



News letter



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Observatory for the Development of Social
Services in Europe

Personal social services – market and civil society

In March 2003 the 'Bundesverband privater Träger der freien Kinder-, Jugend- und Sozialhilfe'¹ presented a study titled "Wettbewerbsverzerrungen im Kinder- und Jugendhilferecht im Lichte des europäischen Wettbewerbsrechts" [Distortion of competition in child and youth welfare legislation in the perspective of EU competition laws]. According to a press release (www.vpk.de/mitteilungen/aktuelles/07032003.html), the authors of the study state that providers of child and youth welfare are fully subject to the requirements of EU competition laws, as they are enterprises under the terms of the European Treaties. However, the reader cannot help being surprised at the certainty with which the statement is made.

It was only in May of this year that the European Commission published a Green Paper on Services of General Interest (http://europa.eu.int/eurlex/en/com/gpr/2003/com2003_0270en01.pdf).

The overall subject of the document is the increasing trend toward liberalisation in the service sector. This tendency is very closely connected to the WTO negotiations (GATS), but it is no less true that it links perfectly to the general EU idea of promoting and maintaining the free movement of capital, goods and

¹ German Federal Association of private providers in child and youth welfare and social welfare (VPK)

persons and indeed also the freedom of services. At first glance the reader will find no mention of social services as being relevant in this regard. Instead, the topic is clearly described by the following points:

- 1) the focus is on economic services, which are described as being distinct from non-economic services;
- 2) the Green Paper explicitly mentions the network industries, namely the sectors of energy, postal services, transport, and telecommunications, as the focus of interest for liberalisation strategies;
- 3) furthermore, there is even an explicit exclusion of social services – they are not seen as being the object of liberalisation policies.

We already notice that things are not as simple as assumed in the study mentioned at the beginning. Taking the three points from the Green Paper as the basis of our considerations, we have to ask whether non-commercial providers of social services can now lean back, feeling safe in terms of possible threats by EU competition law?

We should be cautious in our closer examination of the Green Paper.

Firstly, though the Green Paper deals with services of general interest, not the slightest effort is made to define general interest. What is even more worrying is the way the Commission, on page 5, emphasises the historic, changing character of services: *The reality of services of general*

interest which include services of both general economic and non-economic interest, is complex and constantly evolving. It covers a broad range of different types of activities, from certain activities in the big network industries (energy, postal services, transport, and telecommunications) to health, education and social services, of different dimensions, from European or even global to purely local, and of different natures, market or non-market. The organisation of these services varies according to cultural traditions, the history and geographical conditions of each Member State and the characteristics of the activity concerned, in particular technological development.

To be sure, social values are not given once for ever; but it is definitely wrong to leave it to technical developments and market conditions to define the general interest. A strong and definite emphasis of the rights of those who need these services is of paramount importance. It is of particular interest to secure the right to adequate services for those who do not have the means to avail themselves of such services on the market. To be clear, adequate services do not equal basic services, just delivering the means of very elementary subsistence.

Secondly, the Green Paper stresses the difference between economic and non-economic services, and it also introduces a distinction between market and non-market provision. In my view, both distinctions are more than questionable. Of course, any activity in a market society

Editorial

DEAR READER,

15 SEPTEMBER 2003 MARKED THE END OF THE CONSULTATION PROCESS ON THE EUROPEAN COMMISSION'S GREEN PAPER ON "SERVICES OF GENERAL INTEREST", WHICH INITIATED AN EXTENSIVE DEBATE ON THE FUTURE OF SERVICES OF GENERAL INTEREST AND THE ROLE OF THE EUROPEAN UNION IN THE PROMOTION OF HIGH QUALITY FOR THESE SERVICES. THE GREEN PAPER WAS PUBLISHED ON 21 MAY 2003 AS THE COMMISSION'S REACTION TO THE REQUEST OF THE BARCELONA EUROPEAN COUNCIL (MARCH 2002) TO CONSIDER HOW A FRAMEWORK DIRECTIVE COULD SYSTEMATICALLY DEAL WITH SEVERAL ISSUES SURROUNDING THE TOPIC OF SGIs - IN PARTICULAR CONTENT OF THE SERVICES, PUBLIC SERVICE OBLIGATIONS, SELECTION OF SERVICE PROVIDERS, AND FINANCING AND EVALUATION OF SERVICES. THE GREEN PAPER RAISES CONCRETE QUESTIONS ON THESE ISSUES, AND IT HAS BEEN THE TASK OF THE VARIOUS PLAYERS IN THE FIELD OF SGIs TO FIND ANSWER TO THESE QUESTIONS WITHIN THE SCOPE OF THE CONSULTATION PROCESS. ALTHOUGH THE GREEN PAPER CONCENTRATES ON THE SO-CALLED NETWORK INDUSTRIES (WATER, ELECTRICITY, TELECOMMUNICATIONS, ETC.), IT IS ALSO CLEARLY RELEVANT FOR THE FIELD OF SOCIAL SERVICES WITH THE SPECIAL DEMANDS THESE SERVICES MAKE ON ALL THE PARTIES INVOLVED AND IN VIEW OF THEIR CENTRAL ROLE IN EUROPEAN SOCIETIES. THIS IS EVIDENCED BY THE EDITORIAL BY DR. PETER HERRMANN (IRELAND), THE GUEST COLUMN BY CAROLE SALÈRES (FRANCE) AND THE MAIN REPORT ON THE CONFERENCE ON "SOCIAL SERVICES AS SERVICES OF GENERAL INTEREST IN THE EU - OBJECTIVES, RESPONSIBILITIES AND CONDITIONS", A CONFERENCE ORGANIZED BY THE OBSERVATORY AND THE PLATFORM OF EUROPEAN SOCIAL NGOS IN BERLIN ON 2/3 SEPTEMBER 2003.

