



Working Paper

**Best practices in public policies
regarding the European Social Economy
post the economic crisis**

Rafael CHAVES & José Luis MONZÓN

CIRIEC N° 2019/25

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Rafael Chaves and José Luis Monzón (Directors)*

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Best practices in public policies regarding the European Social Economy post the economic crisis

STUDY



European Economic and Social Committee

SUMMARY

Since the end of last decade, several institutions of the European Union have called for public policies to boost the social economy at the European, national and regional levels. In this context and also in the context of the last crisis, a new generation of public policies for the social economy have emerged during this decade. The present study outlines a diversified selection of successful practices in public policies regarding the Social Economy across different European countries.



European Economic and Social Committee

Best practices in public policies regarding the European Social Economy post the economic crisis

Study

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General information

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Best practices in public policies regarding the European Social Economy post the economic crisis

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1. Introduction and objectives
2. Case studies of successful public policies fostering the social economy in Europe
3. Main institutional obstacles to the development of the European social economy
4. Conclusions: challenges of social economy policies

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FOREWORD

It is with great pleasure that I welcome the publication of the study '*Best Practices in Public Policies Regarding the European Social Economy Post the Economic Crisis*'. This research was commissioned by the European Economic and Social Committee (EESC) at the initiative of the Social Economy Category and follows on from the study '*Recent Evolutions of the Social Economy in the European Union*', published by the Committee in 2017.

There is no doubt that the economic and financial crisis injected urgency into the European search for complementary avenues of sustainable socio-economic development. During the last decade, this has translated into a burst of innovative and dynamic public policies promoting the social economy at the European, national and regional levels. However, to date there has been little empirical research on these new social economy policies. Why are some cases more successful than others? Do new public policies necessarily favour the development of the sector? What are the barriers to the development of successful social economy policies? I believe that this new publication will be of great interest and use to all relevant actors: social economy organisations, regional/national authorities and the European Institutions. It builds on the significant contribution that the EESC and the Social Economy Category in particular, have made to the promotion of the sector within the EU.

What is particularly striking in the findings of this study is the combination of soft and hard policies, institutional, cognitive, supply and demand measures which are employed at varying degrees. The selection of 20 success cases of social economy policies in Europe clearly illustrate the complexity of interrelated factors which influence the development of the sector. Moreover, it is evident from the research that there continue to be challenges to successfully designing and assessing existing social economy policies.

However, in my view the most important recommendation of this study is that it is only through a new *holistic generation* of social economy policies, that the EU will be able to rise to the challenge and build a *resilient European Social Model*, fit for the 21st Century!



Arno Metzler
President of the EESC's Diversity Europe Group

FOREWORD

The social economy: a further step in the development of the European economic and social model!

Social economy enterprises (VSEs, SMEs and large enterprises), such as cooperatives, mutual societies, associations, foundations and other organisations and social enterprises are part and parcel of our societies, operating in all sectors of activity and sharing the foundational characteristics of the social economy.

But, as with all businesses, in order to prosper the social economy must be able to deploy its full potential and, to do this, it ***must benefit from suitable political, legislative and operational conditions***. Therefore, the European Union and the Member States must guarantee and respect the diversity of economic operators and of ways of doing business in the EU.

The analysis conducted by the CIRIEC research centre demonstrates the importance of social economy enterprises and their special role as partners in public policies at regional, national and European level. This study highlights the need to implement incentive policies (hard and soft policies) to help and encourage the development of social economy enterprises and the competitiveness of the regions.

The social economy thus offers a credible alternative to be reckoned with, and real prospects for the construction of a more humane, more solidarity-based world that is less likely to expose people to uncontrolled globalisation. From this point of view the social economy, as an alternative to the capitalist model, is a source of wealth as it provides sustainable solutions for our economies.

One major obstacle to be overcome, however, is the low level of knowledge and/or institutional recognition, which hampers the development of social economy entities, limiting the role which they could play as a necessary form of diversification of ways of doing business and in the development of a genuine economic democracy.

This business model, combining solidarity-based values and governance principles, is a genuine proactive force in shaping the European social model, reflecting the EU's foundational values. The social economy has ensured its place in the history books through a commitment to social transformation focused on improving people's lives.



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Messieurs Alain Coheur and Krzysztof Balon
Co-Spokespersons of the Social Economy Category of the EESC

PREFACE

The European Economic and Social Committee has commissioned this report in order to present a selection of best practices in public policies regarding the European social economy. The report has been carried out by the International Centre of Research and Information on the Public, Social and Cooperative Economy (CIRIEC) and by Social Economy Europe (SEE), the voice of social economy enterprises and organisations in Europe. The purpose of this study is highly practical. It answers two questions: which of the social economy policies implemented around Europe in recent years can be considered "good practices" and what major lessons can be learned from this new generation of public policies.

The report is mainly the work of two experts from CIRIEC, the scientific organisation that the European Economic and Social Committee selected for this task. The directors and writers, José Luis Monzón and Rafael Chaves, are both professors at the University of Valencia (IUDESCOOP-UV) and members of CIRIEC's International Scientific Commission "Social and Cooperative Economy". The directors have had the permanent support and advice of a committee of experts composed of the directors and the following team: Marie J. Bouchard (President of CIRIEC's International Scientific Commission), Cristina Barna (Bucharest University of Economic Studies, Romania), Nadine Richez-Battesti (University of Aix-Marseille, France), Roger Spear (Open University of Milton Keynes, UK), Gordon Hahn (SERUS, Sweden), Alberto Zevi (LEGACOOOP, Italy) and Jorge de Sá (University of Lisboa, Portugal). Professors Nadine Richez-Battesti, Cristina Barna and Roger Spear are the co-authors of the specific cases concerning their respective countries.

We would like to express our gratitude to the members of the Social Economy Category of the European Economic and Social Committee, who very kindly discussed this document. Also to CEPES-España. Their information and observations have been most useful in carrying out and concluding the work.

We have benefited from the other report carried out for the European Economic and Social Committee on the *Recent evolution of the social economy in the European Union*, published very recently. The help of 89 correspondents – academics, sector experts and senior civil servants – in the 28 EU Member States has been crucial in choosing cases to highlight.

Antonio González Rojas of CIRIEC-España played a decisive role in coordinating this network of correspondents, collecting and organising the information received from the correspondents.

Ana Ramón of CIRIEC-España's administrative services, Barbara Sak and Christine Dussart at the Liège office took good care of the administrative and secretarial work involved in preparing the report, which was written in Spanish and translated into English by the company B.I.Europa.

We feel privileged to have been given the opportunity to oversee the preparation of this report, which, we hope, will serve to boost the social economy as one of the pillars of the European project.

Rafael Chaves and José Luis Monzón

CHAPTER 1

INTRODUCTION AND OBJECTIVES

1.1. Introduction

In recent years, several European Union institutions have called for public policies to boost the social economy at European, national and regional level. The European Council's Conclusions on "The promotion of the social economy as a key driver of economic and social development in Europe", published on 7 December 2015, were a major statement in this regard. Another official statement was the 'Toia Report'¹ approved in 2009 by the European Parliament. The European Economic and Social Committee also approved several opinions to enhance the social economy during this period. Other initiatives include: those undertaken by the Social Economy Intergroup, e.g. its public hearing "Towards a European Action Plan for the Social Economy", which took place on the 28 September 2016 in Brussels; the Group of Experts on Social Entrepreneurship's (GECES) last report (2016) *Social enterprises and the social economy going forward*²; the IAP-SOCENT (Interuniversity Attraction Pole on Social Enterprise) with its reports on the *"Maps" of social enterprises and their eco-systems in Europe*³ and the study by the OECD/European Union entitled: *Policy brief on social entrepreneurship*⁴. All of these developments reflect the fact that the social economy is finding its place as a constituent part and pillar of the European Social model and as a cornerstone of a sustainable socioeconomic development.

The European institutions are not an isolated case, rather the social economy has been backed by international institutions, such as the General Assembly of the United Nations, with a report by the Secretary-General and a Resolution – adopted in 2001 – on the recognition of the role of cooperatives in social development urging governments to put in place promotion policies and to set up a UN Inter-Agency Task Force on Social and Solidarity Economy (TFSSE)⁵; the International Labour Organization, which in 2002 adopted a Recommendation on the promotion of cooperatives (Recommendation 193/2002); and finally, in other areas, international organisations, such as MERCOSUR, have adopted similar positions.

The social economy can be understood as the third largest institutional sector and explicit policies to promote it emerged during the eighties in pioneer countries such as France and Spain. These have spread throughout the last decade to other European and American countries. Government interest in the social economy seems to have increased during the crisis, given the need to bring about new policies to tackle the crisis (reducing unemployment, the provision of new services)) and to implement

¹ European Parliament (2009), *Report on the Social Economy*, A6/0015/2009, Rapporteur Patrizia Toia.

² GECES (European Union Commission Expert Group on Social Entrepreneurship): http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=9024

³ <http://ec.europa.eu/social/main.jsp?langId=es&catId=89&newsId=2149>

⁴ http://www.oecd.org/cfe/leed/Social%20entrepreneurship%20policy%20brief%20EN_FINAL.pdf. Noya A., Clarence E. (2013), *Policy brief on social entrepreneurship*, OECD/European Union 2013.

⁵ Inter-Agency Task Force on Social and Solidarity Economy <https://unsse.org>

a new model of sustainable and sustained development. Notwithstanding those previously mentioned, it is true that including different types of social economy enterprises in public policies has been a widespread practice in developed countries for decades. This latter fact has been more visible in sectorial policies. Agricultural and rural development policies have, for instance, incorporated farming cooperatives and other agricultural associations; active employment policies aimed at reducing social exclusion have included workers' cooperatives, employment enterprises, social enterprises and in particular work integration social enterprises (WISE), and other social economy organisations; territorial planning policies, urban regeneration and local development policies have included local social economy actors; etc.

Numerous initiatives have also been put forward by civil society (with citizens now actively taking their role as genuine actors, active consumers or prosumers, involved/participative beneficiaries, etc.) or proposed by national or regional governments or various supra-national institutions. These include "start up and scale-up initiatives", the "Social Business Initiative", the "Global Social Economy Forum", "new economies and social innovation", "social economy enterprise" day(s), "social economy" weeks or months, etc. These welcome initiatives and movements, along with the emergence of new financial instruments, fiscal incentives, new tools (incubators, labels, etc.), new concepts and new words (social entrepreneurship, collaborative or circular economy, etc.) have given rise to positive circumstances and to auspicious ecosystems. They have contributed to a better understanding of and greater attachment to this social economy sector by society.

Surprisingly however, very few studies have analysed the real practices employed by public policies around Europe, nor have they considered which ones could be considered best practices. One major study in this area, carried out and published by CIRIEC⁶ in 2013, was *The Emergence of the Social Economy in Public Policy. An International Analysis*. It includes chapters on development at EU, national and regional levels.

1.2. Objectives

This study will aim to address best practices in public policies in the European social economy sector. Public policies rolled out in recent years to enhance the social economy sector will be examined, both at EU and national level. In this study, "public policies" are considered in their broadest sense to be: policies giving an economic place to the social economy in a space between states and the market/for profit businesses, by enhancing the influence and scope of the social economy in each EU Member State, promoting social economy enterprises/organisations, and providing opportunities for increased employment in this sector.

