response time for a fire in urban areas
Norway	1 in small municipalities, two in towns and cities	At least 3	Turn-out must be within the minute of call acceptance. Response time should be 10 minutes at most in high risk urban areas; 20 minutes in low risk urban areas; and 30 minutes in rural areas
Slovakia	2 or 3	At least 5	8 minutes
Spain	2 or 3	5 or 6	Varies by region
Sweden	2	5	11 1/2 minutes

*Training and practising* are key to upholding an efficient and effective fire service. All European fire services require applicants to undergo a medical examination and pass certain physical tests, while the content of firefighter training normally is specified by the fire service authority. Training and practising can be uniform for all firefighters in a country or vary by region or according to employment status.<sup>20</sup>

As mentioned in Subsection 4.2.6, **Spain** has no common national framework for its fire services, which also means that national training standards are absent. Trainings in **France** is governed by national guidelines but also by *département* regulations. Whilst trainings in general are considered adequate by regulators and labour market associations within the EU, some trade unions felt that practice/in-service training in terms of situation scenarios for learning to get things done is too weak or that safety aspects overshadow occupational health aspects.

The duration of firefighters' *basic training* is not harmonized across Europe. Some countries calculate it in hours, as in Belgium where it has recently been increased to 150 training hours. Elsewhere (e.g. Slovakia and Italy) it takes place over several months. In most countries, firefighters undergo continuous professional training and modules for skills maintenance or training in new risks for active staffs. Training may vary with the firefighter employment status despite the fact that 1) the duties performed are identical and carry the same risks and 2) volunteer firefighters receive less practice since their on-duty time – when drills and operations are carried out – is much less than that of the professionals. In some countries, professional and volunteer firefighters undergo the same training and must meet the same requirements, whereas in others – **France** and Italy for example – the content and length of training differs for professionals and volunteers.

In terms of *equipment procurement*, firefighters are best positioned to specify the requirements for equipment in normal daily use but also in cases of reasonably foreseeable misuse that must form part of the risk assessment. Ensuring the safety and health of fire service personnel is a costly investment which would very likely be more cost-efficient if based on consultations with firefighters themselves. However, equipment procurement based on local consultations, while common across the EU, is not uniformly applied among all EU Member States. Table 2 below present a status of equipment procurement and local consultations in fourteen EU Member States, Denmark, Germany, France and Spain<sup>21</sup>.

<sup>20</sup> The EU-funded Mediterranean Forest Firefighting Training Standardization Project (or MEFISTO), also prides more detail on similarities and differences between EU Mediterranean Countries in forest firefighting. It includes training standards from Southern Europe, including Mediterranean France, Greece, Italy, Portugal and Spain.

<sup>21</sup> Scandella (2012), p. 18.

Table 2. Equipment selection and procurement across the EU

Country	Equipment selection and procurement body	Are Firefighters consulted on equipment procurement?
Belgium	Municipalities, provinces or the Interior Ministry depending on what is purchased. Where the Ministry is involved, procurement is by group purchasing and it finances 75% of the actual acquisition cost	Consultation requirement laid down by royal decree (regulations). In fact, firefighters are not always consulted on drawing up the technical specifications of orders made by the Interior Ministry
Croatia	Municipalities, provinces or the Interior Ministry depending on what is purchased	Yes
Denmark	The personnel of each service	Yes
Estonia	Fire service	Yes
Finland	Local authorities	No
France	<i>Département</i>	Yes. Consultation required. Joint industrial committees give an opinion.
Germany	The municipal authorities	No
Italy	Municipalities, regions or the Ministry	Yes. There is a scientific committee that includes union representatives
Netherlands	The head of the fire service	Yes, the service personnel are consulted
Norway	Fire service	Yes
Slovakia	The national ministry	Yes, but only for helmets and clothing
Spain	Municipalities or regions	Varies
Sweden	Local authorities	Yes. Selection is done by joint industrial committees

*Disaster risk management* from the perspective of *climate change adaptation* is another emerging issue, which importance is best illustrated by the increase in severe forest fires and flash flooding around the world. As the climate changes, the population grows, and urbanization continues, there is likely to be an increase in the exposure of people to extreme weather-related events such as forest fires and floods. This will entail significant environmental, economic and social impacts for all societies. An appropriate, effective and efficient response will therefore require the integration of both disaster risk management and climate change adaptation but there are also institutional barriers to achieving this integration. The impacts of both disasters and climate change are difficult to predict at the local level and require well-coordinated whole-of-government responses, as well as the support of the private sector and local communities. Hence, disaster risk management needs to 1) Improve interagency communication and collaboration, 2) Develop institutional arrangements that support continual improvement and policy learning, 3) Improve community engagement and communication; and 4) Refocus attention on building resilience in order to limit disaster impacts. Climate change also affected local risk assessments and the capacities of fire brigades in Europe, and EU Member States' national legislations on emergency response all, except **Spain** in this study, have provisions for the establishment of local emergency response committees, including their members (usually Mayors participate) and individual members roles and responsibilities.

International cooperation is another way of boosting local firefighting capacity and all national emergency response authorities within the EU cooperate through the *EU Emergency Response Coordination Centre (ERCC)*. The ERCC is the heart of the EU Civil Protection Mechanism and coordinates the delivery of assistance to disaster-stricken countries, such as relief items, expertise, civil protection teams and specialized equipment. The ERCC ensures the rapid deployment of emergency support and acts as a coordination hub between participating Member States, the affected country, and civil protection and humanitarian experts. The ERCC operates 24/7 and can help any country inside or outside the EU affected

by a major disaster upon request from the national authorities or a UN body. The combat of the massive Swedish forest fires in 2018 is one example where the ERCC facilitated and coordinated fire service assistance from Italy, Denmark, France, Germany, Lithuania, Finland, and Poland, whilst Norway also contributed.

## 7.2.4 Early Childcare

Provision of childcare (referred to as Early Childhood Education and Care, or ECEC) prior to compulsory primary education has two aspects: 1) day care services mainly intended to enable parents to work while the child is attended to, and 2) early childhood education services with an intentional educational component to support child development and prepare for primary education. Municipalities are the main provider of day care services, while responsibilities for early childhood education with a more formal curriculum is mixed. In both areas, service standards and approaches differ widely throughout the EU, although there is a common trend towards merging the objectives of the two aspects into one common approach.

The EU adopted Barcelona objectives aiming for better access to childcare (2020 target of access for 33% of all 0-3-year-old and 90% of all children aged 3 to mandatory school age) is monitored regularly. In a report published in 2018, the EU Member States on average finally reached the target of 33% of children aged 0-3, and are well on track for the second target of 90% of all children aged 3 to mandatory school in childcare. However, on 12 EU Member States meet both targets individually, including Denmark, France and Spain from this study.

Hence, universal access to an ECEC services is an important service standard, which is benchmarked across the EU and Turkey. Two factors drive place guarantees for access to an early childhood and care institution. Some countries provide universal access for all children to an early age day care place, while other countries, such as Spain and Bulgaria, feature compulsory attendance to early education services. In terms of *legal entitlement to access a day-care institution*, only seven EU Member States, including Denmark, guarantee a day care place for each child from an early age (6-18 months), often coinciding with the end of law-bound maternity leave.

Figure 1: Place Guarantee in Early Childhood Education and Care 2018/19<sup>22</sup>



<sup>22</sup> Based on Erydice data information.