THE EDITORIAL TEAM

is in one way or another linked to the market and has an economic meaning. Moreover, the provision of social services is in itself an economic activity. On the one hand, the provision of such services has an economic component. Resources are used – bought and sold; contributions are made – goods and services are provided for which money is paid and workforce is employed. For instance, the economic contribution of social services is estimated by the Johns Hopkins Project (Comparative Nonprofit

tions. Another example: local initiatives to foster employment. It is important to be aware that social services are only to a very limited extent “divisible”. Though this may well be possible in technical terms, the particular feature of many services is that they are especially valuable if offered in terms of their own integrity, as an entity of their social and «technical» aspects. There is no doubt that some of these services can also be offered in the framework of private enterprise. However, lay-



Sector Project) to approximately 18.7% in the Netherlands and 14.2% in Ireland (including volunteers). A recent study in the UK states estimates “that the 140,000 ‘general charities’ ... had a total income of £ 15.6 billion in 2000-01” (HM Treasury: The Role of the Voluntary and Community Sector in Service Delivery. A Cross Cutting Review; London: The Stationary Office: 2002: 9). On the other hand, these services are in many cases indispensable to overcome economic difficulties.

However, it is misleading to assess the role of the organisations that provide these services in such terms. To take just one example, many of the services offered are actually services which would not be sustainable under the strict competition rules of the ordinary labour market. One reason is that the service offered is actually a “double service”: for example nursing services, where nursing care is offered but at the same time where the employee is given the opportunity to regain self-confidence under supervised condi-

ing claim to greater competition on the basis of price, confronting this with a competition on the basis of quality (see declaration on the self-understanding and aims of the VPK) gives much cause for thought.

Thirdly, a general note of caution is appropriate. In particular in Germany and the UK, the organisations in question – charities and welfare associations – claim to be ‘private providers’. Such a classification is, however, questionable. Although many if not most of the services are essentially provided as personal social services, answering the needs of individuals, they are doing this as a matter of general social responsibility. In other words, these services are an expression of society assuming its responsibility to take care of those who cannot normally take full part in the life of their society. This is nothing other than the conjugation of the term which is in the fore or the Green Paper: general interest. It also means that the providers of social services – not least welfare associations – are indeed part of

the economic and market system. In other words they are economic actors on the market, but they act in the general rather than the private interest.

In the Green Paper, the Commission emphasises that market mechanisms have to be respected by any enterprise. The concept of an enterprise is a functional one, meaning that any actor who provides goods or services in exchange for money falls under this term. However, a fundamentally different approach can be suggested by viewing social services as services of general economic interest. It is necessary to emphasise that provision of such services follows the rules of the general interest. Various experiences have shown that liberalisation of markets is a questionable way of doing so. A crude self-regulation by (civil) society cannot be the final answer – social justice and cohesion are not automatic outcomes and democratic control is undoubtedly necessary. However, liberalisation as suggested in the Green Paper is the wrong answer to the wrong question: leaving matters really at the mercy of market solutions opens the door for cherry-picking and for a clearer division in the provision of services; on the other hand, a ‘regulated de-regulation’ produces unjustifiable administrative expenditure which is nothing more than a distribution of gains profits – a new variation of the biblical principle of giving to those who already have plenty.

Finally, another point for reflection is reality itself – and it is a critical and crucial one. Charities, welfare associations or other bodies providing social services on a non-commercial basis have to critically ask themselves if their services are really something special. If such organisations take up the simple monetarist “market challenge”, they have to face the consequences of being measured in terms of the market. But if they can prove that the added value they have to offer goes beyond monetary – and often short-term – gains, they can rightfully claim a right to special protection. Such protection is not concerned with the defence of organisational self-interests: it serves the rights

and quality of life of the people being served by the organisations in question, and the social quality of the future EU. This cannot be left to actors within the Commission, and particularly not to the Directorate General which is responsible for “Competition”, which was the main negotiator in the case of the Green Paper.

Dr. Peter Herrmann
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Guest column

European competition law and the activities of not-for-profit providers of social services in France – challenges for the future

Issues regarding the organisation, provision, financing, regulation and evaluation of services of general interest (SGI) are currently at the very top of the European agenda – as a consequence of the activities of the European Convention on the future of Europe and the publication by the European Commission of the Green Paper on “Services of General Interest”.

The relevance of the subject provides an impulse to examine and analyse the Union’s competition policies in terms of their effects on the legal, financial and tax conditions under which not-for-profit organisations operate in the various EU Member States.