This research is complementary to the study recently carried out by CIRIEC for the European Economic and Social Committee (EESC), on *Recent evolutions of the social economy in the European Union* (2017)⁷. It will give a varied selection of successful practices from public policies concerned with the European social economy across different European countries.

⁶ CIRIEC/Chaves,R. & Demoustier,D. (ed) (2013): *The Emergence of the Social Economy in Public Policy. An International Analysis*, Peter Lang publishers, Bruxelles.

⁷ CIRIEC/EESC (2017): *Recent evolutions of the Social Economy in the European Union*, European Economic and Social Committee, Bruxelles. <http://www.eesc.europa.eu/en/our-work/publications-other-work/publications/recent-evolutions-social-economy-study>

This study will focus on social economy policies rolled out by governments at European and national level during the period 2010-16. The environment and the social economy "eco-system" are major factors that can facilitate the development of social economy entities or that can be an external barrier to them. Some of the main topics that will be analysed include:

specific public funds at European, national and local level, new specific regulations and institutional labels for social economy "families", the main legislative support and/or barriers, changing interrelationships between the social economy, its eco-system(s) and the public sector, large regional, national or European plans on developing the social economy and formalising social economy statistics.

1.3. Framework for analysing public policies relating to the social economy

The conceptual approach to the social economy that the CIRIEC research team has adopted is the same one used in the study *The Social Economy in the European Union*, which was financed previously by the European Social and Economic Committee. It is in line with the approach used by the EU institutions, which can be found, for example, in the definitions set out by the European Parliament in the Toia Report (2009): *"The social economy is comprised of cooperatives, mutual societies, associations, foundations and other enterprises and organisations that share the founding characteristics of the social economy"* and by the European Council in its Conclusions (7 December 2015) on *The promotion of the social economy as a key driver of economic and social development in Europe: "the social economy enterprises refer to a universe of organizations based on the primacy of people over capital and include organisational forms such as cooperatives, mutual, foundations and associations as well as newer forms of social enterprises and may be regarded as vehicles for social and economic cohesion across Europe as they help build a pluralistic and resilient social market economy"*.

This approach unites the principles and values of the social economy and the specific methodology of current national accounting systems (SCN 2008 and SEC 2010) into a single concept, so that the different social economy agents are recognised in a homogeneous, harmonised and official way. The working definition is therefore as follows: "a group of private, formally organised enterprises, with autonomy of decision and freedom to join, created to meet their members' needs through the market by producing goods and providing services, insurance and finance, where decision-making and any distribution of profits or surpluses among the members are not directly linked to the capital contributed by each member nor to any membership fee, each member having one vote. The social economy also includes private, formally-organised entities with autonomy of decision and freedom to join that produce non-market services for households and whose surpluses, if any, cannot be appropriated by the economic agents that create, control or finance them".

From a classical economic policy perspective, the existence of a particular public policy requires four basic elements to come together: (1) a visible social or economic reality and one conceived as the subject of public intervention, (2) a public administration responsible for economic action aimed at said social or economic reality, (3) objectives to be achieved by said administration in respect of said reality to be acted upon, (4) a catalogue of instruments by means of which public policy may be put into operation.

Studies by CIRIEC (2000) and Chaves (2002) present a useful classification of public policies that boost the social economy. These policies, depending on whether they are aimed at the social economy

in its entirety or in part, recognise "families" within them. *Cross-cutting policies* may therefore be distinguished as those policies aimed at the whole of the social economy sector. These are the central subject of this collective study. Conversely, *sectorial policies* may be defined as those aimed at subfields of the social economy, whether they are large families or subsectors, e.g. non-profit institutions or workers' cooperatives, or some of their institutional forms (e.g. cooperatives).

Social economy policies

The social economy is a specific and peculiar business sector in the economy. Due to its macroeconomic operating characteristics and its macroeconomic effects, it may be considered by *policymakers* in two ways. On one hand, it can be considered as a collective aim in itself, in the sense that it is the materialisation of a socially and economically desirable model. On the other, it may be understood as a suitable instrument for achieving greater collective aims such as territorial development, social cohesion, the correction of labour market imbalances, financial inclusion and social innovation. In both cases, development of this business sector is a public aim, the final aim in the first case, and an intermediate one in the second.

Two large spheres of public economic action in relation to business promotion can be identified: on the one hand, the business environment (the ecosystem) and on the other, entrepreneurial competitiveness (Chaves and Demoustier, 2013).

The creation and development of enterprises requires favourable external conditions, that is, an environmental, institutional and cultural framework/ecosystem which favours their emergence. Seminal works such as those of Gnyawali and Fogel (1994), Gibb (1993) and Shapero and Sokel (1982) have highlighted the importance of the environment on the promotion of entrepreneurship, emphasising the first five dimensions:

1. public policies and regulations, such as for example legislation on the economic sector in which the enterprises are going to operate;
2. cognitive conditions, including awareness, social attitudes to entrepreneurship and recognition of its social value;
3. entrepreneurial skills, including the existence of information centres and training for entrepreneurs;
4. financial support for entrepreneurs;
5. technical support for entrepreneurs, such as consultancy, technical assistance, support for research and the establishment of business networks.

When these factors cooperate with each other and feedback into territories, integrating public and private actors, ecosystems that are particularly suitable for entrepreneurial dynamism are created. These networks have received attention from the scientific community, resulting in concepts such as dynamic entrepreneurial ecosystems and territorial systems of innovation, but also clusters. These environments motivate and teach entrepreneurs to take advantage of the opportunities that the environment itself provides.

Such elements must be adapted to the institutional and economic reality of the social economy. Following Chaves (2002 and 2010), two large groups of policies for promoting the social economy may be distinguished: firstly, *soft policies*, or those aimed at establishing a favourable environment in

which these types of enterprise can emerge, operate and develop, and secondly, *hard policies*, aimed at the enterprises themselves in their capacity as business units (see Table 1.1.).

"Soft policies" aim to create a favourable environment for the establishment and development of social economy enterprises. They may be divided into two groups, institutional policies and cognitive policies.

Institutional policies aim to institutionalise the social economy in the legal and economic ecosystem on several levels:

1. Firstly, granting legal recognition to the distinct identity of the social economy and its internal families (for example, with a framework law of social economy, social economy "label", or cooperative or social enterprise laws). This recognition presents implications for awareness and the reputation of the sector.
2. Secondly, recognising the ability of these enterprises to operate in any economic sector, and therefore, removing any regulatory obstacles to the establishment of social economy enterprises in certain economic sectors.
3. Thirdly, to recognise the co-protagonist capacity of the social economy in the public policy drafting and implementation processes. This entails including representative organisations in the different participation bodies, institutionalised ones such as economic and social councils or non-institutionalised such as the social dialogue roundtables.
4. Fourthly, to establish bodies at the heart of the public administration itself that are specialised in overseeing and promoting the social economy.

Cognitive policies aim to influence the cultural environment, ideas and awareness. They operate on the general visibility of the social economy and on the receptiveness and social acceptance of entrepreneurship in the social economy. The measures used involve the dissemination of generic and specialised information to focus groups (such as promotion groups, consultancies, etc.). They also operate on training and specialised research on the social economy. Examples of measures include the inclusion of social economy matters in university degree programmes or the creation of specialist training centres on the matter, as well as research into technologies typical of democratic cooperative government and into participatory leadership, comparative taxation and accounting, etc.

Hard policies aim to intervene in the economic process of social economy enterprises with incentives both from the supply side, promoting its economic competitiveness in the different business roles in the value chain, and from the demand side, improving access of these social enterprises to public markets and international markets. Table 1 hereafter summarises this category of measures.

Depending on the real situation in the territory concerned, the degree of development and critical mass of its social economy, the authorities must prioritise some kinds of policies over others. Thus, in regions with a scant deployment of social economy enterprises, due to ignorance, the meagre value placed on them or even discredit of these types of enterprise, it is reasonable, that at first, focus is given to cognitive policies. In situations where the social economy is more consolidated, the main stumbling blocks to developing the social economy may be found in the institutional framework.

1.4. Methods

The report was overseen and mainly written by Rafael Chaves and José Luis Monzón of CIRIEC-España, advised by a Committee of Experts, who helped them to select cases of successful social economy policies. In coordination with the other study carried out for the European Economic and Social Committee *Recent evolutions of the Social Economy in the European Union*, a major field study was conducted in March and April 2017 by sending out a questionnaire to the 28 Member States of the EU. It was sent to privileged witnesses with an expert knowledge of the social economy in their respective countries, such as university researchers, professionals working in the federations and bodies that represent the social economy and senior national government civil servants. 89 completed questionnaires were collected from 28 countries in the EU. Some of the questions were about social economy policies. The first results were discussed with the Committee of Experts, Social Economy Europe, the European Economic and Social Committee, CEPES-Spain and sector experts.

Table 1. Typology of social economy policies

Soft policies Policies aimed at creating a favourable ecosystem for enterprises	Institutional measures	<ul style="list-style-type: none"> - measures aimed at the legal form of social economy entities, recognising them as a private players - measures aimed at recognising the ability to operate social economy enterprises within the whole economic activity sector, removing any legal obstacles present - measures aimed at recognising social economy enterprises as policy makers, an interlocutor in the design/construction and implementation of public policies - public bodies promoting social economy enterprises
	Cognitive measures	<ul style="list-style-type: none"> - measures to disseminate and increase awareness and knowledge of the social economy throughout the whole of society or/and by target groups - measures to promote training on the social economy - measures to promote research on/into the social economy
Hard policies Economic policies promoting enterprises	Supply measures, aimed at improving competitiveness among social economy enterprises	<ul style="list-style-type: none"> - measures focused on businesses functions, such as financing, consultancy/advice, training, employment and human resources management, cooperation and networks, R &D and innovation, quality, new computing and communication technologies, physical space, etc. - these measures distinguished according to the life cycle of the enterprise (creation or stage of development of the business)
	Demand measures, aimed at the activity of social economy enterprises	<ul style="list-style-type: none"> - measures aimed at easing access to public markets and foreign markets (such as social clauses and reserved public contracts)

Source: adapted from Chaves (2010:164).

CHAPTER 2

CASE STUDIES OF SUCCESSFUL PUBLIC POLICIES FOSTERING

THE SOCIAL ECONOMY IN EUROPE

According to the objectives and the methodology, in this chapter some 20 case studies of successful social economy policies (SEP) rolled out in Europe will be presented. They are organised following the SEP typology. The objective was to present very diverse cases studies. The criteria to identify "best" practices are qualitative, based on the experience of the experts interviewed, the CIRIEC's own group of experts, the members of the EESC and of Social Economy Europe. Further research should be focused on developing assessment methods for social economy policies and on evaluating these policies.