In summary, the EU Member states covered by this study features the following service standards in ECEC: Denmark has legal entitlement to an early age day care place from the age of six months and municipalities are assigned to deliver this service. In Germany legal entitlements to a day care place starts at the age of one, while in France, Spain and UK (except Northern Ireland) guaranteed access starts from the age of three. Bulgaria on the other hand have compulsory pre-school attendance from the age of five, while Northern Ireland has a compulsory primary school attendance from the age of four.

Other service standards concern national criteria for *staff/child ratios* in centre-based day care institutions. Such service standards vary considerably between the Member States

- **The UK:** three children per staff member is the standard for children below two, while the ratio is 1:4 for the age of two, raising to 1:13 for the age of three and 1:30 for the age of four.
- **Germany:** standards differ somewhat between the states, but for the age below three the staff/child ratio is 1:4-8 and for the age up to five it is 1:9-20.
- **France** has legal provisions for the age groups of 0-3 years with respective staff/child ratios of 1:5 for the age groups up to two (this corresponds to the set norms in Turkey) while the ratio for the age of three is 1:8.
- **Spain** features high staff/child ratios in comparison with 1:8 for the age of 0-1, 1:13 for the age of 1-2, 1:18 for the age of 2-3 and 1:25 for the age above three.
- Mandatory staff/child ratios are not available in **Denmark** for ECEC, but decided by individual municipalities. However, it is part of the new Danish government programme to introduce such ratios by law within the current election term.

Other standards for centre-based ECEC services link *staff/child ratios* and *educational standards for core practitioners*, i.e. educational standards for professional staffs (pedagogues, nurses and psychologist), since they may work along with unskilled staff. These standards also differ widely between countries and ECEC approaches.

Education and day care *opening hours* are also a critical service standard in terms of work-life balance for working parents. Most EU countries guarantee education or care within the range of 20-29 hours per week. Weekly opening hours are often aligned with that of primary schools, reflecting the educational focus of the provision. However, opening hours matching parents' full-time working week are available only in a handful of EU Member States, including Denmark as the only country in this study. In Denmark, there are no set legislative requirements regarding opening hours, except that day care should be available every weekday. However, the Act on Day Care requires that the opening hours must cover local needs for flexible childcare. Hence, opening hours are established by the municipal council in dialogue with the parents, and typically run from 6.30 to 17.00 on weekdays.

The web-based and EU-driven Eurydice Network disseminate useful up-to-date data-driven information on education systems and policies in Europe. In terms of early childhood education and care, key service standards across the EU (and Turkey) were published in June 2019.

## 7.2.5 Adults with Disabilities

As mentioned in Subsection 6.2, both institutional and community-based services vary considerably across the EU and differing service definitions and limited range of information does not allow for direct cross-country comparisons of service standards. Institutional care does not feature the same types of institutions in all of the 28 EU Member States, while certain

types of community-based services can be found across the EU, namely *home services*, *residential care* and *day-care centres*.

One important aspect of disability support is the approach to allow for a wide scope of self-determination for the disabled adult when designing the individual support. While users generally do not have a say in staff recruitment in *residential care* settings, their wills and preferences can nevertheless be taken into consideration in the provision of such services in Austria, Croatia, Finland, **Germany**, Greece or Malta. The size of residential care facilities may affect the level of control a person can exert over their service provision. For example, in **the United Kingdom**, residents in larger care homes often cannot determine the support provided, whereas those who live in smaller homes can exercise greater control in this respect.

Where *in-home care* is available, users tend to have some choice of service provider. However, this may be restricted to pre-defined lists of service providers drawn up by local authorities, as is the case in Belgium, Estonia, **Germany**, Hungary, or the Netherlands. In some Member States, including Finland and Greece, persons with disabilities can be consulted with regards to their needs and wishes, when choosing service providers.

Other types and level of support provided to persons with disabilities varies greatly from service to service, and from country to country. Common municipal services are:

- *Personal budgets or cash payments* in Austria, Belgium, Czech Republic, **Denmark**, **France**, Luxembourg, Netherlands, Romania and Slovakia;
- *Assistance with performing daily tasks* in **Bulgaria**, Finland, **France**, Greece, Luxembourg, Netherlands, Poland, Portugal, Romania and Slovakia;
- *Psychological support or counselling* in Austria, Cyprus, Czech Republic, Greece, Latvia, Poland, Romania, and **the United Kingdom**;
- *Medical assistance* in **France** and Greece;
- *Career advice* in **France**, Ireland and **Spain**;
- *Leisure and recreational activities* in Finland, Ireland, Malta, Slovakia and **Spain**.

In terms of self-determination, persons with disabilities who receive *personal budgets and cash payments* typically have a significant degree of autonomy in how they want to use these services. This is the case in the Austrian province of Styria, and Member States such as Belgium, Cyprus, Czech Republic, **Denmark**, **France**, **Germany**, Ireland, Latvia, Lithuania, Luxembourg, Romania and **the United Kingdom**. In other cases, these monies are earmarked for particular types of services, such as for personal assistance in the Austrian province of Carinthia, or for services authorised by the government, as in the Autonomous Communities in **Spain**. In **Bulgaria**, the persons will and preferences are established in advance and included in a personal plan, which the provider of financial support should take into consideration.

*Personal assistance* is where persons with disabilities seem to have the highest level of user control. This service is mainly self-directed in Austria, Belgium, Czech Republic, **Denmark**, **France**, **Germany**, Ireland, Latvia, Luxembourg, Malta, Romania, Sweden and **the United Kingdom**. In the Netherlands, personal assistants must be chosen from a list provided by local authorities, whereas in Portugal, personal assistants must have undergone prior training.

FRANET - the research network website of the European Union Agency for Fundamental Rights – was established just recently and may can provide further information on comparative EU service studies on support to adults with disabilities.

## 8. Workshop Outcomes on Service Development Needs

On the 23rd of July 2019, a workshop was held with participants from municipalities with expertise in the five service areas assessed in this report. The report findings were shared and discussed during the workshop with the aim to examine critical issues pertaining to Turkish service delivery, identify potential solutions and compare with similar solutions adopted by EU member States. This chapter presents a summary of the critical reform issues identified by the workshop participants.

### 8.1 Household Waste Management

The main points of discussion<sup>23</sup> concerning household waste management were as follows;

Apprehension of Integrated Household Waste Management: The underlying principle of the EU waste management policy is the integrated waste management approach based on core guiding principles, including the EU waste hierarchy with emphasis on prevention, mandatory recycling targets and rolling six-year waste management plans by all competent authorities. This concept encompasses phases of waste collection, storage, disposal and landfilling.

In Turkey, municipalities are responsible for household waste collection, but differences in the provision of this service are observed. District municipalities are only responsible for collection of household waste while metropolitan municipalities have the responsibility for storage, disposal and recovery services.

During the workshop, participants stated that district municipalities are short of *garbage truck* and *containers* as well as suffering from *financial shortages* as a result of an expanding mandate of district municipalities after Law no. 6360 (The Law concerning the Amendment of the Metropolitan Municipality Law). Another problem raised by participants was that waste collected by district municipalities are usually brought to storage fields *without being adequately separated*, and that rural waste was added to the urban waste without being previously separated. Participants stressed that the concerned legislation should be amended to bring stricter rules in this respect. There are also needs, as expressed, for *new waste transfer stations and storage sites*; but financial assistance by the Ministry is necessary for this due to the high costs of such investments.

