



## LEGAL ASPECTS OF SOCIAL PARTNERSHIP IN EDUCATION

Ismailov Sarvarbek Anvarbekovich

Independent researcher

Andijan State University

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<p><b>Received:</b> 7<sup>th</sup> September 2021 <b>Accepted:</b> 10<sup>th</sup> October 2021 <b>Published:</b> 27<sup>th</sup> November 2021</p>	<p>The social partnership helps to improve the quality of education, but without proper legal regulation, this quality can be compromised. That is, despite all the positive features of social partnership, its effectiveness depends on legal regulation. The article reveals the legal provisions of social partnership in the field of educational services. To explain the essence of social partnership in Uzbekistan, the concept of "social partnership" is used and given different definitions, including education in Uzbekistan, approved by Annex 1 to the Decree of the President of the Republic of Uzbekistan dated October 8, 2019, No. OP-5847 Development Concept till 2030<sup>1</sup>". It is based on the true meaning of social partnership. "Spiritual and moral development and education of citizens" is directly related to the socio-pedagogical partnership. Features of social partnership in education include open agreements on joint activities; implementation of joint activities to achieve the mutually beneficial goals of the participants of the social partnership; combining several types of resources to achieve the intended goals; Achieving positive results for each participant. Identifying the subjects of social partnership at the regional and city levels is also relevant from today's point of view. The principles of the social partnership play an important role in this. As for the obligations of the subjects of social partnership, the following requirements should be studied: → formation of a regulatory framework in the field of education, labor, and employment; implementation of regional policy in the field of education, labor, and employment; monitoring the state of the regional labor market and the state of the education system, forecasting the need for professional staff. The article also notes the shortcomings in the legal regulation of social partnership and proposes solutions.</p>
<p><b>Keywords:</b> Social partnership, education, law, law, higher education, state education standard, professional degree, vocational education, general cultural competence, →professional competence, labor code, the concept of higher education system development.</p>	

Social partnership is important for all areas of social relations. Social partnership has a positive impact on the development of a particular industry and the effectiveness of relevant processes and expands the opportunities for comprehensive consideration and resolution of the issue. In this regard, the use of social partnership in the organization of events to increase legal awareness and legal culture in the educational process is relevant.

Improving the quality of graduate education in the context of a competency-based approach forces higher education institutions to engage in a variety of social partnerships. This interaction ensures the achievement of specific goals of the social partnership, the realization of the potential of the state and public structures, as well as other stakeholders, such as government agencies, institutions, enterprises, and parents. Such a connection helps to increase the efficiency of solving labor markets and employment problems.

The participation of higher education in social partnership has great advantages due to the availability of conditions for high-quality implementation of educational programs, as the current approach requires placement of students as close as possible to professionals and helps employers to form the necessary competencies<sup>2</sup>. However, the

<sup>1</sup> National database of the legislation, 09.10.2019, No. 06/19/5847/3887; 30.04.2020, 06/20/5987/0521

<sup>2</sup> Proxorova M.P., Semchenko A.A. Organization of self-employment obuchayushchixsya in the form of project activities // Vestnik Mininskogo universite-ta. 2017. №2; Gavrilova M.I., Odarich I.N. Competence approach to professional education // Baltiyskiy gumanitarnyy zhurnal. 2014. №3. S. 19-21; Putilova A.V. Competent approach to the design of the educational process, as the mechanism of increasing the quality of education // Azimuth scientific research: pedagogy and psychology. 2013. № 4. S. 53-56; Androsova L.A., Manannikova Yu.V. Kompetentnostnyy podkhod v sisteme vysshego professional-nogo obrazovaniya // XXI vek: itogi proshlogo i proble-my nastoyashchego plyus. 2013. № 7 (11). S. 46-51

above-mentioned qualitative changes cannot be achieved without proper legal regulation. That is, despite all the positive features of social partnership, its effectiveness depends on the legal order, which in turn raises the issue of legal support of social partnership in education.

In addition, the social partnership helps to overcome the isolation in the field of education, transforming it into an open social system to address urgent economic, social, and cultural problems.

The social partnership becomes a guarantee of employment in the acquired specialty. In recent years, there has been a trend of unemployment in the field of study, where the majority of graduates need to be employed. As a result, social problems in society are growing. In this case, the partnership requires need to establish direct contact with the employer.

