



On approval of the Rules for the provision of special social services to the minors who are in the organization of education with a special regime of detention

Invalidated Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated October 28, 2014 No. 1142. Abolished by Decree of the Government of the Republic of Kazakhstan dated 07/11/2023 No. 549

Unofficial translation

Footnote. Abolished by Decree of the Government of the Republic of Kazakhstan dated 07/11/2023 No. 549 (effective ten calendar days after the date of its first official publication).

In accordance with paragraph 8 of Article 5 of the Law of the Republic of Kazakhstan "On Special Social Services", the Government of the Republic of Kazakhstan **HEREBY RESOLVES:**

Footnote. Preamble - as amended by Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

1. To approve the attached Rules for the provision of special social services to the minors who are in the organization of education with a special regime of detention.

2. This resolution shall come into force on January 1, 2015 and shall be subject to official publication.

*Prime-Minister of the
Republic of Kazakhstan*

Approved
by the Resolution of
the Government of the
Republic of Kazakhstan
dated October 28, 2014 No. 1142

**Rules for the provision of special social services
to the minors who are in the organization of education with a special regime of detention
Chapter 1. General Provisions**

Footnote. The heading of Chapter 1 - as amended by the Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

1. The rules for the provision of special social services to minors who are in an educational organization with a special regime of detention (hereinafter referred to as

the Rules) have been developed in accordance with paragraph 8 of Article 5 of the Law of the Republic of Kazakhstan "On Special Social Services" and shall establish the procedure for the provision of special social services in an educational organization with a special regime of detention for minors aged from eleven to eighteen years, who need special conditions for education, training and require a special pedagogical approach, in cases provided for in paragraph 2 of Article 14 of the Law of the Republic of Kazakhstan "On Prevention of Infraction among the Minors and Prevention of Child Neglect and Homelessness".

Footnote. Paragraph 1 - as amended by the Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

The above mentioned categories of persons shall be referred to as recipients of services.

2. An entity providing special social services shall be an educational organization with a special regime of detention.

3. The costs associated with the provision of special social services shall be reimbursed at the expense of the regional budget.

Chapter 2. Conditions for admission to and departure from an organization providing special social services

Footnote. The heading of Chapter 2 - as amended by the Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

4. Admission of services recipients to the organization shall be carried out throughout the calendar year.

5. The grounds for determining a minor in an educational organization with a special regime of detention is the decision of the judicial authorities to send him/her to an educational organization with a special regime of detention, providing special social services, with the following documents attached:

1) an identity document or a birth certificate of a child (children) in electronic form or a hard copy thereof;

2) documents containing information about parents (identity cards of parents or legal representatives, copies of certificates or notifications of the death of parents, court decisions (on the restriction or deprivation of parental rights, recognizing parents as missing, declaring them dead or declaring them incapacitated, partially incapacitated), information about the search for parents). If a minor is an orphan or left without parental care, documents confirming his/her status;

3) medical documents on the state of health and vaccinations;

4) certificates from the place of study with copies of report cards, certificates of graduation from basic school (in the case of the education of the child (children));

5) characteristics from the organization of education, where he/she studied and (or) was brought up before being assigned to this organization;

6) a document confirming the absence (presence) of real estate, a copy of the agreement on opening a personal account in the name of a child receiving social benefits, copies of court decisions on the recovery of alimony and other documents, if any, in the personal file.

Minors with diseases cannot be placed in an educational organization with a special regime of detention in accordance with the order of the Minister of Health of the Republic of Kazakhstan dated February 23, 2022, No. ҚР ДСМ-17 "On approval of the list of diseases that prevent the maintenance and education of minors in special educational organizations and organizations education with a special regime of detention" (registered in the Register of State Registration of Normative Legal Acts under No. 26931), preventing their maintenance and training in these educational organizations.

In the absence of the documents specified in subparagraphs 2), 3), 4), 5), paragraph 5 of these Rules, the organization of education with a special regime of detention shall ensure the admission of a minor and send appropriate requests to the competent authorities and organizations for the formation of a personal file of a minor.

Footnote. Paragraph 5 - as amended by the Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

6. When leaving an educational organization with a special regime of detention, the following documents shall be issued to the recipient of services:

- 1) a birth certificate or an identity card;
- 2) a certificate of stay in the educational organization;
- 3) medical documents on the state of health and vaccinations;
- 4) a certificate from the place of study with a report card, a certificate of graduation from general school;
- 5) characteristics for a minor.