Indeed, the current debate seems to jeopardise the very legitimacy of not-for-profit health and social services. Inherently and in terms of the manner in which they exercise their economic activities, the providers of these types of services have specific characteristics that enable them to implement a variety of objectives which ultimately serve to strengthen social cohesion. The risk they face at the moment is that European competition rules might be applied too indiscriminately to this sector of economic activity. This prospect is causing a great

deal of uncertainty regarding the legal regulations applicable to not-for-profit organisations offering social services. As a result, not-for-profit providers of social services have been expressing their fears and seeking suitable strategies for future action.

In late 2002, therefore, the French organisation UNIOSS (Union Nationale Interfédérale des Œuvres et Organismes Privés Sanitaires et Sociaux)² intervened to influence the work of the European Convention. UNIOSS would have liked to see a provision included in the draft convention that would ensure that European competition rules, when applied to not-for-profit health and social services, do justice to their special nature. Together with two other umbrella organisations of social associations in France – UNAF (Union Nationale des Associations Familiales) and Ligue de l'Enseignement/ Mouvement d'Éducation Populaire – and with the support of partner organisations in Germany (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege), Portugal (União das Misericórdias Portuguesas) and Spain, UNIOSS submitted a petition to the President of the European Convention. Until now, however, UNIOSS's demands have found no more than a limited echo in the text of the constitution.

As a result, services of general interest (SGI)³ are mentioned neither in connection with the basic values or objectives of the EU, nor in any of the other chapters of Part I, which forms the actual core of the text. They are men-

² UNIOSS is a French umbrella organisation comprising some 140 not-for-profit associations working in the area of social and health-related services (associations de solidarité dans le champ social et médico-social). It is divided into 22 regional organisations (URIOSS, Unions Régionales) that in turn have more than 7000 member organisations at local level. As an umbrella body for not-for-profit social organisations in France, UNIOSS is therefore comparable to Germany's Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege (BAGFW).

³ Services of general interest can be defined as services to fulfil economic and social needs and where the state sees a universal public service obligation. They can be offered by the state, by private commercial providers or by not-for-profit organisations.

tioned only in Part II – the Charter of Fundamental Rights of the Union – within the context of the recognition of access to services of general interest (Art. II-36). Art. III-6 of Part III – the Policies and Functioning of the Union – stresses the role of SGIs in promoting the social and territorial cohesion of the EU.

An embodiment of SGIs in the text of the constitution would have helped secure the legitimacy of not-for-profit providers of social and health services as economic operators having certain special characteristics. The central challenge is that the economic activities of organisations dedicated to the principle of social solidarity and participation⁴ should not be subjected to European competition rules (rules governing calls for tenders and the commissioning of private bodies with public tasks, reporting and transparency obligations, special tax conditions) in the same manner as the so-called network industries (energy and water supply, postal services and transport). This would entail a risk of deregulation in the sector of social and health services. The social objectives of not-for-profit providers of social services must be taken into account.

The EU legal framework must therefore be strengthened while remaining flexible enough to accommodate further developments. For instance, a framework directive might specify and prescribe a few guidelines and principles. The consulting process between the Member States and the EU Commission should also be continued. Such consultations, through recommendations and communications, could set key points for the necessary adjustments at European level while nevertheless respecting each country's specific characteristics with regard to the organisations of its health and social system (organisations medico-sociales). In this regard, lobbying work will continue in the coming months – as a follow-up to the inter-govern-

⁴ In France, examples of economic activities of not-for-profit providers are sheltered workshops for the handicapped or facilities for the vocational and social reintegration of socially disadvantaged persons.

mental conference in Rome in October of this year and within the scope of the debate and consultation process on the European Commission's Green Paper on Services of General Interest.

In addition, part of the mission of our member organisations is to ensure that the rights of individual users are better recognised in terms of access to services of general interest. Social organisations working with and for the socially disadvantaged focus on ensuring that basic personal social rights are guaranteed, especially for particularly disadvantaged groups. By operating as civil society actors (acteurs associatifs) to ensure that the rights of access to social services are guaranteed and/or restored, especially for the most socially disadvantaged population groups, these organisations exercise a special advocacy function. Their work is based on the principle of universal equal access to social rights (e. g. basic provision of care services within the scope of a universal social protection system, adequate housing, access to other services of general interest): every citizen must have the right of universal supply and non-discriminatory access to goods and services of general interest (electricity, communication, public transport, postal services, hospital services ...) at an affordable price and at a suitable level of quality. Social not-for-profit organisations – associations, foundations, mutual associations – must counteract a liberalisation of such services on the sole basis of profitability criteria.

And finally, we must look beyond the one-sided economic orientation of the EU Commission in its Green Paper on Services of General Interest and redefine the role of services of general interest on par and in parallel to a strong internal market and free competition. The special characteristics of social services must therefore be given clearer recognition. These services must be better defined in terms of their mission to fulfil the needs of their users and better recognised as essential elements of social cohesion.

Carole Salères
Commissioner for European Issues (Conseiller technique Europe), UNIOSS/France

How should and how can social services in Europe be organised, regulated, provided, financed and assessed in the future? – A conference report

The European Commission's Green Paper on "Services of General Interest", which was published on 21 May 2003 (COM (2003) 270 final), has given a new impetus to the debate on the objectives, responsibilities and conditions affecting the broad range of services known as "services of general interest". These infra-structural services, which are linked to specific public service obligations, also include social services.

Before this backdrop, the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), the Observatory for the Development of Social Services in Europe and the Platform of European Social NGOs hosted a conference on "Social Services as Services of



State Secretary Mr. Peter Ruhenstroth-Bauer, German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, opening the conference.