Models of the Service Provision: While household waste services are the responsibilities of individual municipalities, they can also establish *intermunicipal cooperations* to carry out the service. For example, Trabzon Metropolitan Municipality partnered with neighbouring Rize Municipality for solid waste services. Participants also informed that there are examples of privatization of the solid waste services in the phases of storage and disposal. There are also examples of *privatization* of the services at the energy recovery phase. It was also recommended that municipalities should be competitive in this field. Another proposal was that Metropolitan municipalities can establish *Solid Waste Management Authorities*, similar to existing Water and Sewage Administrations.

---

<sup>23</sup> No participants expressed views about taxation, awareness raising and public participation. However, the participants highlighted the importance of the recent regulations of Zero Waste Management. Subsequently, this regulation was added to the report in Subsection 2.1.2 on the legal basis for household waste management in Turkey.

Costing and Financing: It was argued that central government should set the *cost per unit* while calculating the cost of household waste management. It was also claimed that the method used to calculate the cost of the household waste, should reflect the *true cost* of the service. There should be a *differentiation of costing in urban and rural household waste services* as the quantity and quality of the waste are different. Mixing of rural and urban waste creates problems and multiplies the cost of investment.

## 8.2 Local Public Transportation

It was understood that there are mix of service provision models in this area. In other words, while public transport is privatized on the one hand, municipalities also provide public transport services on the other. The main problem pointed out by the participants concerning privatized bus services, is the *low quality* of the services and *allocation of limited shared taxi plates*. It was also argued that *social aspects* of public transportation were overlooked. For example, necessary measures are not taken by private bus owners vis-a-vis disabled citizens. However, other participants argued that there were no problems in private sector transport services and any problem can be solved through effective enforcement by municipal authorities.

There is general recognition of *re-municipalization* of public transport but questions remain about its financial feasibility, staffing and technical capacities. Instead of privatization, participants pointed out that methods of buying services from private sector or renting of buses can be used. There are also examples of public transport services provided through *intermunicipal cooperation*. But, sustainability and effectiveness of such services are affected by the lack of cooperative culture which is a general phenomenon in Turkey.

To improve the service quality, workshop participants stressed importance of *citizen participation*. It is however; not clear what mechanisms can be used to that end. In Bursa for example, neighbourhood councils were established and participation enabled via these councils to UKOME (Coordination Center for Transport). Bursa Metropolitan also established an Office of Smart City and Innovation.

Another problem area is *pricing* of public transport system. It was argued that provision of the service should be on *non-profit* basis. Public transport is viewed as a service with multi-dimensional and social character. Some participants talked about problems pertaining free service for *senior citizens (over 65)*. The state provides subsidies for private sector for enabling the transportation of *disabled persons* but it was also mentioned that private sector buses do not still carry the standard facilities for disabled citizens.

Some participants talked about the need to move into *single ticketing system* across the country named as "Turkey Card". In Konya Province, a pilot single card project is already in operation. On the other hand, due to the different practices among municipalities, views were expressed that central authorities should develop *standardized single operating model* in the local public transport services.

An idea emerged among the participants that the *new technological innovations* should be adopted into the public transports. Among the examples given were the emergency push-buttons, route tracking, environment and handicap-friendly buses.

### 8.3 Fire Services

Participants pointed out problem areas in delivery of fire services. One of the problems is related to the *legislation*. Current fire services bylaws do not adequately respond to the needs according to the participants. Another argument is that especially *training standards* of fire fighters need to be improved, and that even current standards in bylaws are not observed. Participants emphasized that training standards should be national standards rather than being set locally. They argued that the training materials at the municipalities are not sufficient and creates disparities in delivering training programs. On the other hand, they felt that training programmes delivered by Union of Municipalities of Turkey are beneficial.

Participants also expressed the view that there are *conflicts of duties and responsibilities* between the municipal fire service departments and AFAD (the Disaster Management Agency). However, when municipal Fire Service Departments were stronger, AFAD takes the backseat.

Workshop participants from Fire Service Departments voiced that their departments needed to be structured for natural disasters such as cyclones and increased flooding due to *climate change* concerns. For this, risk assessment and risk management work have to be initiated and affected with provision of sufficient resources.

Firefighters *wage structure* differs and standardization of wages among the fire services staff in different municipalities needs to be ensured. Participants argued that no payments are made for volunteer firefighters and such personnel should be insured as well.

### 8.4 Early Childcare

This service is provided by central government, municipalities, and the private sector. The inspection of the early childcare facilities is done by the Ministry of Family, Labour and Social Policies. This inspection is further complemented by the Ministry of Education when delivery of educational programs is provided in childcare centres. Childcare services of the public institutions are rare and private sector is more active in this service area. However, during election campaigns, candidates give more and frequent voice to provide such services by municipalities. In municipalities such as Gaziantep Metropolitan some good practices exist.

Participants pointed out that *development of standards* in early childcare for the services provided by municipalities is needed.

### 8.5 Adults with Disabilities

This service is complex and provided by central government, municipalities and NGOs. Some participants felt that central government should provide *financial assistance*, but NGOs presence and effectiveness should also be increased. Municipalities are *getting together* with handicapped associations and NGOs.

The main area of problem is the insufficiency or even the *lack of data* for the handicapped. It was asserted that data in fact are in the hands of *Ministry of Health* but not shared with municipalities. It was also added that inter *departmental data sharing is almost non-existent*. Some municipalities have initiated work on the collection of data and asked each institution in the city to enter handicap-related data into the Municipality system. However, the majority of

the NGOs did not agree to do so. Data collection and tracking of handicapped are therefore only limited to those who applied to the municipality for assistance. Due to the insufficiency of demographic data, people in genuine need of assistance and the nature of their needs are not fully known. It was also suggested that a *Social Texture Map of the handicapped* should be prepared.

Under the framework of social services, elderly care services are effectively delivered but not so for *elderly handicapped* citizens. Assistance is also provided for employment of the handicapped, vocational training, access to the services in urban areas and provision of devices needed by handicapped citizens. There are municipalities who implement "*Protected Workplace*" projects. Participants however advocated that *standards* should be prepared for such assistances. Another issue indicated by the participants was the *sustainability* of the assistance. These assistances are quickly given up and loss their primacy during the times of economic crises.

## 9. Conclusion and Recommendations

The findings from the comparative study and the workshop feedback jointly identified areas of policy improvement needs and recommendations for the upcoming LAR III work on development of service standards under *Activity A.2.1.1: Develop and implement local service delivery standards in order to simplify the processes for service provision*. The areas for policy and service standard improvements are recaptured and summarised in this final chapter. Whilst not all issues may realistically be covered by the ongoing work of LAR III, it would at least be important to establish a priority order for those issues the project can assist with, based on the recommendations below.

### 1. Household Waste Management

Household waste management, including waste separation and recycling is the responsibility of the municipality, and it is a household duty to assist the council in this matter by separating the waste according to municipal guidelines. The critical aspects of household waste management brought forward by the workshop participants resemble the situation identified in many EU countries. Both the EU and Turkey introduced an ambitious legislative framework to facilitate municipal household waste management in a more sustainable manner, based on prevention, recycling and the polluter-pays principle. The reality on the ground, however, reveals a gap between legislation and implementation within the EU as well as in Turkey, and internalising and complying with regulatory requirements may take years in individual municipalities.