Chapter 3. Scope and conditions for the provision of special social services

Footnote. The heading of Chapter 3 - as amended by the Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

7. Social services aimed at supporting the life of service recipients in an organization that provides state guarantees of the rights to receive education, and raise children with the provision of a place of residence, shall include:

1) provision of living space in accordance with the order of the Minister of Health of the Republic of Kazakhstan dated August 5, 2021, No. ҚР ДСМ-76 "On approval of the Sanitary Rules" Sanitary and epidemiological requirements for educational facilities";

2) provision of premises equipped with furniture and (or) specialized equipment for rehabilitation and medical, educational, and cultural events, training in self-service skills, and the basics of domestic orientation;

3) provision of soft equipment (clothing, footwear, underwear and bedding);

4) provision of rational and dietary nutrition in accordance with the order of the Minister of Health of the Republic of Kazakhstan dated August 5, 2021, No. ҚР ДСМ-76 "On approval of the Sanitary Rules "Sanitary and epidemiological requirements for educational facilities";

5) provision of household services (washing, drying, ironing, disinfection of underwear, clothing, bedding);

6) creation of conditions for professional self-determination and creative work with the necessary equipment;

7) the provision of transportation services when transporting recipients of services for treatment, education, participation in cultural, and sports events, as well as escorting minors to their place of residence at the end of their stay in the institution;

8) creation of favourable conditions, close to family, conducive to the mental, emotional, spiritual and physical development of service recipients.

Footnote. Paragraph 7 - as amended by Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).

8. Social and medical services aimed at maintaining and improving the health of service recipients, taking into account the individual condition, provided in an organization that provides state guarantees of the rights to education, upbringing of children with the provision of a place of residence shall include:

1) organizing and conducting a medical and social examination (if necessary, with involvement of specialists from healthcare organizations);

2) conducting primary medical examination and primary sanitization;

3) provision of primary health care;

4) assistance in providing a guaranteed volume of free medical care;

5) organization of medical and recreational activities, including in healthcare institutions;

6) prompt hospitalization and support in a healthcare organization;

7) ensuring the care of service recipients, taking into account their state of health;

8) provision of advisory assistance (in the absence of a qualified specialist - mandatory involvement of a specialist from healthcare organizations);

- 9) provision of first aid in emergency cases;
- 10) carrying out preventive measures;
- 11) carrying out rehabilitation measures of a socio-medical nature.

9. Socio-psychological services providing for the correction of the psychological state of services recipients aimed at their social adaptation, socialization and integration in the social environment, provided in an organization that provides state guarantees of the rights to education, upbringing of children with the provision of a place of residence shall include:

- 1) psychological diagnostics and personality examination;
- 2) socio-psychological patronage (systematic observation);
- 3) psychoprophylactic work with service recipients;
- 4) psychological counseling;
- 5) provision of psychological assistance to service recipients, including conversations, communication, listening, encouragement, motivation for activity;
- 6) psychological trainings;
- 7) psychological correction of service recipients;
- 8) conducting classes in mutual support groups, communication clubs.

10. Social and pedagogical services aimed at pedagogical correction and training of service recipients, taking into account their physical capabilities and mental abilities, provided in an organization that provides state guarantees of the rights to education, upbringing of children with the provision of a place of residence shall include:

- 1) socio-pedagogical counseling;
- 2) organization of the process of upbringing and education of service recipients, assistance in their socialization, adaptation and integration in the social environment;
- 3) assistance in obtaining education for service recipients, taking into account their physical capabilities and mental abilities.

11. Social and labor services aimed at increasing the level of personal development, social adaptation, professional self-determination and further employment of service recipients in an organization that provides state guarantees of the rights to education, upbringing of children with the provision of a place of residence shall include:

- 1) carrying out activities to survey the existing labor skills of service recipients;
- 2) carrying out medical and labor activities;
- 3) assistance in carrying out activities to train service recipients in accessible professional skills;
- 4) assistance in obtaining a profession in accordance with individual physical and mental abilities.

12. Socio-cultural services aimed at organizing the leisure of service recipients and involving them in leisure activities and formation of the foundations of a healthy lifestyle, provided in an organization that provides state guarantees of the rights to

education, upbringing of children with the provision of a place of residence shall include:

- 1) organization of holidays and leisure activities;
- 2) organization and conduct of club and circle work;
- 3) involvement in leisure activities, participation in cultural events (organization of excursions, visits to theatres, exhibitions, concerts and other events).

13. Social and legal services aimed at maintaining or changing the legal status, providing state-guaranteed legal assistance, protecting the legal rights and interests of recipients of services provided by an organization that provides state guarantees of the right to receive education, raising children with the provision of a place of residence, shall include:

1) legal advice in the field of providing special social services on issues related to the rights to social security and assistance in accordance with the legislation of the Republic of Kazakhstan;

2) assistance in the preparation of documents of legal significance;

3) assisting in the preparation and filing of appeals against the actions or inaction of organizations providing special social services and violating or infringing on the legal rights of service recipients;

4) provision of assistance and assistance in obtaining benefits and benefits established by law, social payments;

5) assistance in bringing to justice those responsible for physical and mental violence committed against service recipients or members of their families;

6) assistance to the guardianship and guardianship authorities in placing children in a family, including for adoption, guardianship, patronage, under guardianship;

7) assistance in providing legal assistance in preparing documents for employment, obtaining an identity document and other documents of legal significance;

8) assistance in obtaining state-guaranteed legal assistance in cases and the manner established by the Civil Procedure Code of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan "On Advocacy and Legal Assistance".

Footnote. Paragraph 13 - as amended by Decree of the Government of the Republic of Kazakhstan dated September 27, 2022 No. 757 (shall be enforced ten calendar days after the day of its first official publication).