General Economic Interest – Objectives, Responsibilities and Conditions" in Berlin on 2 and 3 September 2003. The conference brought together experts from several EU Member States, with particularly large numbers from Germany and France; participants represented national and

European organisations of not-for-profit providers of services, central associations of municipal and regional social work, associations of users of social and health services, the relevant ministries of various Member States, and EU institutions.

The conference dealt with the contents of the Green Paper on "Services of General Interest"; it also coincided quite closely with the end of the consultation process on the Green Paper, which closed on 15 September 2003⁵. The main objectives of the conference were therefore defined as follows:

1. to provide for an exchange of opinions and positions – across national borders and among various types of providers – on issues involving the organisation, regulation, provision, financing and evaluation of social and health-related services in the context of changing framework conditions within the Community. This exchange took place in the panel discussions, which were actively attended by all participants, as well as in the discussions of the three working groups.
2. to elaborate conclusions from the conference. To this purpose, the three working groups discussed the convictions and positions shared by their participants and formulated these in a series of joint demands. The demands were then presented to the final plenary session, discussed, revised and ultimately adopted as a document entitled "Conclusions adopted by the conference". These conference conclusions can be perused or downloaded in the three working languages of the conference – German, English and French – on the Observatory website (<http://www.soziale-dienste-in-europa.de>) under the menu item "Aktuelles" (cf. <http://www.soziale-dienste-in->

⁵ In order to give the consultation process on the Green Paper a greater degree of transparency, the website of the Secretariat-General of the European Commission provides an information page on the subject; cf. http://europa.eu.int/comm/secretariat_general/services_general_interest/index_en.htm. This page also includes all the comments and other documents submitted and released for publication by institutions and private persons.



Leena Piekkola, Ombudsman for competition at the Association of Finnish Local and Regional Authorities, and Jérôme Vignon, Director for social security and social integration at the Directorate-General for "Employment and Social Affairs", follow the discussion in the plenary session of the conference on "Social Services as Services of General Interest in the EU"

europa.de/top/dokumente/Aktuelles/ix6574_92079.htm?script). This section of our site also includes the conference programme, the themes and questions for the working group discussions and a summary of the main results of a survey conducted by the Monitoring Unit on the lines of discussion and positions of providers of social services in the various EU Member States.

The conclusions of the conference have been distributed beyond the circle of participants: they were, for instance, communicated to the EU Commission, though outside the framework of the official consultation process. They are divided into six points representing the positions of conference participants and the demands made to the EU Commission, to other EU institutions and to Member State governments with regard to consulting and decision-making processes at European level. In this respect, the conclusions of the conference can serve individual organisations such as national and European umbrella organisations as a "source" for their own positions on the Green Paper. It is also hoped that – independently from the process initiated by the Green Paper on "Services of General Interest" – these conclusions can serve the organisations represented at the conference as an impetus for future projects and activities on this topic.

A few words on the conference programme. Following the opening addresses of State Secretary

Peter Ruhenstroth-Bauer (BMFSFJ) and Ms. Anne-Sophie Parent, President of the Platform of European Social NGOs, participants heard eight reports and short statements describing the legal and economic conditions affecting the organisation, provision, regulation, financing and evaluation of social services and exploring prospects for their ongoing development, particularly in the light of the recent European Court of Justice ruling in the *Altmark Trans* case of 24 July 2003 (C-280/00; cf. <http://www.curia.eu.int/en/actu/communiqués/cp03/aff/cp0364en.htm>). Jérôme Vignon, Director for Social Security and Social Integration in the Directorate-General on "Employment and Social Affairs", outlined the objectives, positions and expectations of the Directorate-General in connection with the Green Paper process, particularly with regard to non-commercial providers of social services. Both not-for-profit and municipal providers presented their own positions on the distribution of responsibilities between the European Union and the Member States and on the role of government bodies and NGOs with regard to the organisation, regulation, provision, financing and evaluation of social services in a national context.

In the "interactive" part of the conference, three working groups discussed a series of questions regarding individual aspects of the following general topics: "Guaranteeing fundamental social rights and the Euro-

pean Social Model", "Social services in the EU: Competences and responsibilities" and "Creating an enabling environment for successful social services in the EU". In awareness of the fact that a number of the questions raised by the Green Paper narrow down the focal point of the problem or that they may not be (totally) suited to the area of social services, the organisers formulated intentionally broad questions on the challenges affecting the development of social services as a result of the EU legal and political framework. The questions dealt with aspects such as "definition of economic and non-economic activities", "concept of universal services and sector-specific public service obligations" and "special characteristics of social services, their users and not-for-profit providers of social and health services".

A documentation of the conference including all contributions is planned for autumn 2003. The working group reports and proceedings of the overall conference might be available for download as PDF files from the project home page some time before hard-copy publication.

Mathias Maucher

The participation of users of social services

International session of the 76th German Welfare Congress in Freiburg

On 8 May 2003, the Observatory and the Council of Europe's Committee for Social Cohesion (CDCS) hosted a conference on "Ways in which citizens/users can play a role in the planning, implementation and evaluation of social services in Europe". Participants from France, The Netherlands, Romania, Iceland and Malta were invited, all members of a group of specialists commissioned by the CDCS to analyse the present situation and current tendencies with regard to access rights and participation possibilities for users of social services. The starting point of the discussion was provided by Prof. Brian

Munday of the European Institute of Social Services at the University of Kent/Great Britain with a report on the characteristics and trends of European social services. Prof. Munday's study showed how, as an effect of globalisation on the social sector, social services in Europe are growing more closely meshed.