Table 2.1. Selecting cases of successful social economy policies in Europe

Soft policies Environment/ecosystem policies	Institutional measures	<p>Measures aimed at the legal form as a private player:</p> <p><i>Case 1. Law on Social Economy (Romania)</i></p> <p><i>Case 2. Agreement for solidarity company of social utility (France)</i></p> <p>Measures aiming at recognising social economy enterprises as policy makers, an interlocutor in public policy processes:</p> <p><i>Case 3. State Committee for Social Economy Development and Incorporating social economy into the mainstream public policies on the national and regional level (Poland)</i></p> <p><i>Case 4. Social Economy Europe (EU), the EU-level representative organisation of the Social Economy</i></p> <p><i>Case 5. Regional economic cooperation clusters (Pôles Territoriaux de Coopération Economique-PTCE) (France)</i></p> <p><i>Case 6. Operational Programme to Social Economy and Social Inclusion and National Strategy (Spain)</i></p>
	Cognitive measures	<p>Measures focusing on awareness and disseminating knowledge of the social economy:</p> <p><i>Case 7. The « Concept » and Social Economy Action Plan (Bulgaria)</i></p> <p><i>Case 8. Satellite accounts of social economy compulsory by the Law on Social Economy (Portugal)</i></p> <p>Measures promoting training on the social economy:</p> <p><i>Case 9. National agreement between Education Ministry and Pupil cooperatives networks (France)</i></p> <p>Measures promoting research on the social economy:</p> <p><i>Case 10. Universities research/masters network (France and Spain)</i></p>
	Supply measures	<p>Measures focusing on access to funds:</p> <p><i>Case 11. The European Social Fund (EU)</i></p> <p><i>Case 12. Percentage tax designation mechanism to finance social entities (Italy and Hungary)</i></p> <p><i>Case 13. Lotteries and games as a financial scheme: the cases of ONCE and RAY (Spain and Finland)</i></p> <p><i>Case 14. Mutual funds (Italy)</i></p> <p><i>Case 15. Entrepreneurship funds: Legge Marcora, Brasero financial tool and the Capitalising unemployment benefit scheme (Italy, Belgium and Spain)</i></p> <p>Measures focusing on business support (consultancy, networking, incubators, mentoring, etc.):</p> <p><i>Case 16. Social economy platforms at national level: CNCRES, CEPES and CEPS (France, Spain, Portugal)</i></p> <p><i>Case 17. Government network agencies to promote social economy (Belgium)</i></p>
Hard policies Business/economic policies	Demand measures	<p>Measures aiming to ease access to public markets:</p> <p><i>Case 18. Procurement and reserved contracts (Spain)</i></p> <p><i>Case 19. Social Value Act (United Kingdom)</i></p> <p><i>Case 20. Riforma del Terzo Settore – Reform of the Third Sector (Italy)</i></p>

Case 1. Law of Social Economy (Romania)⁸

The *Law of Social Economy No. 219* adopted in July 2015 following numerous debates within the sector and between the sector, the Ministry of Labour and the Parliament Labour Chamber, responded to one of the main challenges perceived by Romanian stakeholders in previous years – the lack of a clear legal and regulatory framework for social enterprises in Romania. The law has the merit of recognising the social economy sector in Romania. The law's objectives were to regulate the social economy, to establish measures to promote and support this sector and to regulate the conditions for licensing (by public authorities) social enterprises. The law defines "social economy", "social enterprise" and "work integration social enterprise", clarifying the concepts and making an already existing sector visible. The law laid down the basis for the first central (Social Economy National Commission, Social Economy Department within the Ministry of Labour, Family, Social Protection and Elderly and the National Agency for Employment) and county (County Agency for Employment - Social Economy Department) level institutional arrangements within the public administration on responsibilities related to the social economy sector in Romania; also, the law set up the Social Enterprises' Registry.

Methodological Norms for applying the Law of Social Economy were adopted by *Government Decision No. 585/10 August 2016*. They clarify the criteria to be fulfilled by a social enterprise and the whole registration process in order to be recognised by a formalised *Certificate*, and also the criteria for work integration social enterprises in order to be certified by a *Social Label*. The Social Label includes the Certificate and a specific element of visual identity, which applies necessarily on products made, works executed or documents that demonstrate provided services. As consequence, in 2017 in Romania first 'official' social enterprises began to register, so far 96 such enterprises were registered.

The adoption of the Law of Social Economy opened the way for other public policies in support of the sector, which would not have been possible without the prior existence of framework definitions, such as: advantages for work integration social enterprises in the *Law No. 98 / 2016 on public procurements* and in the *Law No. 99 / 2016 on sector procurements* (social clauses and the possibility of reserved contracts – the possibility of public procurement agreements to be carried out in the context of sheltered employment programs), advantages for social enterprises which are operators in the agri-food sector in *Law no 217/2016 on the reduction of food waste* (operators can sell foods close to the expiry of the consumption date if they are active in the field of social assistance), some minor facilities in the *Tax Code* for work integration social enterprises and social enterprises which are accredited as social services providers (the possibility of exemption or reduction of tax on buildings and lands if Local Councils decide).

Sources: <http://www.mmuncii.ro/j33/images/Documente/Legislatie/L219-2015.pdf>
http://www.mmuncii.ro/j33/images/Documente/Munca/2016/HG_585_2016.pdf
<http://www.anofm.ro/piata-muncii/economie-sociala>

⁸ Written by Cristina Barna.

Case 2. Agreement for solidarity companies of social utility (France)⁹

Included in the French Law on social and solidarity economy (SSE) of 2014, the label/agreement "solidarity company of social utility", known as "Agreement ESUS", is a modification of the former name "solidarity enterprise". This agreement/label is not only a legal definition of social and solidarity entities, but also a tool to provide them with some advantages, mainly financing from employee savings schemes that are big French private funds.

Only companies in the SSE will now be able to benefit from this label, namely associations, cooperatives, mutual societies, foundations or commercial companies which meet, *inter alia*, the following criteria:

- the pursuit of a purpose of social utility or of general interest;
- democratic governance, involving the company's stakeholders;
- the reinvestment of the majority of profits into the operation of the company to ensure its maintenance and development.

It should be noted that certain SSE undertakings enjoy the right of authorisation. These include, e.g.: integration or temporary integration work, child welfare services, associations and foundations recognised as being of public utility, establishments and services accompanying children and adults with disabilities.

This agreement (label) allows the SSE to benefit from employee savings schemes, from tax reductions and more broadly from private funding. The objective is to encourage private financiers to be more interested in social economy enterprises, to give meaning to their investment, and to create an ecosystem conducive to the development of solidarity-based enterprises. Investors in a solidarity-based company benefit from a favorable tax system: 18 % tax reductions and a 50 % reduction in wealth tax (TFR).

Source: https://www.tresor.economie.gouv.fr/Ressources/14662_agrement-esus

⁹ Written mainly by Nadine Richez-Battesti.

Case 3. State Committee for Social Economy Development and incorporating the social economy into the mainstream public policies at national and regional level (Poland)

Additionally and linked to the Polish National Programme for Social Economy Development (KPRES), two wide-ranging institutional measures have been established in recent years in Poland:

- a National Committee for the Development of the Social Economy. This Committee institutionalises civil dialogue between governments and the social economy sector and acts as a bridge between internal and external policy entrepreneurs.
- the explicit incorporation of the social economy into central public policies at national and regional level, through a mainstreaming approach.

The *State Committee for Social Economy Development* is an inter-ministerial/inter-sectoral social dialogue council that operates in accordance with the Order of the Prime Minister. It is a continuation of the Team for Systemic Solutions in the field of social economy established by Order of the Prime Minister in 2008. Its financial matters depend on the Ministry of Labour and Social Policy.

Its composition reveals a partnership between government representatives (from regions –Voivodies– departments and offices responsible for the implementation of state policies in the fields that are crucial to the social economy and social economy sector representatives). It also has links with representatives of other bodies, such as the Statistics Office, academia and the Public Benefit Council.

Functions of the Committee:

- a) coordinating activities in the field of the social economy at national level,
- b) making strategic decisions related to KPRES implementation, based on annual reports on the condition of the social economy and the mid-term review in 2017,
- c) accepting annual reports on KPRES implementation and the condition of the social economy in Poland,
- d) creating and monitoring activities to encourage innovative projects and scientific research in the field of social economy,
- e) initiating change, supervising implementation and monitoring the social economy development programme,
- f) issuing opinions and recommending strategic programmes, issuing legislative and financial proposals in relation to the social economy,
- g) reviewing the implementation of provisions on the development strategy and programmes and issuing opinions on the required modifications to development strategies or programmes relating to the social economy,
- h) identifying candidates from the social economy sector for consulting and monitoring bodies within the operational and development programmes.

Mainstreaming social economy policies. A significant aspect of the Polish National Programme for Social Economy Development is its objective to incorporate the social economy into key national and regional public policies and to help ensure coordination of social economy policy at regional level. The regional level has increased significance in the process of creating development policy, as many crucial programmes are developed and organisational and financial decisions are taken at this level.

Source: National Programme for Social Economy Development, 2014

http://www.ekonomiaspoleczna.pl/files/ekonomiaspoleczna.pl/public/akty_prawne/National_Programme_for_Social_Economy_Development.pdf

Case 4. Social Economy Europe (EU), the EU-level representative organisation for the social

economy (European Union level)¹⁰

Social Economy Europe (SEE) is the EU-level representative organisation for the social economy, which is mainly composed of cooperatives, mutual societies, associations, and foundations, as well as newer forms such as social enterprises. Social Economy Europe was set up in 2000, under the name the "European Standing Conference of Cooperatives, Mutual societies, Associations and Foundations" (CEP -CMAF). In 2008, it changed its name.

Social Economy Europe deemed it essential to establish a permanent dialogue on European policies that are of common interest. Social Economy Europe advocates for a holistic approach to the whole social economy and a mainstreaming approach, integrating the social economy model into the all EU policies and programmes. SEE is also in practice a hub that follows new EU policy projects and mobilises efforts to avoid the potential obstacles linked to them for the European social economy. It takes the view that social economy enterprises and organisations should be promoted because of their fundamental contribution to the implementation of several key EU objectives, such as quality employment creation and retention, sustainable and inclusive growth, social cohesion, social innovation, promotion of an entrepreneurial culture, and environmental protection etc.

Social Economy Europe's mission is to give social economy enterprises and organisations a voice in the European policy debate by forging a links with the European policy-makers at EU level, which are mainly the European Commission, the European Parliament and the European Economic and Social Committee.

A voice for the social economy at the European Commission: currently, SEE is calling on the European Commission to launch a Social Economy Initiative, an Action Plan to further promote the whole social economy sector across the European Union, using a holistic approach.

A voice for the social economy in the European Parliament (EP): Social Economy Europe also cooperates with the European Parliament through its Social Economy Intergroup, a parliamentary Intergroup created in 1990 and re-launched in 2015, thanks to the support of more than 80 members of the EP from 6 different political groups. SEE is the organisation in charge of the secretariat of the Social Economy Intergroup. This wide backing is reflective of the European Parliament's strong support for the social economy sector. The main aims of the European Parliament's Social Economy Intergroup include: promoting exchanges of views on EU policies linked to social economy issues; providing regular opportunities for dialogue between members of the EP, the social economy sector, the European Commission, civil society representatives and other stakeholders; ensuring that the EU institutions take into account the social economy and its actors whilst developing their policies; promoting the development of the social economy in the EU, and unlocking its potential to contribute to inclusive growth, job creation and social and environmental innovation.

A voice for the social economy at the European Economic and Social Committee (EESC): Social Economy Europe is a voice within the EESC, especially through the Social economy category, which is linked to Group III of the EESC. The SE category represents a significant part of civil society and,

¹⁰ Case study based on the Social Economy Europe site.

together with other members and categories, it works towards bringing about a more democratic, social and competitive Europe. The Social economy category brings together 35 members (34 of whom belong to Group III and one to Group I) from cooperatives, mutuals, associations, foundations and social NGOs. Some of its most active members are representatives of Social Economy Europe, and they therefore provide a direct link between these entities involved in EU policy processes.

Source:

- <http://www.socialeconomy.eu.org/>
- Towards a European Action Plan for the Social Economy.
- White paper: Social Economy Europe. *Social Economy: Taking back the initiative*. The paper contains proposals to make the social economy into a pillar of the European Union.