Many issues raised by the workshop participants relate to a lack of funding to carry out the service provision according to the law. On the other hand, it is also clear that municipalities may not levy cost-based collection charges which could otherwise recover municipal expenses. It would therefore be a matter of priority to align the law-based provisions for cost-based collection charges with municipal practise. Not only to recover all costs, but also to promote a waste prevention and recycling behaviour in households. More intermunicipal cooperation – with or without private sector cooperation - may further increase the economies of scale and reduce the financial burden of individual municipalities. The issue of urban and rural waste management and how to pay for it, should follow the polluter-pays principle as all payment for waste collection should reflect actual management costs. If a council still wants to subsidise certain individual households, it needs to be done in a way which do not directly affect the waste fee paid to the service provider. Otherwise, both the financial sustainability and the behavioural aspect of a fully cost-based approach could be undermined.

In order to move forward, central government in Turkey may improve service delivery in household waste by:

- 1) Introducing *mandatory recycling targets* for the municipalities and ensure that municipalities that fail to meet those targets are *sanctioned*,
- 2) Develop guidance for municipalities in the form of a *minimum service standard for collection of separate waste streams*, whilst organising technical support and capacity-building programmes for municipalities at national level,
- 3) Establish guiding *average unit costs for waste management*, which municipalities can apply to recover its waste management costs,

- 4) Encourage more *intermunicipal cooperation* through dissemination of Turkish good practises in order to improve scale efficiency in waste management by sharing the burden of infrastructure planning and/or service procurement and
- 5) Improve *planning, monitoring and reporting*, by ensuring that waste data is captured at municipal level.

## 2. Local Public Transportation

Critical issues raised by workshop participants about private sector cooperation in local public transport, have been targeted by EU Member States with a regulatory framework for municipalities to tender out traffic concessions for specific routes to individual service providers, public or private. The winning contractor of a bus service gain monopoly for the specified routes within a limited timeframe, and the contract with the municipality specifies the location of bus stops, service frequency and time-table. The fare systems may include fare reductions for pupils, old aged, disabled or unemployed persons, and in such case the municipality has to pay the deficit between operation costs and fare revenue.

The service contract between the municipality and a bus operator usually include a number of *performance criteria* such as punctuality, access for the disabled persons, cleanliness and user information. These criteria are tied to *performance measures* and *financial incentives* in operator contracts and supplemented by *opt-out clauses*, in case performance measures are not met. Ultimately, a bus operator may lose its contract in case of poor performance, which has been the case in a number of EU countries (See the issue of re-municipalisation in Subsection 3.2). Monitoring and enforcement of transportation services should always be supported by user satisfaction surveys conducted by the municipality/public transport regulator. The issue of innovation brought forward by workshop participants is very relevant, and could be further promoted if municipalities encourage private operators to present innovative approaches, when public traffic concessions are tendered out. In this way, innovation becomes an added competition criterion.

For example, Ankara metropolitan municipality introduced single card system usable in both public and private public transport entities. Single card system also allow to transfer between transportation means, which was not possible in private public transportation systems. Users are allowed to transfer within 75 minutes with these modification.

Moving forward, the Turkish regulatory framework may benefit from:

- 1) An assessment of how local service standards can be established and/or enforced, by reviewing the law bound *governance measures vis-à-vis management of private traffic concessions* drawing in experience from the EU. If possible, this review should also draw in
- 2) Improvement of *intermunicipal corporation* in local public transportation, and
- 3) How to promote *multi-modal transportation systems* through joint travel planning and ticketing systems across service providers and modes of transport. This will also entail an assessment of how to ensure data sharing and cooperation between all service providers, which is first and foremost a central government responsibility.

### 3. Fire Services

In many aspects, the current fire service framework in Turkey resembles the situation in Spain, which may also need a more in-depth national regulatory framework. It is clear from the comments received at the workshop, that further reforming of the fire services needs to be based on a thorough needs assessment and legislative review.

Such a review should take into account the roles and responsibilities of AFAD and individual municipal fire services and address potential issues of overlapping mandates. The critical issues brought forward by the workshop attendants pertaining general working conditions, payments and training standards are also discussed and addressed by the European networks of emergency response authorities and firefighters, including employment rights of voluntary firefighters, and the cause of actions from the European discussions may further inform the reform of the Turkish fire services. To this end, the upcoming work on service standards should include how to establish:

- 1) *Local fire service capacity assessments* based on up-to-date national risk assessment criteria, including disaster management capacity based on proper climate change adaptation criteria,
- 2) A uniform framework for *employment and remuneration* of voluntary firefighters,
- 3) A national *training curriculum* covering all categories of firefighters, and
- 4) A national recurrent *in-service training and practise* standard for all categories of firefighters

### 4. Early Childcare

Future development of childcare services in Turkey would benefit from a common policy vision for municipal childcare and how the service can be expanded and improved, including establishment of common standards for public and private service providers. Institutionalised municipal childcare is not that common in Turkey, even though the Turkish framework for municipal childcare contains elements of service standards such as staff/child ratios for the youngest age groups. However, existing service standards needs further mapping during the development of new service standards.

The comparative review of EU municipal childcare took point of departure in the Barcelona Objectives adopted by the EU with the aim to increase child participation in early childhood education and care and increase women's labour market participation in the EU. The regular EU progress monitoring related to the Barcelona Objectives is based on a number of service standards, which are also relevant for further development of service standards in Turkey.

To this end, further development of Turkish early childcare service standards should address improvement of service provision according the following criteria:

- 1) *Access to formal childcare* through legal entitlements, geographical location and flexible opening hours,
- 2) *Affordability* for all working parents,
- 3) *Service quality* in terms of compulsory educational standards for the staff, maximum staff/child ratios and guidance on food provision,

4) *Parents participation* in municipal childcare, including individual consultations, board participation and transparency in applied pedagogical principles and service delivery by individual service providers.

## 5. Adults with Disabilities

The issues raised by the workshop participants regarding service standards, a common framework for shared data and multi-level government coordination of service providers, resemble the challenges of disability services within the EU. These challenges are further put into perspective by the UN Convention on The Rights of Persons with Disabilities, which grants the right of self-determination to disabled persons to participate in normal life and to influence the adaptation of social assistance to individual needs.

Based on report findings and the feedback from the workshop participants, the service area may benefit from establishment of a common framework for public and private service providers and improvements in public-private service provider cooperation, making it simpler for disabled persons to gain access to relevant disability services. In order for municipalities to play a facilitating role in this service area, more needs to be done by central government to share information on disabled persons and make sure that private service providers contribute to a joint data sharing mechanism.

In terms of service standard development, these focal areas were identified:

1) It is recommended to assess the entire package of disability services from the point of *citizen-orientation, self-determination and support to live a normal life*. Due to the high costs associated with traditional disability services, the service area may benefit from an *assessment of the costs* associated with the service delivery, *the resource envelope available* for municipalities to deliver such services and the suitability of current *municipal incentives to prioritise citizen-oriented support* to participate in normal life activities rather than a 'siloed' service delivery approach or a priority for more passive and/or institutionalised support

2) Based on EU experience, the situational analysis and the comments brought forward by the workshop participants, there may also be a strong potential for *streamlining service delivery* by taking point of departure in the priorities of disabled persons across all disability services rather than organise services according to work processes in individual institutions. A common service entry point covering all service providers could be beneficial. This entry point could operate in the same manner as a municipal one-stop-shop and be a single point gateway for disabled persons to all relevant public authorities and all public and private service providers. The gateway can smoothly guide citizens through the process of disability assessment, allocation of individually adapted services, and the choice of service providers. There are good lessons learnt within the EU in such an approach.

3) Service transparency and streamlining need to be supported by compulsory *data sharing* across sectors, levels of government and service providers. A common mechanism for this needs to be established.

4) Common service standards for *protected workplace projects* needs to be developed.