International networking, management models and customer orientation are gaining ground, and it is becoming indispensable that users be drawn into the assessment of their own needs so that services can then be tailored to satisfy these needs.

Existing initiatives and projects to enhance user participation are very different from one European country to the next. In the Netherlands, for instance, care services can be used within the context of a "personal budget": users contract with a provider of their choice, and costs are reported to the health insurance scheme which then pays for the services rendered.

Projects in France, Iceland and Malta show that user participation must involve a whole new social understanding of the position of users within the social welfare system – with users and their needs at the centre of all efforts. It is very important for barriers to contact and communication to be removed, for users to be informed of their participatory rights and encouraged to claim these rights and enter into a dialogue.

Romania, a country still working on reforming its systems of social assistance, presents a totally different situation. In this case – until stable structures have been established – there is unfortunately hardly a possibility for the broad involvement of users in social services.

The second part of the conference dealt with the use of new information technologies (IT) to encourage the participation of users and citizens. Examples in Norway and Finland showed that, in social work, IT can be used as an extension of traditional case work methods. New information technologies can improve access to information on user rights and on the availabi-

lity of social services, facilitate anonymous consultations and initial contacts between users and social workers, and encourage dialogue (feedback) and discussion among the users themselves. IT can also help simplify training for the staffs of social facilities and eliminate bureaucratic obstacles.

IT projects are still in their initial phases, and until now they have been used mainly to provide information to users, with yet too little interaction taking place. In spite of good technical and legal conditions, the secure exchange of confidential information is difficult, and the degree of competence of both users and staff of



John Murray, head of the Social Policy Department of the Council of Europe, in his opening address to the international session of the 76th German Welfare Congress in Freiburg im Breisgau

social services and their motivation – for instance to use the Internet – is still insufficient. As social services, by their very nature, involve highly individualised person-related processes, user participation in this area will remain a central topic. Overall, widely different approaches were reported on manners of initiating user participation. Development is just starting, and we can be sure that user participation will remain in the focal point of interest over the next few years and decades.

Cornelia Markowski

Social Services in Europe

Social Services in Sweden

Legislation

The municipal social services form a central part of the Swedish welfare system together with the health and medical care provided by the county councils and the state social insurance system. Objectives for municipalities' social activities are laid down in the Social Services Act (SSA). It constitutes a "frame law" by which the municipalities are granted to form their services according to unique local needs and prerequisites.

The social services are universal in that they comprise all persons in the population. One part concerns a responsibility for the municipalities to perform and to participate in efforts that aim to improve living conditions for the population as a whole and for various subgroups, e.g. by anti-drug information in schools or in the process of planning for new residential areas and means of public transportation. The other part concerns individually orientated measures in which the need of each individual underlies the municipal decision on what service should be provided. This latter concern forms an almost totally predominant part of the social services. Depending on the kind of need and the severity of it, there is a substantial amplitude among those who are entitled to get the social services, e.g. from an "ordinary" old age pensioner with a need of home help service to a heavy alcoholic with a need of detoxification and treatment.

Aside the SSA two special laws define certain measures which are compulsory to the individual, and the circumstances when the measures should be applied. These concern children and young persons growing up in a hazardous environment or showing a severe anti-social behaviour, and alcohol and drug abusers. Another special law stipulates the rights for functionally impaired (physically or mentally) to receive social services and support.

Areas of activity

The Swedish social services operate in two main areas - care for individuals and the family and care and nursing for the elderly and those with impairments. The official statistics of the social services (www.sos.se) refer to:

- Social child care, i.e. individual measures to children and young persons, and sometimes their parents. (Commonly available pre-school activities belong to the education sector in Sweden.)
- Social assistance ("Economic aid")
- Family law and family counselling
- Measures for adult alcohol and drug abusers
- Care and nursing of the elderly
- Support and service to functionally impaired

The measures may be advice, support and encouragement, home help service, care and treatment, social assistance, family law or family counselling. Special forms of accommodation are arranged for care and nursing of elderly in need of special support. Housing must be arranged for people who for physical or mental reasons encounter considerable difficulties in their daily lives and hence need special accommodation. People with impairments are entitled to support and service which provide for e.g. personal assistance, escort service, contact persons and organised daily activities.

The service affecting most people in 2001 was social assistance. Around 470,000 people (5 per cent of the population) received such support at some time during the year. The home help and special housing measures affected 240,000 old-age pensioners (16 per cent of the age-group) and 47,000 people with impairment received support and service at a certain day of measure in the autumn 2001.

Costs and financing

The social services form the largest sector of action in the 290 municipalities and it corresponded to 36 per cent of both the number of employees and the total municipal operating costs in 2001. On a national level the social services' part of the GDP in 2001 was 5.8 per cent,



whereas the total costs of health and medical care amounted to 8.0 per cent.