Case 5. Regional economic cooperation clusters (Pôles Territoriaux de Coopération Economique-PTCE) (France) ¹¹

A territorial pole of economic cooperation is a cluster of actors (private and public) based in a territory and generally driven by a social and solidarity economy organisation. These clusters jointly develop innovative economic and social projects that respect the environment. The PTCE is neither a territorial development agency, a pole of competitiveness in its classic sense, nor a simple network of companies (including social and solidarity economy (SSE) enterprises). These groups, a renewed form of clusters, emerged spontaneously at the end of the 2000s, and were promoted in particular by the "think and do tank" *ESS lab*, in line with a bottom-up approach. Some of them have been supported by public funding in the framework of two interministerial calls for projects (2013 and 2015), as well as funding from local and regional authorities. Finally, they were recognised by Article 9 of the French Law of Social and Solidarity Economy in 2014. Although it is difficult to estimate their number, there were about 50 clusters in 2017. Some PTCEs are more oriented towards territorial and local development, while the dynamics of others are based on the construction of a coherent productive organisation.

PTCEs reduce the fragmentation of the SSE, revisit the organisation of certain sectors such as culture or integration through economic activity, and question the role of social and solidarity economy (SSE) stakeholders in local development. However, they are also fragile, and a number of them have not succeeded in passing the experimental stage.

Source: <http://www.lelabo-ess.org/-poles-territoriaux-de-cooperation-economique-36-.html>

Première évaluation: Enquête d'analyse des PTCE (2017).

http://www.lelabo-ess.org/IMG/pdf/enquete_annuelle_des_ptce_web_portrait.pdf

¹¹ Written by Nadine Richez-Battesti.

Case 6. The ESF 2014-2020 and the National Strategy of the SE (Spain) Operational Programme on the social economy and social inclusion

Spain is one of the European countries where the social economy has seen the greatest socio-economic and institutional development. It was the first European country to pass a law for the whole of the social economy – Act 5/2011 of March 2011.

Since 2015, it has been the first country to have an Operative Programme co-financed by the European Social Fund, which specifically defines priorities for the promotion and development of the social economy in Spain during the period 2014-2020. This Operative Programme is called "Social Inclusion and Social Economy" (POISES) and is one of the instruments in the European structural and investment funds (IEE Funds) which the Spanish state has designed to help reach the targets set by the Europe 2020 strategy. The Government of Spain has decided to prioritize the social economy in this Operative Programme and implement it in partnership with social economy and third sector platforms to increase its effectiveness.

The POISES programme has a budget of EUR 800 million for the period 2014-2020. The Spanish Social Economy Employers' Confederation (CEPES), as top umbrella representative organisation of the Spanish social economy, has been declared by the government as an intermediate body responsible for the managing and funding some of the measures and objectives set out in the POISES programme to support the social economy.

CEPES handles EUR 34 million under the POISES Programme for the period 2014-2020 and focuses on funding measures to be developed in accordance with two priorities:

- * Axis 1 "Labour Market and Active Employment Policies" and its thematic objective 8 ("To promote sustainability and quality in employment and favour employment mobility"), outlines investment priority 8.3. "to promote self-employment, the entrepreneurial spirit and the creation of companies" whose specific aim is "to increase entrepreneurial powers and increment the number of companies and sustainable self-employment initiatives created, by facilitating funding, improving the quality and efficiency of support and consolidation " (specific objective 8.3.1.).
The measures that are financed in accordance with said objective 8.3.1. are: (i) measures aimed at people: technical support measures for social economy business projects; grants for promoting recruitment and the creation of social economy companies; training measures. (ii) complementary measures on structures and systems: grants for setting up social economy companies; support for internationalisation and innovation in social economy companies, by means of support measures and specialised training measures.
- * The social economy is also a key player in measures set out under Axis 2 relating to "Social Inclusion" and framed specifically under thematic objective 9 "to promote social inclusion, combat poverty and any form of discrimination". The investment priority described therein is to encourage "promoting social entrepreneurship and professional inclusion in social companies, as well as the social and solidarity-based economy, in order to facilitate access to employment," (Investment priority 9.5.) which at the same time

covers two specific objectives that specifically promote the social economy :

- the first objective (Specific objective 9.5.1) is aims to increase the number of social economy bodies that work towards the inclusion of persons in a situation or at risk of social exclusion both socially and in terms of employment. The measures funded by POISES are: (i) measures aimed at people: promoting and supporting entrepreneurship and self-employment in the sphere of the social economy as an employment inclusion strategy for vulnerable groups; (ii) complementary measures on structures and systems: launching promotion and support initiatives for the consolidation of employment companies, special employment centres, social initiative cooperatives and other employment generating initiatives, especially in those spheres offering the best employment opportunities to persons at risk of exclusion.
- the second objective (Specific objective 9.5.2) aims at "increasing recruitment and maintaining employment for persons belonging to groups in situation or at risk of social exclusion by social economy entities".

The POISES programme notably finances a transnational initiative called "Social Economy and Disability", which aims to raise awareness about the potential of the social economy sector in generating jobs for people with disabilities and promoting the exchange of good practices between the different components and players of the European social economy movement. This is undoubtedly an innovative initiative, which can contribute to providing the sector with additional legitimacy and consolidate it as a vehicle for inclusive growth and jobs.

The strategy

Another recent initiative is the 2017-2020 Spanish Social Economy Strategy. The strategy is a document drawn up by the Spanish Government with the contributions of the regional governments, as well as representative entities of the sector, social partners and CIRIEC-Spain.

The strategy's objective is "the implementation of instruments that favour SE, with special attention to those that support employment in the most disadvantaged sectors and with roots in their territory." The strategy is structured around 11 strategic axes and 63 measures, which address different key aspects for the development of the sector. Its axes include: supporting the SE employment and entrepreneurship, to enhance the consolidation of SE enterprises and organizations; eliminating legal barriers that limit the development of the sector; setting up innovative mechanisms for the participation of the SE in strategic sectors; to foster the SE in the digital economy, to promote the institutional participation of SE in policy decisions and to increase the visibility and the statistics of the social economy.

Source : - Informe de resultados <https://fse.cepes.es/informe-resultados>

- The Spanish Strategy for the Social Economy:
<http://www.boe.es/boe/dias/2018/03/20/pdfs/BOE-A-2018-3857.pdf>

Case 7. The "Concept" and the Social Economy Action Plan (Bulgaria)

The National Social Economy Concept ("the Concept") (approved by the Council of Ministers on 4 April 2014) is one of the three guidelines applicable to Bulgaria's current social economy (SE) and social entrepreneurship policy. The other two guidelines are the 2014-2015 Social Economy Action Plan (approved in 2014), and the subsequent 2016-2017 Social Economy Action Plan (approved in 2016). The Concept is a national programming document. The practical application of the Concept will rest on collaboration between SE-entities and the authorities, both central and local. The Directorate "Living Standards, Demographic Development, Policies and Strategies" under the Ministry of Labour and Social Policy is in charge of applying the Concept on the basis of annual action-plans designed by a National Consultative Social Economy Council. Further, the Directorate shall maintain a National Catalogue of SE-entities.

One of the major aims of "the Concept" is to enhance awareness and raise the profile of the social economy, relevant aspects of social culture and human values in a country with a low level of awareness about social economy. With this in mind, it has tried to introduce indicators to identify SE-entities, to build statistics on SE and to provide a cognitive-cultural, legal, and administrative environment favourable to SE. An Academy for Social Entrepreneurs has been set up, forums on SE and financing for SE entities have been established, and a National Award for Social Innovation in Support of the Social Economy now exists. Furthermore, a Social Economy Bill is under discussion.

Sources:

- National concept for social economy: <http://seconomy.mlsp.government.bg/en/page.php?c=1&d=54>
- Report on Social Economy Policy Implementation (2016):
http://seconomy.mlsp.government.bg/upload/docs/2017-02//2016_Report_on_Social_Economy_Policy_Implementation.pdf

Case 8. Satellite accounts of social economy compulsory by the Law on Social Economy (Portugal)

The benefit of having exact and ongoing statistics on the social economy goes beyond improving awareness and visibility. Statistics are a decisive operative tool for key public policy players, i.e., governments, political parties, technicians in public administrations, researchers and representative platforms of the social economy sector. They are also useful for society in general. They are a robust analytical instrument for developing evidence-based policy and are the main focus in Europe in terms of policy drafting.

Over the last decade, governments, representative bodies of the social economy and scientific organisations have promoted the use of satellite accounts for drawing up statistics on the social economy in Europe. In this context, in 2006 the European Commission asked CIRIEC to draw up the Manual of Satellite Accounts on the Social Economy (cooperatives and mutual societies). This Manual has been used in several countries on an experimental basis. Only Portugal has systematically developed social economy satellite accounts, covering all entities of the social economy. This has been as a result of passing Act No. 30/2013 of 8 May – the Social Economy Framework Act (LBES).

Article 6 of the LBES establishes that *A database and satellite account for the social economy* : " is the competence of the Government to set up, publish, and keep an updated record in a specific online site of the permanent database of the social economy" (No. 1) and that "it shall also ensure the creation and maintenance of a satellite account for the social economy, developed within the national statistical system" (No. 2).

The satellite accounts of the social economy in Portugal are established by the National Statistical Office of Portugal in collaboration with CASES. An inter-annual series already exists for satellite accounts (2010, 2013, and 2016). For technical, comparative or legitimacy reasons, satellite accounts privilege economic indicators and closely follow the current legal system, in this case the classification of the entities that make up the Social Economy (Article 4 of LBES).

Source : <http://www.cases.pt><http://www.ciriec.ulg.ac.be/wp-content/uploads/2015/08/WP14-12.pdf>
Aparicio, D. (2014): "The Portuguese Law on Social Economy", Working paper CIRIEC N° 2014/12.

Case 9. National agreement between the Education Ministry and pupil cooperative networks (France and Germany)¹²

As part of a holistic policy approach, the French social economy has managed to mobilise resources from other non-traditional employment or social affairs ministries. Framework agreements have been set up between social economy educational platforms and the Ministries for National Education, Social and Solidarity Economy and Higher Education. The long-term objectives are to develop partnerships and civic participation, to create share capital, to develop the entrepreneurial spirit among young people, to develop business management tools and to promote knowledge about the social economy and cooperatives. Leading platforms are L'Economie Sociale Partenaire de l'Ecole de la République (ESPER), la Coopérative scolaire, and Solidarité étudiante.

ESPER, the social economy partner of the Republic, is an association created in 2010. It brings together 46 SSE organisations operating in the field of schools and the educational community. ESPER is an extension of the Coordinating Committee of Mutualist and Cooperative Works of National Education (CCOMCEN). This body was created in 1972 to amalgamate the different mutual and cooperative efforts implemented since the 1930s and to respond in solidarity to the different needs of National Education staff and teachers.

ESPER works on educating and raising awareness of SE among young people, from kindergarten to university. To do this, it signed two framework agreements in 2013 and 2014 with the Ministries of National Education, Social and Solidarity Economy and Higher Education. The member organisations of ESPER and its partners share the objective of diversifying teaching on the economy in France. They have a common will to show what the SSE represents today in France, to promote its potential and the values that it imparts, to open up possibilities in terms of commitment and entrepreneurship, and to build the capacities of youth innovation. The measures employed by ESPER aim to grant the SSE its place in the education system in accordance with the collective signature of the "Manifesto for Education in the SSE" in 2012. It promotes a Pedagogical Portal (<http://www.ressourcess.fr/>) for educational teams, as well as a project entitled "My ESS at School" www.monessalecole.fr.