## Annex 1. EU References

European Charter of Local Self-Government (1985)

Local Government Act, Denmark (2018)

Social Service Act, Denmark

Cities and Local Government Devolution Act, the UK (2016)

Greater London Authority Act (1999)

General Code of Local and Regional Authorities, France

National Territorial Administration Law, France (1999)

The Basic Law, Germany

Local Self-Government and Local Administration Act, Bulgaria (1991)

Local Taxes and Fees Act, Bulgaria

Local Government Act, Spain (1985)

Law on the Rationalisation and Sustainability of Local Administration, Spain (2013)

Wollmann (2008), *Comparing local government reforms in England, Sweden, France and Germany: Between continuity and change, divergence and convergence*

Wollmann (2016), *Public and social services in Europe: From public/municipal to private provision – and reverse? A summary*

Parrado (2005), *Assigning competences and functions to local self-government in four eu member states: a comparative review*

European Commission (2017), *A comparative overview of public administration characteristics and performance in EU28*

Bel (2009), *Is Private Production of Public Services Cheaper than Public Production? A meta-regression analysis of solid waste and water services*

CEMR, *Local and regional government in Europe - Structures and competences* (web-based)

Public Services International Research Unit (2012), *Re-municipalising municipal services in Europe*

Council of Europe (2007), *The relationship between central and local authorities*

Commonwealth Local Government Forum (2017), *The local government system in the UK*

APSE for UNISON (2011), *The value of returning local authority services in-house in an era of budget constraints (UK)*

Bolgherini (2011), *Local Government and inter-municipal cooperation in Italy and Germany*

Edwards (2000), *Germany: administration meets community*

Stoilova (2015), *Local government reforms in Bulgaria: recent developments and key challenges*

Prefet de la Dordogne (website), *La nouvelle organisation de l'Etat dans le département - Présentation des Services de l'Etat*

- OECD (2010), *The interface between subnational and national levels of government* (France)
- Rocheron et al (2016), *The French Experience of Decentralization*
- Portillo et al (2016), *An Approach to Social Service Systems in Europe: The Spanish Case*
- Goldsmith et al (ed.) (2010), *Changing Government Relations in Europe: From localism to intergovernmentalism*
- Koprić et al (ed.) (2018), *Evaluating Reforms of Local Public and Social Services in Europe More Evidence for Better Results*
- Luke Murphy in The Guardian (16 Feb 2019), *To survive, councils need more money. But council tax is broken*
- Dallier, M. P. (2006), *Rapport d'information fait au nom de l'Observatoire de la décentralisation sur l'intercommunalité à fiscalité propre*

### **Household waste**

- EU Waste Framework Directive (2008)
- EU Landfill Directive (1999)
- EU Packaging and Packaging Waste Directive (1994)
- EU Waste Incineration Directive (2000)
- EU Action Plan for a Circular Economy (2015)
- EU Environmental Impact Assessment Directive (1985, and later amendments)
- Report from the commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions on the *implementation of EU waste legislation, including the early warning report for Member States at risk of missing the 2020 preparation for re-use/recycling target on municipal waste*
- Environmental Protection Act, Denmark (2019)
- Statutory Order on Waste, Denmark (1989, and later amendments)
- Environmental Protection Act, the UK (1990)
- Waste Duty of Care Regulation, The UK
- Environment Code, France
- The Closed Cycle Management Act, Germany (1996)
- The Waste Management Act, Bulgaria (2012)
- Waste Law, Spain (1985)
- Packaging Law, Spain (1997)
- Hall (2012), *Waste management in Europe: Companies, structures and employment*
- European Environment Agency (2016), *Municipal solid waste (MSW) management and selected policy instruments in European countries, 2001-2015*
- European Environment Agency (2015), *Municipal waste management in Denmark*

European Environment Agency (2013), *Municipal waste management in Germany*  
European Environment Agency (2013), *Municipal waste management in Bulgaria*  
European Environment Agency (2013), *Municipal waste management in France*  
European Environment Agency (2013), *Municipal waste management in Spain*  
Cole et al. (2011), *Household waste management in the UK: current practices and challenges*  
Djemaci (2009), *Public waste management services in France: National analysis and case studies of Paris, Rouen, and Besançon*  
Brenot et al (2015), *Environmental law and practice in France*  
Regions for Recycling (2014), *Good practice Catalonia: Waste disposal tax*  
European Commission (2014), *Capital factsheet on separate collection Madrid/Spain -Assessment of separate collection schemes in the 28 capitals of the EU*

### **Local public transportation**

EU Framework Directive for Intelligent Transportation Systems (2010)  
Law on Public Traffic Companies, Denmark (2015)  
Transport Act, the UK (2000)  
Bus Services Act, the UK (2017)  
Transport Law, France (1982)  
Passenger Transportation Law, Germany  
Road Transport Act, Bulgaria  
Land Transport Law, Spain  
Anreiter (2003), *Regulatory framework and legislation in public transportation*  
Department of Transport (2017), *The Bus Services Act 2017 - New powers and opportunities* (UK)  
Campaign for Better Transport (2014), *Making Transport Local: Devolution of transport in England outside London* (UK)  
Brandt (2006), *Liberalisation, privatisation and regulation in the German local public transport sector* (Germany)  
Buehler (2009), *Promoting Public Transportation: Comparison of Passengers and Policies in Germany and the U.S.* (Germany)  
Buehler et al. (2013), *Regional Coordination in Public Transportation: Lessons from Germany, Austria, and Switzerland* (Germany)  
Kunst (2017) *Public transport in Germany: Organisation, regulation and financing* (Germany)  
Suchorzewski (2013), *Sustainable Urban Mobility in Transitional Countries* (Bulgaria)  
ICF Consulting Services (2016), *Social Conditions in Urban Public Transport Companies in Europe. Annexes – country reports* (Bulgaria)

European Commission, DG MOVE (2018), *Transport in the European Union - Current trends and issues*

OECD (2013), *Methods for Allocating Contracts for the Provision of Regional and Local Transportation Services*

Republic of Bulgaria, *National strategy for persons with disabilities 2016-2020*

Ministry of Transport, Information Technology and Communications (2017), *Integrated transport strategy for the period until 2030* (Bulgaria)

Dobias (1998), *Urban transport in France*

d'Arcier (2006), *Urban Transport in France Moving to a Sustainable Policy*

Urbano et al (2010), *Spanish Local and Regional Public Transport*

Asensio et al (2017), *Competition in intercity bus tendering in Spain*

Vassallo et al (2009), *Public Transport Funding Policy in Madrid: Is There Room for Improvement?* *Transport Reviews*, Vol. 29, No. 2, 261–278, March 2009

Albalade et al (2012), *Governance and regulation of urban bus transportation: Using partial privatization to achieve the better of two worlds*

European Commission (2006), *Study on Strategic Evaluation on Transport Investment Priorities under Structural and Cohesion funds for the Programming Period 2007-2013, Country Report Spain*

## **Firefighting**

Emergency Response Act, Denmark

Fire and Rescue Services Act, England and Wales (2004)

Law on Disaster Protection, Bulgaria

European Trade Union Institute (2012), *Firefighters: Feeling the heat*

Local Government Association (2019), *Fire authority members guide* (UK)

Weltecke (undated), *Fire service in Germany* (Germany)

Kaiser (2019), *Fire protection in Germany - Planning, approval, rules and regulation* (Germany)

Center for Education (undated), *Civil protection practice in Bulgaria*

ENSOSP (slides), *Organisation of the civil security and the fire-fighters in France*

Scandella (2012), *Firefighters: feeling the heat*, European Trade Union Institute

MEFISTO (2018), *Similarities and differences between EU Mediterranean Countries in forest firefighting: a challenge for improvement*

## **Nurseries & Kindergartens**

The web-based and EU-driven Eurydice Network

Act on Day Care Facilities, Denmark (2007)

Childcare Act, the UK (2006)

Childcare Act, the UK (2016)

Equality Act. The UK (2010)

Statutory guidance for local authorities on early education and childcare, the UK (2018).