In the developed countries of the world, especially in Europe, social dialogue on education was established much earlier than in Uzbekistan. In Uzbekistan, special attention is paid to the development of this area of cooperation.

Cooperation in the broadest sense is a form of cooperation, an agreement to work together. Social partnership is strengthened at the legislative level. According to Article 3 of the Law of the Republic of Uzbekistan "On Social Partnership"<sup>3</sup> No. ZRU-376 of September 25, 2014, "social partnership with state bodies, non-governmental non-profit organizations and other civil society institutions as well as cooperation in the development and implementation of regulations and other decisions affecting the rights and legitimate interests of citizens"<sup>4</sup>.

Thus, the social partnership is an open interaction between educational institutions and other subjects of social and professional relations aimed at achieving mutually beneficial goals. Annex 1 to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 1059 of December 31, 2019, defines the task of "effective cooperation between government agencies, civil society institutions, the media and the private sector in the organization of continuing spiritual education"<sup>5</sup>.

Indeed, without socio-pedagogical cooperation and partnership, it is impossible to ensure the full spiritual and moral development and education of the student. Therefore, state education standards require interaction with parents, social partners, and other stakeholders to shape the student's overall cultural and professional competencies.

Social partnership in education also plays an important role in ensuring the quality of education. The Law of the Republic of Uzbekistan dated September 23, 2020, No. ZRU-637 "On Education"<sup>6</sup> defines the mechanism of independent assessment of the quality of education. However, the results of the assessment do not have any legal consequences - they do not lead to the revocation or suspension of the license for educational activities by the institution. This, in turn, indicates that the legal framework is inadequate.

Specific features of social partnership in education include:

- open agreements on joint activities;
- implementation of joint measures to achieve mutually beneficial goals of the participants of the social partnership;
- Combining several types of resources to achieve the goals;
- Achieving a positive result for each participant.

From the point of view of professional education, the partnership should take into account the interests of all participants and improve the quality of education, increase the demand for qualified graduates in the labor market, implement the right of citizens to education can be interpreted as.

Evaluating the effectiveness of relations between social partners and monitoring the implementation of established rules is regulated by a system of standards designed to. Social partnership is usually divided into two parts: the level of government involved in the management of education and employment, and the level of organizations providing educational services. The subjects of social partnership in this area are government agencies in the field of education, labor, and employment. Their scope of work includes the coordination of the scope and structure of vocational training by the needs of the labor market.

To this end, the subjects of social partnership are engaged in:

- Formation of a regulatory framework in the field of education, labor, and employment;
- Implementation of regional policy in the field of education, labor, and employment;
- monitoring the state of the regional labor market and the state of the education system;
- Forecasting the need for professional staff.

Subjects of social partnership at the city level: local self-government bodies, territorial subdivisions or departments in the field of education, labor and employment, enterprises-employers.

Social partnership in the field of education also plays an important role in labor legislation<sup>7</sup>. Section III of the draft new edition of the Labor Code of the Republic of Uzbekistan provides for the rules of social partnership. However, the principles of social partnership are not reflected in this project. In our opinion, it is expedient to include the following principles of social partnership in this project:

- equality of arms;
- respect and consideration of the interests of both parties;

<sup>3</sup> Collection of Legislation of the Republic of Uzbekistan, 2014, No. 39, Article 488

<sup>4</sup> <https://www.lex.uz/docs/2468214>

<sup>5</sup> <https://lex.uz/docs/4676839>

<sup>6</sup> <https://lex.uz/docs/5013007>

<sup>7</sup> <https://xdp.uz/laws-blocks/2855>

- interest of the parties to participate;
- state support;
- compliance with regulations;
- freedom of choice;
- Voluntary acceptance of responsibilities and obligations by the parties;
- Obligation of the parties to fulfill contracts and agreements.

Speaking about the shortcomings of the legal regulation of the activities of social partners, it should be noted that the responsibility of partners for the results of cooperation is not defined, a single model of social partnership is not defined.

As for higher education institutions, almost all of them have departments for student and graduate employment, which is very effective, but these are only individual measures, the effectiveness of which depends on the initiative of the heads of departments.