The *Coopérative scolaire* is an association of students in the service of a civic, responsible and supportive school. The goal of school cooperatives is, above all, to educate pupils (through learning about associative life and taking real responsibilities in accordance with their age) on their future role as citizens. The general principles of the functioning of the school cooperative are those of any association: democratic management, rigor and accounting transparency. Like any association, it has projects and may need funds to carry them out. Several sources of funding allow it to operate, for example: community grants, festivals, kermesses and discounts on the sale of school photographs. The school cooperative is affiliated to the central office of cooperation in schools (OCCE), an educational movement created in 1928 to develop the values and practices of cooperation at school. The OCCE has more than 5 million members and includes more than 51,000 cooperatives in schools (school, college and high school) in France.

Solidarité étudiante, an association founded in 2002, became a cooperative society of collective

¹² Case largely written by Nadine Richez-Battesti, Coline Compère and Barbara Sak.

interest in 2013. It organises and coordinates cooperation, solidarity and mutual aid activities in the student community. It is established in many universities throughout France, where it promotes an economy that serves the people. On a daily basis, it demonstrates that young people can organise collectively to improve their material conditions. Creating new spaces for solidarity in each university ready to welcome it, Solidarité étudiante now has many coops: Coopcampus offers catering and activities inspired by popular education; Coopcoloc facilitates access to shared housing or ESSpace, offering an innovative and hybrid place focused on student entrepreneurship in the SSE. These spaces are havens used by students wishing to break with the logic of knowledge consumption and individualism in universities. Every year, Student Solidarity organizes the National Day of Student Cooperation.

Pupils' cooperatives in Germany. Pupils' cooperatives (PC) or "Schülergenossenschaften" are special secondary school firms, modelled on the real world German cooperative model, and which function according to cooperative rules and principles. The promotional concept for PC is based on internationally accepted ideas about cooperative identity, values and principles (ICA 2014) such as voluntary membership, democratic decision-making and participation, solidarity, shared risk and responsibility towards the community. German PC are registered and audited annually by a cooperative federation and all PC have a real coop as a local partner from the start. Activities are numerous, for instance: catering, selling of local products and crafts, computer courses for seniors, etc. The pupils (from different classes and age groups) take over all organizational and management aspects of the cooperative. At the end of 2013, there were around 130 registered PC in Niedersachsen, Nordrhein-Westfalen and Baden-Württemberg.

The promoters' (regional cooperative federations, sustainability education project NaSch21 and an education trust 'Stiftung Partner für Schule') central objectives are to set out learning processes in conjunction with a real cooperative, leading to conceptual and structural competence, but also generating knowledge about the working world and economic issues as well as generally building basic competencies and enhancing social and personal maturity. Unlike many school firms which either have no legal form (according to de Haan *et al.*, 2009:20, this applies to 50 per cent of all school firms) or simulation share holding companies, PCs are intended to be run by the pupils themselves (hence the name). This is not self-evident as de Haan *et al.* showed in 2009: their survey found that, at that time, pupils were allowed to partake in management in only half of the school firms interviewed, while the other half is managed by teachers.

Every PC has to have at least seven members, a set of statutes, a management board and a supervisory board, each with clearly defined tasks. It must hold at least one general annual meeting where members discuss the annual report and 11 financial statements, elect board members and decide on the use of any surplus achieved. As a rule, pupils' coops have no own legal personality and registration is "quasi", because their members are minors and the pettiness rule of tax law applies to them.

An evaluation of the pedagogical effects of PCs mainly highlights that pupils "live" the cooperative idea, which is then anchored in them for life, and that PCs contribute to sustainable development in interaction with the local environment.

Source: <http://www.ciriec.ulg.ac.be/wp-content/uploads/2017/02/WP2017-01.pdf>

Further information: GÖLER VON RAVENSBURG Nicole, *Schülergenossenschaft - Pädagogische Potenziale genossenschaftlich organisierter Schülerfirmen*, in: Marburger Schriften zur genossenschaftlichen Kooperation, Band 113, Nomos, Baden-Baden 2014, 343 Seiten.

Case 10. Universities research/masters networks (France and Spain)¹³

In European countries such as Portugal, Italy, Spain and France, specialised training and university research centres exist. Most of them are organised into networks. The CIRIEC National Sections and EMES are the most active research networks on social economy and social enterprises. At national level, inter-university networks exist, like the German network for cooperatives, the French social and solidarity economy inter-university network, the CIRIEC-Spain and RedEnuies networks of researchers and training centres. On the teaching side as well, Master courses in the social economy have emerged in recent years at well-established university centres, most of which are linked to these networks, within the framework of the European Higher Education Area. An official Doctorate programme on social economy (cooperatives and non-profits) exists at the University of Valencia (Spain).

In France, the Interuniversity Network of Social and Solidarity Economy (RIUESS) was formed in 2000 in Valenciennes around founding members from four universities, Lyon2, Aix Marseille2 (now Aix-Marseille University), Valenciennes, Toulouse2 – Le Mirail and a research centre, CRIDA in Paris. Since then, RIUESS has been organising annual meetings focused on promoting training and research on the SSE, involving both professionals and researchers. It also accompanies PhD students in doctoral studies. This network, initially informal, was progressively transformed into an association from 2015 onwards. It brings together 80 researchers in the humanities and social sciences (economics, sociology, management, political sciences geography, communication, etc.) representing most of the diplomas in SSE in France and chairs dedicated to SSE. These diplomas, as well as the chairs and research centres are presented in a guide published by the Conference of University Presidents in 2015 entitled: *University and Social and Solidarity Economy*.

There are also prizes that reward the best research work (Master's 2 and doctorate) in this field, namely: the Association of Social Economy (AES) prize, which extends the Social Economy to the whole field of policies on education, training and employment, the Association for the Development of Social Economy Data (ADDES) prize centred on the SSE, the prize of cooperative research organised by RECMA, the main French scientific journal in the field, the Crédit Mutuel, and finally the Young Leaders Centre of the SSE prize for innovative practices.

¹³ Case written by Nadine Richez-Battesti and Rafael Chaves.

Case 11. The European Social Fund (EU)

The European Social Fund (ESF) is one of the EU's main financial instruments in terms of boosting the social economy in Europe. It is an instrument for supporting jobs, helping people to find better jobs and ensuring fairer job opportunities for all EU citizens. The ESF's budget is around EUR10 billion a year.

The ESF works in partnership with each Member State, through agreements on one or more pluriannual Operational Programme(s) for the seven-year programming period. These Operational Programmes describe the priorities for ESF activities and their objectives, and fund employment-related projects. Spain has currently a specific Operational Programme dedicated to Social Economy and Social Inclusion (<http://ec.europa.eu/esf/main.jsp?catId=576&langId=en>). Other countries, such as Italy, also include the social economy in their priorities (<http://ec.europa.eu/esf/main.jsp?catId=576&langId=en>). These provisions could serve as a source of inspiration for other countries during the renewal of the Multiannual Financial Framework after 2020.

In March 2013, the European Council approved the "Social Investment Package", with the Communication "Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020" (COM (2013)83). The Social Investment Package is a policy framework putting forward tangible measures to be taken by Member States and the Commission, along with guidance on the use of EU funds to support reforms. The Social Investment Package includes a document on "Social investment through the European Social Fund", showing examples of addressing country specific recommendations through social entrepreneurship supported by the ESF.

Sources:

- European Social Fund: <http://ec.europa.eu/esf>
- Guidance on European Structural and Investment Funds 2014-2020
http://ec.europa.eu/regional_policy/en/information/legislation/guidance/
http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_social_economy.pdf
- Communication "Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020", COM(2013) 83 of 20.02.2013

Case 12. Percentage tax designation mechanism to finance social entities (Italy and Hungary) ¹⁴

Several EU countries such as Hungary, Italy, Spain, Portugal, Poland, Romania, Lithuania and Slovakia have a "percentage tax designation mechanism" as a financial support tool for non-profit / non-governmental organisations. The percentage designation mechanism allocates state resources – a percentage of income tax – to public benefit purposes in a decentralised manner: taxpayers designate a part of their paid income tax to public benefit purposes (mainly to civil society organisations). This mechanism should not be considered a "percentage philanthropy" and the allocated resources are not donations, as it is not compulsory, altruistic giving, instead the resources used are not private resources and it is only available to taxpayers.

In Italy, from 2016 (L.266 of 23/12/2015) individual taxpayers have been able to allocate five per thousand (cinque per mille, i.e. 5X1000) of their income to support volunteering and other non-profit social utility organisations, social promotion associations, and recognised associations and foundations. At present, by law, the total maximum annual amount of this measure amounts to EUR 500 million. At the beginning, this model was designed for the benefit of churches. More recently, with changes in laws, it has been used to benefit other entities as well, such as the not-for-profit organisations and political parties. Besides this five per thousand, there is thus another eight per thousand for all churches and two per thousand for the political parties. In other countries, beneficiaries can be non-profit, non-governmental organisations, or other types of public benefit entities, e.g. churches, and political parties, including individuals. For example, in Romania and Lithuania, recent legislative amendments introduced two new types of beneficiaries: religious organizations (churches, parishes, etc.) and private persons as recipients of private scholarships.

Different countries have introduced different systems. It is important to note the main beneficiaries. In Italy, for example, only 12.5 % of the non-profit sector is benefiting, while an average of 1/3 beneficiaries can be found in countries as Poland, Hungary, Romania, Slovakia, Lithuania. In these last five countries, EUR 242 million yearly revenue is sourced from this mechanism. In Portugal and Spain, taxpayers cannot choose a precise beneficiary organisation. Taxpayers can transfer five or seven per thousand respectively of their income tax to church and/or private organisations in Portugal (public utility institutions of benevolence, for assistance or humanitarian purposes or private social welfare institutions) or to "other social purposes" in Spain (social issues such as poverty, social exclusion, seniors, immigration). In Spain, the funds collected through "the social causes" box are used to finance social projects selected by the Ministries of Social and Foreign Affairs; this national fund annually collects more than EUR 200 million that are spent per year on more than 1 000 projects undertaken by almost 500 entities. For Portuguese voluntary organisations, this mechanism is their most important financial source.

In addition to providing financial support to facilitate the development of the non-profit organisations, this mechanism was conceived as a way to increase public awareness of civil society organisations. It also provides a decentralised means of responding to societal needs as perceived by taxpayers, thus extending philanthropic culture and tradition, and de-politicising government funding of civil society. The mechanism has had several observed side effects in some countries – such as the abolition of tax

¹⁴ Case largely based on Strecanský and Török (2016).

incentives for giving, or increasing public awareness of civil society.

This mechanism is different from the incentives for donations from private people and companies for the benefit of social entities. The fiscal incentive consists mainly of exoneration from income taxes for private people and exoneration from company taxes for enterprises. In the Netherlands, donations from companies can result in a deduction of up to 6 % of taxable company income. In Denmark, private donations can benefit from exoneration of up to 15 % of personal work income.

Source: http://www.erstestiftung.org/wp-content/uploads/2016/09/Tax_Percentage_Study_Web.pdf

**Case 13. Lotteries and games as a financial scheme:
the cases of ONCE and RAY (Spain and Finland)**

The access that social economy entities have to **funds that are generated by lotteries and games**, which are generally regulated and controlled by the state as public monopolies, is a public policy measure used in some countries to encourage part of the sector.