Pre-school and School Education Act, Bulgaria (2015)

Health Act, Bulgaria (2004, 2014)

Organic Law for Education, Spain (2006)

Organic Law for Quality Improvement of Education, Spain (2013)

European Commission (2009), *The provision of childcare services - A comparative review of 30 European countries*

Report from the EU Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Barcelona objectives (2018)

Del Boca (2015), *Child Care Arrangements and Labor Supply*

European Social Network (2014), *Investing in Children's Services - Improving Outcomes*

Janta (2015), *Caring for children in Europe - How childcare, parental leave and flexible working arrangements interact in Europe*

European Parliament (2013), *Quality in early childhood Education and care - Annex report with country & case studies*

European Parliament (2013), *Country Report on Spain for the Study on Member States' Policies for Children with Disabilities*

Fagnani (2011), *Recent reforms in childcare and family policies in France and Germany: What was at stake?*

Petkova (2013), *Child care system reform in Bulgaria*

Beleva (2008), *The provision of childcare services in Bulgaria*

Meurs (2003), *The demise of state run child care in Bulgaria: causes and implications*

Schreyer et al (2017), *Bulgaria – key contextual data - In workforce profiles in systems of early childhood education and care in Europe*

de Vries et al (2019), *Financing pre-school education in Bulgaria*

European Social Policy Network (2018), *Bulgaria: The never-ending reform of social support for people with disabilities*

Bulgarian Helsinki Committee (2017), *Alternative Report about the rights Of Persons with Disabilities in Bulgaria under The UN Convention on The Rights of Persons with Disabilities*

Shopov (2004), *Disability social assistance in Bulgaria - legal background and financial analysis*

Mladenov (2017), *Disability and post-socialism (Bulgaria)*

OECD (2015), *Starting Strong IV: Monitoring quality in early childhood education and care – France country report*

OECD (2014), *Education policy outlook Spain*

WILCO Publication no. 6, *Local welfare policies in Spain Employment, housing and child care*

Sandstrom (2012): *The characteristics and quality of pre-school education in Spain*, *International Journal of Early Years Education*

## **Adults with disabilities**

FRANET - the research network website of the European Union Agency for Fundamental Rights

United Nation's Convention on the Rights of Persons with Disabilities and its Optional Protocol. adopted on 13 December 2006

European Disability Strategy 2010-2020

EU Regulation No 181/2011 concerning the rights of passengers in bus and coach transport

Act on Legal Protection and Administration in Social Matters, Denmark (2012)

Act on Social Supervision, Denmark (2013)

Care Act, the UK (2014)

Health and Social Care Act, the UK (2012)

Disability Discrimination Act, the UK (2005)

Act on Equal Rights and Opportunities, Participation and Citizenship of People with Disabilities, France (2005)

Social Action and Family Code, France (2019)

Social Code of the Social Welfare Code, Germany (2001)

Federal Participation Act, Germany (2016)

Protection from Discrimination Act, Bulgaria

Integration of Persons with Disabilities, Bulgaria

National Strategy for Persons with Disabilities, Bulgaria (2016-2020)

Law on the Promotion of Personal Autonomy and Care for dependent people, Bulgaria (2006),

Disabled People Act, Spain (1982)

Non-Discrimination Act, Spain (2003)

Equal Opportunities Act, Spain (2007)

Homes England, *Strategic plan 2018/19 – 2022/23* (UK)

Institute for Fiscal Studies (2019), *Adult social care funding: a local or national responsibility?* (UK)

Adams (2018), *Housing and disabled people: The role of local authorities* (UK)

Department of Education (2018), *Early education and childcare - Statutory guidance for local authorities* (UK)

Kock (2003), *Disability Law in Germany: An Overview of Employment, Education and Access Rights* (Germany)

Federal Ministry of Labour and Social Affairs (2016), *The implementation of the UN Convention on The Rights of Persons with Disabilities in Germany*

Federal Ministry of Labour and Social Affairs (2018), *Social security at a glance* (Germany)

Ministry of Foreign Affairs (2007), *Policy for the disabled in France*

Pathways Project (2018), *Report on the comparison of the available strategies for professional Integration and reintegration of persons with chronic diseases and mental Health issues*

Council of Europe (2003), *Rehabilitation and integration of people with disabilities: policy and legislation* (7th edition)

Ministry of Health, Consumer Affairs and Social Welfare, *National action plan on social inclusion for the Kingdom of Spain 2013-2016*

[www.thelocal.de](http://www.thelocal.de) (2 Dec 2016), *At last: Germany passes major disabled rights reform*

[www.legal-dialogue.org](http://www.legal-dialogue.org) (19 Jan 2017), *Germany Passes Federal Law for the Participation of Disabled People*

## Annex 2. Main Tasks of Fire Services in Fourteen EU Member States

Tasks	Belgium	Croatia	Denmark	Estonia	Finland	France	Germany	Italy	Netherlands	Norway	Portugal	Slovakia	Spain	Sweden
Firefighting	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Prevention through education and awareness	√	√	√		√	√	√	√	√	√	√	√	R	√
Prevention through compliance and inspection measures	√		√		√	√	√	√	√	√	√	√	R	√
Emergency medical assistance	√		R	√	√	√	√		√	√	√		R	√
Rescue of road traffic accident victims	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Environmental protection / environmental disasters	√		√	√	√	√	√	√	√	√	√	√		√
Emergency and technical assistance	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Crisis management	√	√	√		√	√	√	√	√	√	√		√	√
Hazardous chemical incident management	√		√	√	√	√	√	√	√	√	√	√	√	√
Air search and rescue	√		√	√		√	√	√		√	√	√	√	√
Handling floods and natural disasters	√	√	√	√	√	√	√	√	√	√	√	√		√
Sea search and rescue	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Management of biological, bacteriological, chemical and nuclear accidents	√		√	√	√	√	√	√	√	√	√	√	√	√

√ = Yes

Empty = No

R = Regional task

## Annex 3. Workshop Slides on the EU Service Study



Bu Proje Avrupa Birliği tarafından finanse edilmektedir.  
This project is funded by the European Union.