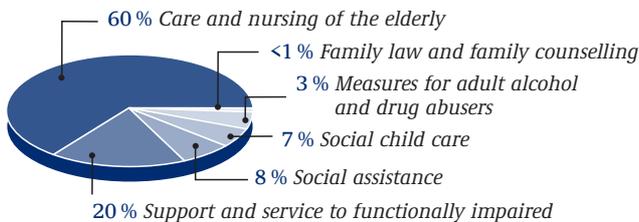
The social services are almost exclusively financed by the municipal income taxes. A minor fraction is covered by fees paid by the users, mainly in the care of the elderly. The municipalities' taxation power varies a lot due to different average income level and the proportion of employed among the local population. To neutralise differ-

ences in the financial ability to offer social services a national system for tax equalization is operated by the state. This means that "rich" municipalities are contributing and "poor" are gaining economic support, involving that the system is occasionally a hot topic on the political agenda.

concerns accommodation in family homes and care institutions. In the care of elderly, which represent half of all contracting costs, and services to impaired persons the proportion is about one tenth, respectively. A slight but steady increase in the amount of contracted social services is seen in recent years.

In the early 2000s the non-profit organisations working in the social area gained greater attention and significance than for-

Costs of social activity per cent of sector costs



ences in the financial ability to offer social services a national system for tax equalization is operated by the state. This means that "rich" municipalities are contributing and "poor" are gaining economic support, involving that the system is occasionally a hot topic on the political agenda.

Contracting of services

Some 13 per cent of all municipal social costs in 2001 refer to contracting of services provided by private companies or non-profit organisations. This is most common in social child care and measures for adult abusers; one third of the total costs. It usually

merly, both as partners to the municipal social services and as direct contracted providers. Both ideological and economic considerations underlie this, and a desire for diversity and freedom of choice.

Some challenges and problems

Extensive reforms in the 1990s entailed largely increased social services responsibility towards impaired persons and the elderly. Through amendments to the Social Services Act, more tasks have been added and the lines of responsibility have been further defined. An ageing population will probably increase the

need for care and nursing while a (national, regional and local) imbalance may arise between the gainfully employed and those who have left the labour market for reasons of age. The financing of the social welfare services may thus be affected, as may public ability to meet the need for care and nursing.

The most acute problem affecting the social services' work for old people – as well as for impaired persons – concerns the provision of staff and competence. The municipalities are experiencing great difficulty in recruiting nurses, paramedical staff and nursing assistants. The recruiting problems are compounded by increased sickness absence, and this has repercussions on care quality. At the same time social services are compelled to meet needs and demands for care of a more complex kind than previously. To manage this, well-functioning liaison with county councils is required about participation by doctors in municipal care, rehabilitation and medical measures.

The system of social assistance has increasingly taken the form of maintenance for unemployed refugees and other people who, born outside Sweden, have lived here for a fairly short time. Significantly more people on maintenance are unemployed or seeking work than others are, and the proportion of people on maintenance among youngsters born abroad is high.

Especially in the field of social child care and measures for abusers the lack of systematic knowledge about the treatment effects is pronounced. This creates difficulties in choosing the right intervention type.

The supervision of the municipalities' social services performed by The National Board of Health and Welfare (Socialstyrelsen) and the county administrative boards reveals various shortcomings. The number of complaints and identified errors in the municipal social sector however affect less than 1 out of 1,000 performed measures. This may indicate that the public social services' sector in Sweden still attains a reasonable standard,

taken in consideration though, that considerable challenges and urgent needs are at hand.

Thomas Gunnarson
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News from the Observatory

Survey on the demand for cooperation and consultation in EU-accession countries

In cooperation with the central German associations of welfare organisations and local government authorities, the Observatory for the Development of Social Services in Europe conducted a survey on providers of social services in four EU-accession countries: the Czech Republic, Hungary, Poland, and Slovakia. The focus of interest was to examine whether and in what form social services providers in these countries feel a need for cooperation and consultation with German institutions, particularly in matters involving the establishment and restructuring of local social infrastructures. Part of the practically oriented analysis was to look into the need for consultancy, support, transfer of knowledge and structures of financing and to examine the possibility and usefulness of exchanges of training and experience. The survey – designed as a trend analysis – is intended mainly to assist decision-making processes by providing a better assessment of the extent to which social NGOs and local authorities in accession countries feel that various forms of cooperation between associations and social organisations should be developed. It also explores possibilities of cross-border cooperation for the establishment of cooperative structures. The questionnaire was divided into four separate parts:

- **Structural analysis** – This section focused on the structure and organisational forms of the institutions participating in the survey: specifically, on their legal status and financing forms, membership in national or European umbrella organisations, and on the types of service provided.

- **Problem analysis** – Here the survey concentrated on the current situation of providers of social services and on the transformation processes affecting them. Respondents were asked about the difficulties their organisations are currently experiencing and about how they interact with state authorities and participate in (social) policy processes.
- **Performance analysis** – This section examined to what extent surveyed organisations/facilities already have cooperative structures in place and to what extent they offer cross-border social services.
- **Target analysis** – The objective of this part of the survey was to discover whether there is any concrete demand for cooperation and consultancy among the various institutions offering social services in the EU accession countries, and if so, what the needs are.