In Spain, part of the public lottery monopoly has been given to the National Organisation of Spanish Blind People (ONCE) – one of the biggest social economy entities in the country. A state regulation authorised it to sell lottery tickets for the blind so that its members could earn a living. The profits obtained must be used for integrating disadvantaged people into the labour market and offering them social services. Over the last three decades, ONCE has created a large business group, Ilunion, following mergers. In 2016, ONCE had 72 256 members, most of them blind people. In 2016, a total of 68 500 workers were employed by all of the entities linked to ONCE, 57 % of which were people with disabilities. ONCE earmarks more than EUR 230 million a year for social activities.

Source: <http://www.once.es>

Other financial schemes based on lotteries and games can be found in Finland and in the UK.

In Finland, the monopoly on games with machines is held by RAY, an association that distributes the profits to social economy social and healthcare entities. In 2016, RAY distributed EUR 317.6 million in support of such social entities. The total profits from another national Finnish umbrella organisation, Veikkaus, are used for supporting art, sports, science, and youth work entities.

In the UK, a certain proportion of lottery money is distributed to charities on the basis of a competitive application.

Case 14. Mutual funds (Italy)¹⁵

Italy has implemented an original public measure to provide financial support to cooperatives based on linking compliance with statutory obligations on allocating obligatory funds and "capital lock" to the creation of cooperative development funds. It is called "the mutuals funds for the promotion and development of cooperatives". Article 11 of Law 59 of 31 January 1992 lays down the obligation for all cooperatives to allocate 3 % of their operating profits and the residual assets of cooperatives in liquidation to specific mutual funds for the promotion and development of cooperation. These funds are constituted by the recognised representative associations of cooperatives. Cooperatives not adhering to any association pay 3 % directly to the Ministry of Economic Development. These funds are the practical application of the 6th principle of intercooperative solidarity and support various types of initiative for the development of the movement (the creation of new cooperatives, support to development projects, training etc.). Nowadays, the four main cooperative centrales have their own funds. The biggest funds are *Coopfond* of Centrale *Legacoop* and *Fondosviluppo* of *Confcooperative*.

These funds use the resources paid by cooperatives to develop cooperatives (in the form of loans or subscription of share capital) and for promotional and training activities. In 2016, the assets of the four largest funds amounted to EUR 717 million. Some of the resources are allocated to funding several cooperative university masters programmes.

These mutual funds have precedents in other countries, such as France, where the mutual Development and Aid Cooperative Society (SOCODEN) exists. It is a financial institution created by French workers' cooperatives and incorporated into its CG-SCOP federation (see Case 16). It is funded by the three per thousand of the volume of sales. In France, public regulation has not been necessary to require workers' cooperatives to make these contributions; they have been able to regulate themselves. For decades, SOCODEN has been financially supporting the creation and development of cooperatives via loans, as well as refloating companies and cooperatives in difficulties.

¹⁵ Case written by Alberto Zevi and Rafael Chaves.

Case 15. Entrepreneurship funds¹⁶: Legge Marcora, Brasero financial tool and the Capitalising unemployment benefit scheme (Italy, Belgium and Spain)¹⁷

The Italian Marcora Law (Law 49 of 27/02/1985, subsequently amended by Law No. 59 of 5/03/2001) was approved to support worker cooperatives promoted by unemployed workers following the closure of the enterprises in which they were employed. Its aim was to facilitate workers in companies in crisis, enabling them to set up workers' cooperatives in which they would invest their severance pay, thus allowing the business activities of the company to carry on. They would also receive additional funding for these activities provided for by the Act. This Act makes provision for, *inter alia*, public funding for worker cooperatives, the "Marcora Fund", but it had to be administered via financial companies set up by the workers' cooperatives. The function of these financing companies was to have a share in the share capital of the cooperatives set up by unemployed workers. The largest of these companies is the *Cooperazione Finanza Impresa* (CFI). The CFI was set up in 1986 on the initiative of the three major cooperative associations in order to handle the Marcora Fund. It also has the support of trade union organisations (CGIL, CISL and UIL). The CFI has a net equity of about EUR 96 million. The CFI has intervened in 370 cooperatives safeguarding more than 14 500 jobs.

Resources contributed by the financing company were compatible with the loans provided for in the first part of the act. The financial contribution by the CFI may reach three times the share capital of the members. During the first three years, members could receive unemployment benefits. Other companies (cooperatives, private and public) are allowed to have a shareholding of up to 25 % of the capital of these supported cooperatives.

Judicial barrier to the development of the social economy: this Act was in force since it was passed until 1996, when it was suspended because the European Community deemed it to be a form of state aid that was incompatible with European regulations. It was reformed under Act No. 59 of 5/03/2001. This reform introduced many new aspects and its sphere of activity was broadened. Now it benefits not only new cooperatives but also existing workers' cooperatives and social cooperatives. The national fund also disappeared: the Ministry uses available resources to subscribe directly to the share capital of existing financing companies.

The CFI has redefined its strategy by broadening its sphere of activity to support operations for the creation, development, consolidation and repositioning of cooperative companies. It therefore supports the implementation of the cooperative company model, stimulating the business capacity and management of worker shareholders, promoting employment and boosting the growth and competitive capacity of the cooperative sector. The operative instruments that it currently uses are not only risk capital, but also funding to back fixed investments, as well as technical and human advice on

¹⁶ European Parliament resolution of 2 July 2013 on *the contribution of cooperatives to overcoming the crisis* (2012/2321(INI)): "Numerous good practices can be found in the various Member States, demonstrating the excellent results achieved by cooperative enterprises in terms of growth, employment, survival rates and business start-ups, such as the single payment system ('pago único') in Spain and the Marcora Law in Italy – which help finance the establishment of new cooperatives through unemployment benefits – (...); calls on the Commission to look at these good practices in depth and consider including them in the framing of business-friendly EU policies."

¹⁷ Case written by Alberto Zevi and Rafael Chaves.

financial, strategic and management planning. It partners with more than 270 cooperatives, Invitalia as well as the Ministry of Economic Development, given the social interest in its activity. The CFI intervenes by financing the fixed investments of a cooperative with loans, equity loans, convertible bonds, sureties or property leasing.

In Belgium, the government of the Walloon Region, via its public body the Société Wallonne d'économie sociale marchande, société anonyme d'intérêt public (SOWECSOM) in 2014 launched the *Brasero* programme of financial support to cooperatives. It comprises the provision of public capital to cooperatives in the form of risk capital, in the form of a capital contribution or any other form of permanent fund, up to EUR 1 for EUR 1 of capital contributed by private cooperators, to a maximum amount of EUR 200 000 for each cooperative company. In two years, 37 enterprises have received financing totalling about EUR 3 million. 80 % of these cooperatives are start-ups, while 20 % are long established ones.

Source : <http://www.sowecsom.org/votre-financement/brasero.htm>

In Spain, capitalising unemployment benefits using a single payment financial scheme helps workers to set up workers' cooperatives or labour companies. This was an innovative financial measure in the labour policy field. It consists of capitalising unemployment benefits into a single payment, as first investment, for workers who decide to set up a workers' cooperative or a labour company (*sociedad laboral*). Additionally, the Ministry of Labour, through the National Employment Institute, pays the social security contributions of the workers who wish to start an enterprise throughout the theoretical period of receipt of unemployment benefits. This measure does not exclude any other labour benefits to which the workers or their companies might be entitled. This measure came into force in 1985 (R.D. 1044/1985).

The impact of this instrument has been highly positive. Between 6 000 and 10 000 workers annually benefit from this policy measure. About half of the members of new worker coops or new labour companies have used this financial tool.

Source:

https://www.sepe.es/contenidos/autonomos/prestaciones_ayudas/socio_trabajador_trabajo_estable_cooperativa.html

**Case 16. Social economy federations at regional/ national level:
CNCRES, CEPES and CEPS (France, Spain and Portugal)¹⁸**

In several European countries, a wide range of federations exist both at national and regional level. These not only represent and defend the interests of their affiliated companies and organisations; they also provide them with an assortment of consultancy and technical support services. According to Spear (2000), the types of activities that they are involved in range from political support and technical support relating to production and management, to economic and social support for sustainability, both with regard to the distinctive social dimension of social economy organisations (e.g. participation/governance) and in relation to their role in the community etc. In general, the type of support is strongly related to the context or stage of development (see later section). Support organisations sometimes specialise in one function, but in general tend to offer more than one type of service. The types of service offered are (i) technical support relating to production (training, finance and marketing-buying); (ii) economic and social support for sustainability (economic/social development, developing community links, administrative and managerial support, consultancy, research, networking and information exchange); (iii) political support (promotion, political activities and regulation). Several examples can be found in Spear (2000).

In France, the CNCRES (Conseil National des Chambres Régionales de l'Economie Sociale) was established in 2004. It is a nationwide entity that has five main functions: to consolidate the representation of regional Social Economy Regional Chambers (CRES) at national level; to contribute to structuring the French Social and solidarity economy (SSE); to support the organisation of CRES (S) and intercooperation among the CRES; to enhance the knowledge, the visibility and recognition of the SSE at regional level and to promote of measures for social innovation. The CNCRES is a member of the National French Council for the SSE (Conseil Supérieur de l'Economie Sociale et Solidaire) with six seats. It is the voice of the French social economy in civil dialogue and with policy makers at national level. It has also developed several initiatives, such as the Social Economy Observatory, statistics and other publications.

The Spanish Social Economy Employers' Confederation (CEPES), established in 1992, is a nationwide employer's confederation. Its inter-industrial nature makes it the largest representative institution for social economy in Spain and it has become a platform for institutional dialogue with the public authorities. As the organisation that brings together the different economic activities that exist under the concept of social economy (Law 5/2011 of Social Economy), the CEPES comprises 26 organisations. All of these organisations are national or regional confederations and specific business groups that represent the interests of co-operatives, employee-owned companies (sociedades laborales), mutual societies, social integration enterprises, special employment centres, fishermen's guilds and associations in the disability industry, with more than 200 support structures at regional level.

CEPES forms a single spokesperson that integrates and provides structure for all confederate organisations. It defines itself as an economic and social stakeholder that acts on the market and that, through its activity, has an impact on society. It has its own legal standing and it defends a business

¹⁸ Case written by Nadine Richez-Battesti and Rafael Chaves and Roger Spear.

model that has its own specific values.

In Portugal a new organisation, the Confederation of the Portuguese Social Economy, was set up at the end of 2017 to represent the whole of the social economy, with a view to reinforcing the voice of the social economy in civil dialogue and in the policy-making process at national level: (CESP). It represents the interests of cooperatives, mutual societies, social entities (Misericordias and Instituições de Solidaridade) and foundations through their sectorial representatives: Animar, the National Confederation of Solidarity Institutions (CNIS), Confagri, Confecoop, Portuguese confederation of entities of Culture, Sport and Leisure, the Portuguese Centre of Foundations, Portuguese Union of Misericordias and Union of Portuguese Mutual Societies. Several entities and platforms collaborated in the process of setting up this confederation, e.g. the Public National Council of Social Economy (CNES), the Portuguese Government, CIRIEC-Portugal, Social Economy Europe and the European Economic and Social Committee.