### EU service study – Opening remarks-AB Hizmetleri Çalışması Takdimi



**YEREL YÖNETİM REFORMU  
PROJESİ (YR III)**  
LOCAL ADMINISTRATION REFORM  
PROJECT (LAR III)



Local Government Systems				Yerel Yönetim Sistemleri		
	Area/Yüz ölçümü 1000 km <sup>2</sup>	Population/ Million	Bölge Düzeyi/ Regional Level	Ara Düzey/Meso Level	Yerel Düzey Local Level	Local Level Av. Size Yerel Düzey Ortalama Büyükük
Denmark	43	5.3		5 Regions (Bölge)	98 Municipalities (Belediye)	57,000
UK/England	242	67	Greater London (+8)	10 Combined Authorities	343 Principal Councils 125 'single tier' authorities 32 'upper tier' authorities 192 non-metropolitan districts	195,300
France	552	64.4	13 Regions	96 Départements	36,552 Municipalities • 65% below 500 inhabitants	1,754
Germany	357	83	16 Länder	402 Districts 295 Landkreise 107 Kreisfreie Städte	12,141 Municipalities	6,836
Bulgaria	111	7.1		28 Provinces	265 Municipalities	26,793
Spain	506	46.9	17 Autonomous Regions	50 Provinces	8,124 Municipalities • 1148 above 5000 inhabitants • 303 above 20,000 inhabitants	5,774



#### Household waste

- Most EU regulated area of the five services
- Many countries/municipalities lagging behind implementation of EU regulation, including the Waste Framework Directive
  - Implementation of waste hierarchy and separation, Polluter-Pays-Principle (PPP) and producer responsibility
  - Recycling targets 2020: 50%, 2025: 55%, 2030: 60%, 2035: 65%
  - Waste management plans (6-year revision cycle) by all competent levels (art. 28) - status and planning sections, consultations
  - Minimum standards for municipal waste separation and sanction for non-compliance
- 14 Member States in risk of non-compliance with recycling targets, including Bulgaria and Spain
- Voluntary intermunicipal cooperation widespread
- Private sector participation widespread – but also re-municipalization trends

#### EVSEL ATIK

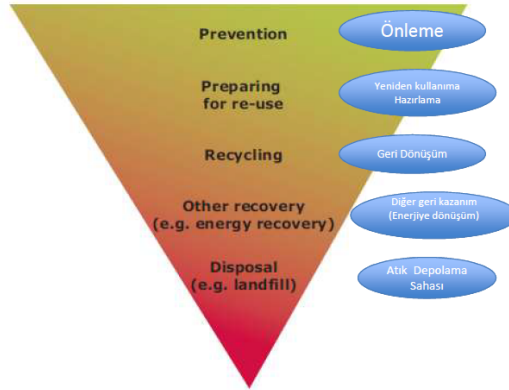
- Beş hizmet alanı içinde en fazla düzenlemenin olduğu alan
- Birçok ülke ve belediye AB regülasyonlarının gerisinde ( Atık Çerçeve Direktifi Dahil)
  - Atık Hiyerarşisi Uygulaması ve ayrıştırma, Kirlenen Öder İlkesi (PPP) ve üretici sorumluluğu
  - Geri dönüşüm hedefleri 2020: 50%, 2025: 55%, 2030: 60%, 2035: 65%
  - Bütün yetkili seviyelerde Atık Yönetim Planları ( 6 yıllık revizyon döngüsü) (Madde 28)- Statü ve Planlam Bölümleri-danışma mekanizmaları
  - Belediye düzeyindeki atık ayrıştırması için minimum standartlar- Yerine getirilmemesi durumunda yaptırımlar
- 14 Üye ülke geri dönüşüm hedeflerini yerine getiremedikleri için risk altında (Bulgaristan ve İspanya Dahil)
- Gönüllülük temelinde Belediyelerarası işbirliği uygulaması yaygın
- Özel sektörün katılımı da yaygın
- Ancak “yeniden belediyeleştirme” eğilimleri de var



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT (LAR III)



## EU Atık Hiyerarşisi



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT (LAR III)





## Local Public Transportation

- Municipalities in most countries responsible for local public transportation,
- Mostly done through voluntary intermunicipal co-operations - except DK
- Complex regulatory framework and many agendas
  - Rural mobility – upholding services in spite of migration
  - Urban mobility - move from private cars to multi-modal transportation systems (and also considering bikes and pedestrians)
  - EU = open competition for transport concessions,
  - climate change and sustainability concerns,
- Innovations – joint travel planner, joint ticketing, e-buses, guided buses, car-train ride, bike super-highways, on-call semi-scheduled taxi



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT (LAR III)



## Kamu Toplu Taşımacılığı

- Bir çok ülkede belediyelerin sorumluluğunda
- Çoğunlukla belediyelerarası gönüllü işbirliği ile yapılıyor (Danimarka Hariç)
- Karmaşık Düzenleyici Çerçeve ve bir çok tartışma gündemi oluşturuyor
  - Kırsal Mobilite – Göçlere rağmen hizmeti devam ettirme
  - Kentsel mobilite – Özel araba kullanımından çok modelli ulaşım sistemlerine (bisiklet ve yaya yürüme dahil)
  - AB= Ulaşım hizmeti imtiyazları için serbest rekabet
  - İklim değişikliği ve sürdürülebilirlik endişeleri
  - Yenilikler- müşterek seyahat planlaması-müşterek biletlendirme- e-otobüs-klavuzlu otobüsler-araba-metro sistemi, bisikletlere özel caddeler- telefon üzerine gelen ve değişik güzergahlarda yolcu bindirme ve indirimi yapan paylaşımlı taksi sistemi

## Fire services

- Roles of municipalities, mix of professional/voluntary personnel very diverse
- Less EU regulation, differences in national standards include response time and manning of fire engines
- Germany work on homogenous service, while Spain lack national standards
- Are fire services adequately resourced? Issues of budget cuts (UK), retired professionals substituted by volunteers (France, Spain), aging staff (DK)
- Are trainings and practicing sufficient for all groups of firefighters?
  - Same risks, preference for professionals (France, Italy)
  - More weight on fire safety, less on occupational health?
- Outlier Denmark – high degree of fire service outsourcing (Falck A/S)



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT (LAR III)

## İtfaiye Hizmetleri

- Belediyelerin rolü, profesyonel/gönüllü itfaiye erliği- çok çeşitli modeller
- EU regülasyonu az, ulusal standartlar farklılıklar gösteriyor (müdahale zamanı ve itfaiye arabalarının personel yapısı gibi)
- Almanya ulusal düzeyde daha homojen bir itfaiye standardına sahipken, İspanya'da ulusal standartlar bulunmuyor
- İtfaiye hizmetleri yeterince kaynağa sahip mi? Bütçe kesintileri (İngiltere), emekli olan itfaiyecilerin yerine gönüllü itfaiyecilerin istihdamı (Fransa-İspanya), yaşlanan itfaiye personeli (Danimarka)
- Eğitim ve Pratik yapma bütün itfaiyeciler için yeterli mi ?
  - Aynı riskler, tercih profesyonel itfaiyecilerden yana kullanılıyor
  - Yangın güvenliğine daha fazla meslek hastalıklarına daha az önem veriliyor
- Danimarka istisna – Yangın hizmetinin özel sektör eliyle yaptırılması (Falck Şirketi)





### Early Child Care

- Municipal responsibility mainly, but Spain and Bulgaria with educational approach and central/regional government role
- Barcelona Objectives - how to cover the demand of working parents
  - Gaps between de jure/de facto service provision despite good 'Barcelona progress'
  - Pressure from rural-urban migration – home care, parents associations
- Service Standards
  - Access – place guarantee, location, opening hours
  - Affordability – UK 25%, Spain 50% non-users say too expensive
  - Care quality – standards on education, adult/child ratio, food
  - Parents participation – consultations, development plan, transparent values, board participation