In our opinion, it is necessary to create a social partnership council to develop a single concept of activities to strengthen ties with the labor market. The faster a university adapts to changing market conditions, the more it transforms key processes into strategic initiatives to better meet customer needs. In our view, it is necessary to establish a council on a social partnership to develop a single concept of activities to strengthen ties with the labor market. The faster universities and colleges adapt to changing market conditions, the more likely it is that the personnel trained by them will succeed in the labor market<sup>8</sup>.

Management of social partnership in higher education institutions should be based on the division of responsibilities and powers between ministries and agencies, governing bodies, employers, and educational institutions. The Council should be established taking into account the interests of all stakeholders in social partnership in the field of education.

The Council, together with the Ministry, can provide methodological and informational support for social partnership in the higher education system, as well as participate in the improvement of existing standards.

This article in the context of the ongoing large-scale reforms in the Republic of Uzbekistan and the need for an accelerated renewal of fixed assets, leasing is of particular importance as a form of financing the investment activities of economic entities.<sup>9</sup>

The idea of limiting the boundaries of "civil society" and "state" was proposed by the German philosopher G. Hegel. It should be noted that society and "civil society" is generally a state term.<sup>10</sup>

Certain provisions of the legislation on social partnership in the field of education have been clarified. Based on this, it can be said that cooperation plays an important role in the formation of a highly qualified professional, as it allows students to interact with real future professional conditions. Thus, the necessary competencies are determined by the competency approach and the terms of the State Education Standard. At each level, whether it is regional or municipal, the activities of social partners are regulated by the Legislative Base. It is also noted that the legal regulation is insufficient and that the results of an independent assessment of the quality of education do not lead to any legal consequences. It is also necessary to determine the responsibility of social partners for the results of their interaction at different levels.

### REFERENCES:

1. National database of the legislation, 09.10.2019, No. 06/19/5847/3887; 30.04.2020, 06/20/5987/0521
2. Proxorova M.P., Semchenko A.A. Organization of self-employment obuchayushchixsya in the form of project activities // Vestnik Mininskogo universite-ta. 2017. №2; Gavrilova M.I., Odarich I.N. Competence approach to professional education // Baltiyskiy gumanitarnyy zhurnal. 2014. №3. S. 19-21; Putilova A.V. Competent approach to the design of the educational process, as the mechanism of increasing the quality of education // Azimuth scientific research: pedagogy and psychology. 2013. № 4. S. 53-56; Androsova L.A., Manannikova Yu.V. Kompetentnostnyy podkhod v sisteme vysshogo professional-nogo obrazovaniya // XXI vek: itogi proshlogo i problemy nastoyashchego plyus. 2013. № 7 (11). S. 46-51.
3. Collection of Legislation of the Republic of Uzbekistan, 2014, No. 39, Article 488
4. <https://www.lex.uz/docs/2468214>
5. <https://lex.uz/docs/4676839>
6. <https://lex.uz/docs/5013007>
7. <https://xdp.uz/laws-blocks/2855>
8. Petrovskiy A.M., Golubeva O.V. Legal aspects of social partnership in the field of education // Karelian Scientific Journal. 2017. T. 6. № 4 (21). - S. 64-67.

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<sup>8</sup> Petrovskiy A.M., Golubeva O.V. Legal aspects of social partnership in the field of education // Karelian Scientific Journal. 2017. T. 6. № 4 (21). - S. 64-67.

<sup>9</sup> Tolibjonovich, M. T., & Rahimjon o'g'li, G. O. (2021). PREREQUISITES FOR THE DEVELOPMENT OF A LEASING MECHANISM IN PUBLIC-PRIVATE PARTNERSHIP. *International Engineering Journal For Research & Development*, 6(SP), 5-5.

<sup>10</sup> Nasriddinovich, A. A. (2021). STRUCTURE, MODELS AND CHARACTERISTICS OF CIVIL SOCIETY. *STRUCTURE*, 7(4).

9. Tolibjonovich, M. T., & Rahimjon o'g'li, G. O. (2021). PREREQUISITES FOR THE DEVELOPMENT OF A LEASING MECHANISM IN PUBLIC-PRIVATE PARTNERSHIP. *International Engineering Journal For Research & Development*, 6(SP), 5-5.
10. Nasriddinovich, A. A. (2021). STRUCTURE, MODELS, AND CHARACTERISTICS OF CIVIL SOCIETY. *STRUCTURE*, 7(4).