More information:

Conseil National des Chambres Régionales de l'Economie Sociale et Solidaire <http://www.cncres.org/>

CEPES : http://www.cep.es/principal/who_are_we

Case 17: Government network agencies to promote social economy (Belgium)¹⁹

In 2004, the Government of the Walloon Region of Belgium legally set up (*Décret* 27-05-2004) a network of "advice agencies" (*agence-conseil en économie sociale*) to promote the development of social economy enterprises.

These "agencies" must be associations, foundations, *sociétés à finalité sociale* or cooperatives, and have as main objective to provide advice on the setting up of and support/monitoring of social economy enterprises, at least half of which must be commercial (*entreprise d'économie sociale marchande*), i.e. more than 50 % of income resulting from sale of goods and services. These agencies need to receive consent (assent) from the government for a 3-year term, which is renewable. This consent is linked to the completion of several tasks which can be defined as (see Art. 5, 3° 1):

- advising on the setting up and monitoring of social economy enterprises, including the transformation of associations or corporations into social economy enterprises;
- orientation of new entrepreneurs/project leaders towards training centres adapted to their needs;
- providing limited technical assistance or professional advice to social economy enterprises;
- providing follow-up after the establishment of a social economy enterprise for a period of time to be determined by the government;
- providing information and promotional activities relevant to these tasks, including partnerships and collaborations with classical economic operators;
- helping to develop fundraising files, notably by the SOWECSOM (*Société wallonne de financement d'économie sociale marchande*);
- collaborating closely with SOWECSOM to follow through on its files.

This advice/prescription function is financed by the Walloon Region Government by means of a basic subsidy (EUR 32 000 per year) (Article 22 of the *Décret*), which can potentially be increased through a complementary subsidy, in accordance with the number and size (in terms of jobs) of supported enterprises and the percentage of "commercial" enterprises among the supported enterprises.

In countries such as the United Kingdom and Sweden other quasi-public and public support bodies can be found: the CDA (Cooperative Development Agency) and the cooperative development centres LKU (*Lokala Kooperativa Utvecklingscenter*) (now *Coompanion*) respectively. There were a hundred CDAs and 24 LKUs. LKUs have been creating about 300 new cooperatives per annum in Sweden. Evidence from UK TECs (Training and Enterprise Councils) which provide regional business training and advice shows that people receiving advice prior to starting an enterprise have an 80 % success rate after 3 years, rather than the overall rate of 47 %, thus providing strong evidence of the value of support structures for new enterprises (Spear, 2000).

Source : http://economie.wallonie.be/Dvlp_Economique/Economie_sociale/Agences_conseil.html

¹⁹ Case mainly written by Christine Dussart.

Case 18. Procurement and reserved contracts (Spain)

European Parliament Directives 2014/23/UE and 2014/24/UE on public procurement were transposed into the Spanish legal system in October 2017, modifying the Public Sector Agreements Act. In the case of Spain, there has been no difficulty in defining the perimeter of the social economy entities benefiting from these new regulations.

The previous Spanish Act (Act 30/2007 of 30 October 2007 on Public Sector Contracts) contained additional provisions 6 and 7 on procurement with companies that have disabled staff members or staff members in situations of social exclusion, with non-profit companies and on reserved contracts, respectively. Provision 6 contemplated social clauses, fair trade and recruitment preferences; whilst provision 7 contemplated contracts reserved exclusively for Special Employment Centres, i.e. protected employment centres aimed at persons with disabilities.

The new Public Sector Contract Act of 2017 broadens the social dimension. It stipulates, on one hand, that minimum percentages should be set for reserving the right to participate in award procedures contracts or certain batches of these for Special Employment Centres with social initiatives or for employment insertion companies. On the other hand, it allows reserving certain contracts for social, cultural and healthcare services for certain organisations, specifically those that meet the following conditions:

- a) that their aim is to carry out a public service mission linked to the provision of services considered in the first section;
- b) that profits are reinvested in order to meet the objective of the organisation; or in the event that profits are distributed or redistributed, the distribution or redistribution must be conducted in accordance with share criteria;
- c) that the management or property structures of the organisation undertaking the contract are based on the workers' property, or on shareholding principles, or require the active participation of the employees, users or interested parties;
- d) that the awarding authority concerned has not awarded a contract to the organisation for the services in question in accordance with this article in the previous three years.

Source : http://www.senado.es/legis12/publicaciones/pdf/senado/bocg/BOCG_D_12_155_1279.PDF

Case 19. Social Value Act (United Kingdom)²⁰

The Public Services (Social Value) Act was implemented in January 2013 in the UK. Originally, the proposed bill was intended to strengthen the social enterprise sector, but during parliamentary debate the difficulties and complexities associated with defining a "social enterprise" led to a focus on delivering social value through any type of public procurement enterprise.

The act requires commissioners of public services to consider social value when commissioning public services. This means they should consider how the services might improve economic, social and environmental benefits for the area, bearing in mind that these benefits should be financially proportionate to contract size.

There was a threshold for contracts. This was EUR 134 000 (i.e. the threshold for contracts to be advertised in the OJEU); but when this was increased to EUR 750 000 by the EU (Public Contracts Regulations 2015), the UK government decided to retain the original threshold.

The act places the onus upon commissioners to determine the best way to define social value and to develop processes to apply the act. This has led to widely differing approaches, some of which have been positive. In addition, the government commissioned a review of the act, which was published in 2015. The findings identified three main barriers:

- "1. Awareness and take-up of the act is a mixed picture.
2. Varying understanding of how to apply the act can lead to inconsistent practice, particularly around:
 - knowing how to define social value and how and when to include it during the procurement process
 - applying social value within a legal framework and procurement rules
 - clarifying its use in pre-procurement.
3. Measurement of social value is not yet fully developed."

The report recommended a number of measures to address each of these barriers:

- firstly to improve awareness, it recommended targeting SME networks, health and central government bodies, as well as procurement and commissioning officers, suggesting different ways of incentivizing the implementation of the act.
- secondly, with regard to how to implement the Social Value framework in practical terms, it advocated improving the way social value is defined, and how it can be used in procurement and pre-procurement.
- thirdly, with regard to measurement, it advocated developing methodologies, setting standards, and establishing good measurement principles across the sectors, paying particular regard to the need to avoid any potential burdens on small businesses, including voluntary organisations and social enterprises.

²⁰ Case written by Roger Spear.

Thus, in principle including social value in procurement has great potential, both in terms of demonstrating the strength of the social economy, and improving social and environmental outcomes among the general public. There is some evidence of good practices, as recognised in the review report, thus progress can be made with enough political will. It has not been widely used, but appears to work best when taken up positively by commissioners who work innovatively through a pre-procurement phase. In a small-scale survey undertaken by the review team (298 respondents), over 60 % of respondents believed that the act had a positive effect on the local community, 82 % thought it had a positive effect on the local economy, and 72 % felt it had a positive impact on local business. However, considerable challenges are still to be addressed before a more widespread impact is achieved.

References:

- Social Enterprise UK (2012), Implementing the Public Services (Social Value) Act., Published by Social Enterprise UK November 2012.
- Cabinet Office (2015), Social Value Act Review Report.
- <https://www.gov.uk/government/consultations/social-value-act-review>

Case 20. Riforma del Terzo Settore – Reform of the Third Sector (Italy)²¹

Within the context of its extensive track record in creating legal and institutional innovations in field of social economy, Italy passed an array of legislative measures during the period 2016/17, which can be considered as a paradigm in the new generation of policies supporting the social economy/third sector in Europe. These measures include the new regulation on public/third sector partnership and what has been termed the "Riforma del Terzo Settore"(the "Third Sector Reform").

In 2016, the Code of Public Administration Contracts was passed, which transposed the European directives adopted in 2014 on public procurement into Italian law. This new legislation establishes a favourable institutional environment for optimised collaboration between the public administration and third sector entities. Of particular note, in this context, is the institutionalisation of third sector involvement in co-designing and co-planning public policy. Additionally, social clauses have been introduced to public tenders, along with the inclusion of mechanisms for giving preference to work integration social enterprises and reserving public contracts for them.

Legislative Decree (LD) 114/2017 and LD 112/2017 are the cornerstone of the "Riforma". As well as institutionally reinforcing the public/third sector partnership mentioned above, this legislation makes advances in various fields:

- Firstly, it contributes to legally demarcating a broad part of the social economy: the third sector and social enterprises. It includes the objective of contributing to the general interest amongst the distinguishing characteristics of this field – defining the areas of interest, the entities' use of participatory democracy, limitations upon the direct and indirect distribution of profits, as well as the need to demonstrate that their activities generate a social impact. Recognition confers a status (a label) which is controlled by the public authorities.
- Secondly, entities recognised as belonging to the third sector and as social enterprises are given access to various fiscal stimuli, including those applied directly to the entity itself and indirect stimuli, such as tax breaks for the people and entities that give them donations.
- Thirdly, it establishes various financial instruments for promoting social enterprises and the third sector, such as the Italian Social Foundation (Fondazione Italia Sociale), a revolving fund of credits specifically aimed at strengthening the social economy (worth EUR 200 million) and the promotion of eco-crowdfunding, among other measures.

The National Council on the (Third Sector Consiglio Nazionale del Terzo Settore) has been set up as a permanent consultation body to promote the third sector, produce instructions and guidance on social cost-benefit analyses for social enterprises, and carry out monitoring and control of the system.

²¹ Case largely based on comments and documents from Mr. Giuseppe Guerini.

CHAPTER 3

MAIN INSTITUTIONAL OBSTACLES TO THE DEVELOPMENT OF THE EUROPEAN SOCIAL ECONOMY²²

In this report, we have also addressed what the professionals and representatives of the social economy understand to be the main barriers to the development of this sector, focusing on institutional barriers. In fact, this is a way of measuring the efficacy of the policies implemented, or not yet introduced. As explained in section 1.4 of this report, this study was carried out in coordination with the other study conducted for the European Economic and Social Committee: *Recent evolutions of the Social Economy in the European Union*. A questionnaire was sent out to privileged witnesses with an expert knowledge of the social economy in their respective country. Some questions were about public policies. With regard to obstacles to the development of the social economy, the questionnaire was very open. diverse answers have been received. From them four groups of barriers can be identified: (i) visibility and awareness; (ii) leadership and government administration; (iii) financing and taxation; and, (iv) explicit institutional barriers.

1. Lack of awareness and understanding

The first group of barriers concerns a lack of awareness and understanding of the concept of the social economy, social enterprises and other related concepts, in society, in public debate and in academia. This is a very significant barrier for eastern EU countries such as Hungary, Poland, Slovakia or the Czech Republic. The correspondents in these countries recognise that the main support for the social economy (both financial and awareness-raising) comes from EU programmes and initiatives.

Also related to this lack of awareness and understanding is the low profile of the social economy, in the media and in statistics. A lack of databases, official statistics and reliable data on social enterprises or the social economy is noted in many countries, from Austria and Slovakia to Sweden. Additionally, there is a need for educational and training programmes in the field of the social economy at all levels of education. In a few countries, e.g. France and Germany programmes, such as training through school cooperatives, do exist for adolescents/young students.