### Erken Çocukluk Dönemi Bakım Hizmetleri (Kreş)

- Esas olarak belediyelerin sorumluluğunda , ancak İspanya ve Bulgaristan'da eğitim ağırlıklı ve merkezi ve bölgesel yönetimlerin rolü daha belirgin
- Barcelona Hedefleri- Ebeveynlerin talepleri nasıl karşılanacak ?
  - Hukuki ve fiili durum arasındaki farklar (Barcelona sürecindeki olumlu gelişmeye rağmen)
  - Kırsal ve kentsel göçten kaynaklanan baskıları-evde bakım-okul aile birlikleri
- Hizmet Standartları
  - Erişilebilirlik-yer garantisi, mekan, faaliyet saatleri
  - Ödeyebilme gücü- Bu hizmeti kullanmayanların İngiltere'de %25, İspanya'da % 50'si çok pahalı olduğunu belirtiyor
  - Bakım Kalitesi- eğitim standartları-yetişkin/çocuk oranı , gıda
  - Ebeveynlerin katılımı- görüş alışverişi, gelişim planı, saydam değerler, idare kuruluna katılım



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT ( LAR III)



### Adults with Disabilities

- Municipal role in DK and the UK, otherwise regional/central government task
- UN Convention on the Rights of Persons with Disabilities 2006
- How to manage a complex service area with increased rights on self-determination, independence, and public support
- Home-care, residential care, day-care centres most common
- Streamlining support between government levels, actors and service types – e.g. DK, Spain
- Bridging cost-drivers and budget constraints
- Self-determination vs institutionalization – Bulgaria

### Yaşlı ve Engelli Bakımı

- İngiltere ve Danimarka'da belediyenin görevi, diğer ülkelerde bölgesel/merkezi yönetimin görevi
- Engellilerin Hakları Konusunda Bilemiş Milletler Konvansiyonu -2006
- Kendi geleceğini belirleme, bağımsızlık ve kamu desteği konusunda artan haklar nedeni ile karmaşık bir hizmet alanının nasıl yönetileceği sorunu ?
- En yaygın Evde bakım, gündüz bakım evi hizmetleri
- Farklı yönetim katmanları, aktörler ve hizmet modelleri arasında destek faaliyetlerinin düzene konulması (Danimarka ve İspanya)
- Bütçe kısıtları ile maliyet faktörleri arasında köprü kurma
- Kendi geleceğini belirlemeye karşı kurumsallaşma (yaşlı ve engellilerin toplumdan soyutlanması) - Bulgaristan



YEREL YÖNETİM REFORMU PROJESİ (YYR III) LOCAL ADMINISTRATION REFORM PROJECT ( LAR III)



## Annex 4. Checklist for Development of Service Standards

### Generic discussion points for each service area:

1. What are the top-three problems which may realistically be addressed by the LAR Project?
2. Is the current legislation conducive for service delivery?
  - Are law-bound service standards available, implemented and adequate?
  - Does the service delivery match current municipal resource envelope and capacity – HR, equipment, infrastructure, funding?
  - Are the assignment of responsibilities and competences clear and adequate to provide the service?
  - Is there a clear and unambiguous division of responsibilities between levels of government? (The situational analysis identified this as a problem)
  - Are de jure and de facto accountability standards adequate? Upward, horizontal, downward?

### Household Waste

Turkish legislation is aligned to Waste Directive which outlines a fairly uniform and mandatory waste management regime for all municipalities, including

- Guiding principles – waste hierarchy and separation, PPP and producer responsibility
- Recycling targets 2020: 50%, 2025: 55%, 2030: 60%, 2035: 35%
- Mandatory waste management plans (6-year revision cycle) by all competent levels (art. 28), with status and planning sections, and based on mandatory public consultations
- Waste tracking and reporting
- Minimum standards for municipal waste separation – paper, metal, glass, biowaste, hazardous, WEEE
- Use of fiscal measures – cost-based collection charge, landfill and incineration tax
- Use of intermunicipal cooperation
- Use of private sector participation
- Government sanctioning of municipalities for failure to comply
- Introduction of high collection frequency for separated waste

### Assessment points

- How well are the core principles and mandatory standards above adopted into Turkish law, and how well are they implemented in Turkey? Does actual collection of household waste meet demands from households. Does it meet government standards? This vary considerably within the EU.
- Public participation is a precondition to succeed, both compulsory (waste planning) and in terms of efficient council-household partnerships in waste separation and recycling. It has become more demanding to be a household waste producer and without active participation, separation and recycling is not accomplished. How well is this done in the municipalities?

- Are waste collection charges cost-based in practice and designed to regulate waste behavior?
- How to prevent waste generation in the first place – who is doing what?
- Outsourcing –how well is it practiced. Does it work?
- Intermunicipal cooperation – does it work well, issues?

### **Local public transportation**

According to the EU study, focus and challenges relate to e.g.

- Rural mobility – upholding service coverage in remote areas despite depopulation –
- Urban mobility – Private-public commuter links, multi-modal transport systems
- Multimodal data sharing and cooperation – e-travel planners, payment systems
- Introduction of climate friendly public transportation
- Specific innovations like bike lanes, guided buses etc.
- Re-municipalization

For further standard development, review the governance framework for traffic concessions, and include performance incentives and enforcement of service quality in terms of 1) Participation – user surveys, interviews, app/travel planner, 2) Traffic data – sharing needs in Turkey and 3) common subsidies for private and public service providers

### **Fire services**

From the report and workshop feedback, several issues were raised:

- What is the legal basis of a uniform framework for employment and remuneration of voluntary firefighters?
- Is there a national training curriculum covering all categories of firefighters?
- Other issues from the EU relate to insufficient in-service training and practicing, especially for volunteers
- Are local fire service capacity assessments based on up-to-date national risk assessment criteria, including risks associated with climate change? One issue may concern the overall staffing situation in Turkey: is the fire service adequately staffed? Such discussions have been raised in e.g. the UK,
- Based on the comparative service standards on response time, manning/appliance ratios or compulsory training standards for professionals and volunteers may also be relevant issues to address

### **Early child care**

Is Turkey referring to the Barcelona objectives at all?

The EU study identified differences and challenges in access, affordability, opening hours, care quality standards

From the report it appears that Turkish challenges relate to overall service access and comparability with working parents' needs. In the EU, place guarantees are provided in some countries, but the number of opening hours and time varies considerably, affordability also.

Family participation appear to be an issue and more transparency is needed. Common practices in the EU include individual parents' consultations, institutional audits, and parents' participation in center boards. Councils may also call for more overall consultations on the service standards, e.g. in budget hearing (service level vs. tax level). In Turkey, audits and parents' collaborations exist. What needs to be changed? Is the service affordable?

Current service standards needs to be assessed in terms of 1) Access to an institutional childcare place through legal entitlements, geographical location and flexible opening hours, 2) Affordability for all working parents, 3) Service quality in terms of educational standards for the staff and staff/child ratios and food provision, and 4) Parents participation in municipal childcare.

### **Adults with disabilities**

Overall - Turkey became a party to Convention on the Rights of Persons with Disabilities in 2008 - how well are services aligned to the Convention, in law and practise?

- How is active participation and self-determination for disabled persons guaranteed? How is it practiced?
- Are services well-coordinated among levels of government and actors
- Funding and coverage
- Transparency and accountability – are services sufficiently declared and communicated?
- Access for disabled persons to public transport and public spaces

ocal Administration Reform Phase III (LAR Phase II) is funded by the European Union under Pre-Accession Financial Assistance. The beneficiary of the Project is the Republic of Turkey Ministry of Interior and Ministry of Environment and Urbanization. The Central Finance and Contracts Unit is the contracting authority of the Project. Technical assistance for the implementation of the Project is provided by the United Nations Development Programme. The content of this report does not reflect the official opinion of the European Union and UNDP. Responsibility for the information and views expressed in the report lies entirely with the authors.