An initial analysis of results⁶ has revealed that the surveyed organisations/facilities in the various accession countries tend to feel that they are facing similar difficulties in the transformation process. More than 90 % of them reported that they had problems funding their services, or that the financial rules and conditions imposed by their respective government authorities were unclear. Particularly non-profit (charitable) organisations/facilities complained about lacking or restricted legal legitimisation. Nearly all the organisations/facilities surveyed reported a definite need for cooperation, and particularly for consultation. Most often, they spoke of the need for exchanges of specialised information and experience, advice regarding EU funding and application procedures, and networking with EU institutions. A detailed evaluation of the survey by the Observatory will take place in autumn. Our website (under "Projects") will provide information on the main results, as will the next issue of our newsletter.

Beatrix Holzer

⁶ The Observatory's detailed analysis of the survey had not yet been completed as this newsletter went to press (September 2003).

Current events

Publications

New publications of the Observatory:

Monographs

Social Services in Europe – Annotated Bibliography: Updated and Extended Edition, edited by Prof. Dr. Helmut K. Anheier and Dr. Sarabajaya Kumar for the Observatory for the Development of Social Services in Europe

Contents:

This second updated and expanded edition of the "Annotated Bibliography on 'Social Services in Europe'" has three main objectives: First, taking account of the forthcoming enlargement of the European Union by ten countries, the geographical scope of the second study was extended to include all EU member countries and in addition five Central European accession countries as well as all Baltic countries. Second, this new edition not only covers published social science literature that appeared in the form of journal articles, chapters, and books, but also to a certain extent government documents and publications, such as white papers, legislation and legal documents. For the most part, country reports now also cover grey literature. Third, the first study published in October 2000 has been comprehensively updated. As a rule, the large majority of bibliographic references have new inclusions. Information in relation to the content of journal articles, chapters, books, reports, etc. already used in the previous edition have also often been amended. A chapter on "The European Union" has been added. Having kept general concept and country chapter structure of the first edition, this updated and extended edition will prove to be of great value to researchers, policy-makers and practitioners.

Conference proceedings

Conference on "Indicators and quality of social services in a European context" organised jointly by the national Arbeiterwohlfahrt federation and the German Paritätischer Wohlfahrtsverband – Gesamtverband, 16-17

D a t e s

October

8-10/Magdeburg, Germany:
European conference on "Fighting poverty and social exclusion – building a social Europe! – The possible role of Caritas and non-government welfare services" organised by the German Caritas federation.
Information:
Ms. Martina Liebsch,
EU representative of the German Caritas Federation
E-mail: martina.liebsch@caritas.de

22-23/Nuremberg, Germany:
ConSozial 2003, specialised trade fair and congress for the social market.
Information: www.consozial.de

23-24/Strasbourg, France:
Council of Europe 2003 Forum on "Social cohesion or public security: how should Europe respond to collective feelings of insecurity?".
Information:
Phone +33-3-88 413746
E-mail: irene.malki@coe.int
www.coe.int

27-28/Nuremberg, Germany:
Conference on "The European patient: European projects in the health care area".
Information:
www.euroforum.de/daten/pdf/P15977.pdf

29-31/Nyíregyháza, Hungary:
Conference on "Social Dialogue in Central Europe – Exchange about Social Services and related questions"
Information:
phone +36-42-400 378
(Social-East Association Regional Resource Centre)
E-mail: e.szocio-east@chello.hu
www.szocioeast.hu

November

13-15/Copenhagen, Denmark:
"Changing European Societies – the role for social policy", ESPAnet Conference
Information:
E-mail jk@sfi.dk
www.sfi.dk/espanet

12-15/Paris, France:
"The second European Social Forum"
Information:
www.fse-esf.org

25/Freiburg i.Br., Germany:
2nd Freiburg conference on social marketing/fund raising organised by the Freiburg Caritas and dealing with the special topic of "Strategic partnerships"
Information:
phone +49-761/8974-266
E-mail: Teuber@caritas-dicv-fr.de

December

5-6/Berlin, Germany:
9th congress on "Poverty and Health" organised by Gesundheit Berlin e. V.
Information:
www.armut-und-gesundheit.de

8/Berlin, Germany:
Workshop for the evaluation of the survey on demand for cooperation and consultation among providers

of social services in EU-accession countries, organised jointly by the Diakonisches Werk of the Lutheran Church in Germany and the Observatory for the Development of Social Services in Europe
Information:
Diakonisches Werk der EKD
Frau Dr. Scholz
E-mail: scholz@diakonie.de
Monitoring Unit at the ISS
Frau Beatrix Holzer
E-mail: Beatrix.Holzer@iss-ffm.de

16-17/Strasbourg, France:
German-French seminar "Services of General Interest and Subsidiarity in Europe: Towards a 'European Quality' of Services of General Interest?" – Conference hosted jointly by the Centre for European Studies CEES (Strasbourg), Führungsakademie Baden-Württemberg (Karlsruhe), the Observatory for Services of General Interest in Europe OMIPE (Paris) and the Academy of European Law ERA (Trier).
Information:
CEES, Agnes Bucaille-Euler
phone +33-3-88 21 45 31
E-mail: a.bucaille@cees-europe.fr

2004

February

17-19/Hanover, Germany:
Altenpflege 2004, specialised trade fair and congress for the care and therapy of the elderly, Hanover trade fair grounds
Information:
E-mail: veranstaltungen@vincentz.net

March

22-23/Frankfurt a.M., Germany:
Conference on the "Value of the Social Element in the European Convention" organised by the German Association for Public and Private Welfare
Information:
phone +49-69-9 58 07-202
E-mail: veranstaltungen@deutscher-verein.de
www.deutscher-verein.de

May

12-15/Copenhagen, Denmark:
"9th European Forum on Quality Improvement in Health Care" organised by the British Medical Association
Information:
E-mail: quality@bma.org.uk
www.bma.org.uk

June

2-4/Osnabrück, Germany:
12th German youth welfare conference and trade fair, organised by Arbeitsgemeinschaft der Jugendhilfe
Information:
www.jugendhilfetag.de

21-22/Frankfurt a.M., Germany:
Conference on "Services of General Interest between public obligation and competition", organised by the German Association for Public and Private Welfare
Information:
phone +49-69-9 58 07-202
E-mail: veranstaltungen@deutscher-verein.de
www.deutscher-verein.de

October 2002 (available only as a PDF file)

Observatory publications can be downloaded as PDF files from <http://www.soziale-dienste-in-europa.de>. If available, hard copies may be ordered (address information in imprint section).

Other new publications on topics of interest to the Observatory:

Dr. Peter Herrmann (ed.): Europäische Daseinsvorsorge. Prüfsteine für die deutsche Sozialwirtschaft [European services of general interest. Touchstones of the German social economy], with contributions by Claude Fiori/Frances Zielinski, Sabine Herrenbrück/Marion Mayer, Peter Herrmann, Gurli Jakobsen, Bernd-Otto Kuper, Uwe Lübking, Rudolf Martens, Peter Schaefer, Bernd Schulte, Wolf Rainer Wendt; Baden-Baden, Nomos Verlagsgesellschaft, 2002 (ISBN 3-7800-8251-1)

Contents:

The volume contains contributions written in German and English. Some of them examine the fundamental legal framework conditions in the area; however, the publication also reminds the providers of services that they should consider their own responsibility and ask themselves what special features show that they are serving general rather than private interests.

Dr. Bernd Schulte: Europa und die Soziale Arbeit – Herausforderungen und Chancen [Europe and social work – challenges and opportunities]; in: Soziale Arbeit im gesellschaftlichen Wandel; Ziele, Inhalte, Strategien [Social work in the context of social change; objectives, contents, strategies]; proceedings of the ConSozial 2002 conference, König, J., Oerthe, C., Puch, H.-J. (eds.)

Contents:

Continuing along the lines of past conferences and events dealing intensely with the topic of “Europe and social work”, the author, in this contribution to ConSozial 2002, demonstrates that the past few years have witnessed an ongoing Europeanisation of social policy, and that this trend has profoundly influenced social benefit systems, including social

services and social work in Germany, and particularly their providers. The character of the European Community, which had been originally conceived as a legal and economic community, has gradually taken on a social dimension, primarily as a result of the entry into force of the Treaty on the European Union. From the point of view of European law, Dr. Bernd Schulte shows what EU treaty provisions have a social dimension, the extent to which the rulings of the European Court of Justice affect the national development of social policy in the Member States and what challenges and opportunities this opens up for social work, not only in Germany.

Contact:

Dr. Bernd Schulte
Max-Planck-Institut für ausländisches und internationales Sozialrecht [Max Planck Institute for Foreign and International Social Law], Munich
E-mail: schulte@mpipfmuenchen.mpg.de

External projects:

“Wissensmanagement im Sozialmarkt” [Knowledge management in the social market], sponsored by the Bavarian Ministry for Social Affairs and the Bavarian State Foundation. Information at www.soziales-wissensmanagement.de

Contents:

A professional approach to knowledge resources in the social market has taken on a central role in times of accelerated change and growing competition. Herzogsägmühle, the assisted community operated by the welfare services of the Lutheran Church in Upper Bavaria, and the Caritas Federation of the Bamberg archdiocese have launched a pilot project to test the application of knowledge management in a broad range of social institutions and organisations.

“Arbeitsweltbezogene Jugendsozialarbeit” [Youth social work in the context of the employment world], a model programme sponsored by the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). Information

available from LAP Consult GmbH at www.lap.de

Contents:

The BMFSFJ wants to cooperate with competence agencies to improve the starting chances and social integration of young people with family and social problems. To this effect, the Ministry has commissioned the “Institut für berufliche Bildung, Arbeitsmarkt- und Sozialpolitik GmbH” (INBAS) [Institute for vocational education, employment market and social policy] with the task of establishing and operating a coordinating office for agencies of this type. The competence agencies are evaluated by the Deutsches Jugendinstitut (DJI) [German Youth Institute].

News update

Updated website

The Observatory for the Development of Social Services in Europe has revised and expanded its website at <http://www.soziale-dienste-in-europa.de>

In addition to presenting the contents, objectives, main issues and areas of focus of the Observatory’s work, the site now includes a page on “Projects” that provides information on the background, aims, implementation and results of individual projects presented chronologically. The menu item “Publications” takes the visitor to a list of all Observatory publications: the newsletter, conference proceedings, working papers and monographs. Publications can be downloaded free of charge as PDF files or, if still available, ordered as hard copies. The homepage also offers a downloadable project presentation in German and in English.

Do drop us a visit!



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in Europe

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