2. Lack of leadership, strategies and government specialised agencies

A second group of barriers concerns leadership and government administration. Leadership is sometimes linked to the concept of "policy entrepreneurs" in political science and its recent developments, i.e. individuals or groups who are able to bring about new policy ideas and measures and promote policy change through their creativity, strategy, networking, and persuasive argumentation. Policy entrepreneurs can be "internal", that is individuals or bodies inside the public sector, or "external", i.e. from outside the government sector, such as civil society umbrella organisations. Many correspondents say that there is a lack of leading institutions with responsibility

²² This section is largely based on the study CIRIEC/EESC (2017). *Recent evolutions of the Social Economy in the European Union*, European Economic and Social Committee, Bruxelles, carried simultaneously with this study.

for the social economy, social enterprises, volunteers and civil society that are able to develop policies and encourage the social economy. Consequently, there is no national strategy for the social economy. This field is not considered as a policy priority, which then results in difficulties including the social economy in the government's policy agenda.

One way of assessing the governments' national interests when prioritising improvements in social economy policies at European level is to analyse the official participation of national governments in European events focused on social economy, such as the European Conferences on Social Economy. Table 3.1. shows the results.

Table 3.1. National governments' implication in fostering social economy in Europe, 2017

	Government acceptance of SE concept (1)	Government participation in EU Events (2)	Large SE policies (3)
Austria	*		
Belgium	**		X
Bulgaria	**	X	X
Croatia	*		X
Cyprus	**	X	
Czech Republic	*	X	
Denmark	**		X
Estonia	**		
Finland	**		
France	**	X	XX
Germany	*		
Greece	**	X	XX
Hungary	*		
Ireland	**		
Italy	**	X	X
Latvia	*		
Lithuania	**		X
Luxembourg	**	X	X
Malta	**	X	X
Netherlands	*		X
Poland	**		X
Portugal	***	X	XX
Romania	*	X	XX
Slovakia	*	X	
Slovenia	*	X	X
Spain	***	X	XX
Sweden	**	X	
United Kingdom	*		

Notes: (1). Based on EESC/CIRIEC (2017), National acceptance of the concept of Social economy by Public Authorities, (2). Participation of national governments in the last European Conferences on Social Economy (Rome, 2014; Luxembourg, 2015; Bratislava, 2016; Madrid, 2017); (3) Countries that have approved a Law on social economy (XX), bills on SE or have national plan on SE.

Correspondents from countries such as Germany and Malta believe that most of the media and policymakers "do not see the necessity" for a social economy. In some cases, they identify a lack of trust and a rejection of economic activities carried out by non-profit organisations.

Partly as a consequence of this, governmental bodies are not suited to addressing the needs and efforts of the social economy. In some cases, multilevel governments and different ministries do not coordinate on social economy matters. In other cases, the government bodies are deeply dependent on political cycles, e.g. in 2015 the Danish Governmental Bureau for Social Economy Businesses was closed when the government changed. Last but not least, bureaucracy and qualitative austerity policies (Chaves and Zimmer, 2017) are very significant obstacles to social economy entities' working with public authorities, e.g. in Italy, Spain and Slovenia.

3. Lack or unsuitable financial and tax schemes

A third group of barriers concerns specific financial and tax schemes for social economy entities. The shift in funding is transforming the configuration of these entities (see the Third Sector Impact (TSI) project, Pape *et al.*, 2017). In France, the increasingly mainstream idea is that the social economy has to be financed by private funds (consumers, enterprises, special private funds such as "le comptoir de l'innovation"), not public funds, and there is a shift in the form of public finance, especially for associations, from state subsidies to more public contracts. On the other hand, no European-level tax reforms for social enterprises are under consideration.

4. Institutional barriers

Branch and sector regulations

The first institutional barrier to mention consists of changes in sector regulations that constitute obstacles to the operations of social economy entities. In France and Spain, government changes in complementary social protection regulation have negatively affected mutual health entities in recent years, in some cases, leading them to merge or to change their legal status to that of a for-profit entity. In Italy, the reform of the *Banche popolari* (DL 3/2015) provides that those with assets greater than EUR 8 billion must be transformed into joint stock companies. In addition, the reform of the credit cooperatives (L 49/2016) radically reorganised the whole cooperative banking sector, with some problematic aspects. In Spain, changes in the social security treatment of sports trainers have negatively affected sport associations. In the United Kingdom, the large procurement contracts relegate social economy entities to sub-contracting for large private sector companies; also, the tendency (despite the Social Value Act) is to award contracts on price rather than including added social value. The recently amended legal status of charities is better adapted to this new institutional environment. In Finland, the Directive on Public Procurement that allowed contracts to be reserved for certain services is not being implemented, so it cannot benefit social economy entities.

Lack of or unsuitable statutes and laws on social economy

The second type of institutional barrier concerns new laws and statutes. The first obstacle is the non-implementation of the new regulations for social enterprises (which are therefore considered soft

laws). This is the case for the Spanish Social Economy law (2011), which had no implementing regulations until the end of 2015.

The second obstacle that can be classified under this type of institutional barrier concerns new difficulties that have emerged for social economy entities due to new national legal forms of social economy or changes in legal forms. In Poland and Portugal, the recent changes in cooperative laws are not considered suitable for cooperatives. In Hungary, the new Social Economy Law poses a risk for many social cooperatives, created by groups of citizens, which might need to be transformed into another type of organisation (cooperative or non-profit limited company) when the law comes into force in 2018. In Slovenia and Bulgaria, the social entrepreneurship law excludes different organisations that have been already been working as social enterprises. In Bulgaria, currently, the law on social enterprises is considered restrictive, as it provides this legal status for only one type of legal entity – cooperatives of and for people with disabilities and specialised enterprises that have described themselves as "social". For this reason, currently there are still only national encouragement policies for cooperatives and specialised enterprises that class themselves as priority "social" enterprises. Other types of legal entities, for example, non-profit legal entities (associations, foundations and community centres), can receive financial support from European funds or through private funding. In Germany, as social enterprises are characterised as working for the common good, the German law on achieving charitable status (*Gemeinnützigkeitsrecht*) is no longer appropriate as it prohibits enterprises with that status from trading in a considerable number of markets, which is a big barrier for new social enterprises.

Thus, some laws clearly seem to restrict the emergence of new social economy enterprises in the market segments of economies; cooperatives have certainly been hit by such changes.

CHAPTER 4

CONCLUSIONS - CHALLENGES OF THE SOCIAL ECONOMY POLICIES

In recent years, right across Europe and in other countries around the world, many governments have developed a new generation of social economy policies. Being an emergent phenomenon, there are only a few studies devoted to their empirical analysis and assessment. In any event, in the light of these incipient studies and the work undertaken in this report, it is possible to identify some challenges, risks and lessons.

1. *The challenge of assessing social economic policies*

Given the short life of a sizeable number of social economy policies (SEP) and the time needed for their implementation and for them to take effect, there are still only a few assessment reports. However, more important than the development of a rigorous and operational assessment methodology for these policies is the establishment of synthetic indicators, as well as general and specific criteria. Similar to the current challenge of measuring the social and economic impact of the social economy and social enterprises is the challenge of assessing social economy policies. This methodology must contemplate the scope of the aims, in particular, whether they present a long or short period of development and whether the level of their conception is meso-macro-micro economic. Utting (2017) for example proposes qualitative assessment criteria for these policies, based on state capacity, policy coherence, participation and sustainability.

It is key in this respect that a European Observatory of Social Economic Policies be created with two main functions: on the one hand, to provide a database of policies deployed in Europe by national, regional and local governments, and on the other, to offer assessment methodologies and policy impact studies in order to help policymakers to design policies, thus applying the necessary evidence-based policymaker perspective.

2. *Risks in the design and implementation of social economy policies*

If social economy policies are intended to maximise the potential contribution of the social economy in solving substantive issues facing European societies, to generate innovation and to offer a response to the huge challenges in Europe, we must avoid conceiving these policies from partial, instrumental and top-down perspectives.

The first risk is that of partiality and fragmentation in the conception of SEPs. This fragmentation is caused by the delimitation of the policy field, concerning both the target population and the instruments used. Biases can result in attention being confined solely to segments of social economy entities – such as social enterprises or voluntary organizations –, to stages of development e.g. entities in their incipient stage of emergence and experimentation, therefore excluding those that are under development and consolidation and seriously limiting the transformational and generational potential that the social added value of the social economy can offer.

The second risk is that of instrumentalization of the social economy through these policies (Chaves, 2002; Utting, 2017). These policies are developed while substantive social and economic issues exist. The social economy is conceived as an instrument of a wider sectoral policy so that on changing the

priority and design of the latter, the apparatus of the SEP is also altered. From this perspective, the multi-dimensional role of the social economy is deflected, solely contemplating one of its functions.

The third risk stems from undervaluing the potential of civil society itself in leading social and economic development projects, supported and catalysed by public institutions. Organised civil society is ultimately the bearer of social needs, the problems to which a response is to be given and the innovations that reveal its aspirations. It is the social engine of the social economy that the SEPs must support. An excessive one-sided top-down approach, with insufficient involvement of organised civil society in the design and implementation of SEPs, is a major conceptual mistake, which also affects the continuity of these policies.

3. *Lessons for a holistic new generation of social economy policies*

The list of cases of good practice in social economy policies presented in this report attempts to be explicitly diverse with regard to the type of measures, but also, taken as a whole, its aim is to be a referent for holistic social economy policy. The holistic perspective transcends the integral perspective, the latter being the simple sum of all the parts. The holistic perspective is to be understood as the properties of the system, in this case, all of the measures together – here the some 20 cases presented –, behave in a different way to the simple aggregation of the parts.

If a national, European or regional social economy policy has a far-reaching aim and attempts to reduce the risks mentioned above, it must be conceived holistically and be based on three axes: mainstreaming, partnership and strategic.

Mainstreaming: social economy policy must permeate the whole government apparatus and its policies, avoiding "ghettoisation" in a single Directorate General or particular instrument. Firstly, to be efficient it must be integrated and consistent with the central programme agenda of the relevant government, both its general and sectoral programmes. Secondly, it must be capable of mobilising organisations, services and administrations belonging to the public sector, generating an administrative leverage effect. Thirdly, it must be equipped with a body in the administration, e.g. a specific directorate general or an inter-ministerial committee, which performs the role of an "internal policy entrepreneur", that is, it takes the lead on political initiatives within the public authorities. Only a public body can perform this role.

Partnership: social economy policy must have the complicity and involvement of the social economy at all levels. This agreed public-private policy, based on permanent civil dialogue, must have three elements: firstly, a powerful and independent social economy intermediary, secondly, both informal and institutionalised areas for dialogue/advice, and thirdly, application of this advice both in the sphere of joint development and design of the policies and in the sphere of implementation and management of these policies. The public authorities must support the independent and consolidated nature of this intermediary of the social economy, so that the latter can act as an "external policy entrepreneur", giving meaning and continuity over time to these policies. The public authorities must create advisory bodies with pluralist social economy representation, as well as informal forums, which make it easier for day-to-day monitoring of policy initiatives as they emerge. The latter will make it possible to prevent unwanted legal barriers resulting from new adjacent policy initiatives. Participation by representative bodies of the social economy in the design of SEPs will contribute to better matching

identification and diagnosis of issues and needs, as well as the measures to be adopted. The latter highlights the social and territorially-conditioned nature of social economy policies and their dubious direct replicability. The participation of social economy bodies in the application of policies will favour improving the effectiveness of these policies, their acceptance by the sectors and beneficiaries, as well as the visibility of the policies deployed.

Strategic: last but not least, social economy policy must not be limited to an isolated instrument or mechanism. As mentioned above, it must bring several mechanisms together (cf. the list of cases that are presented in this report) as part of a broader and multi-annual strategy.

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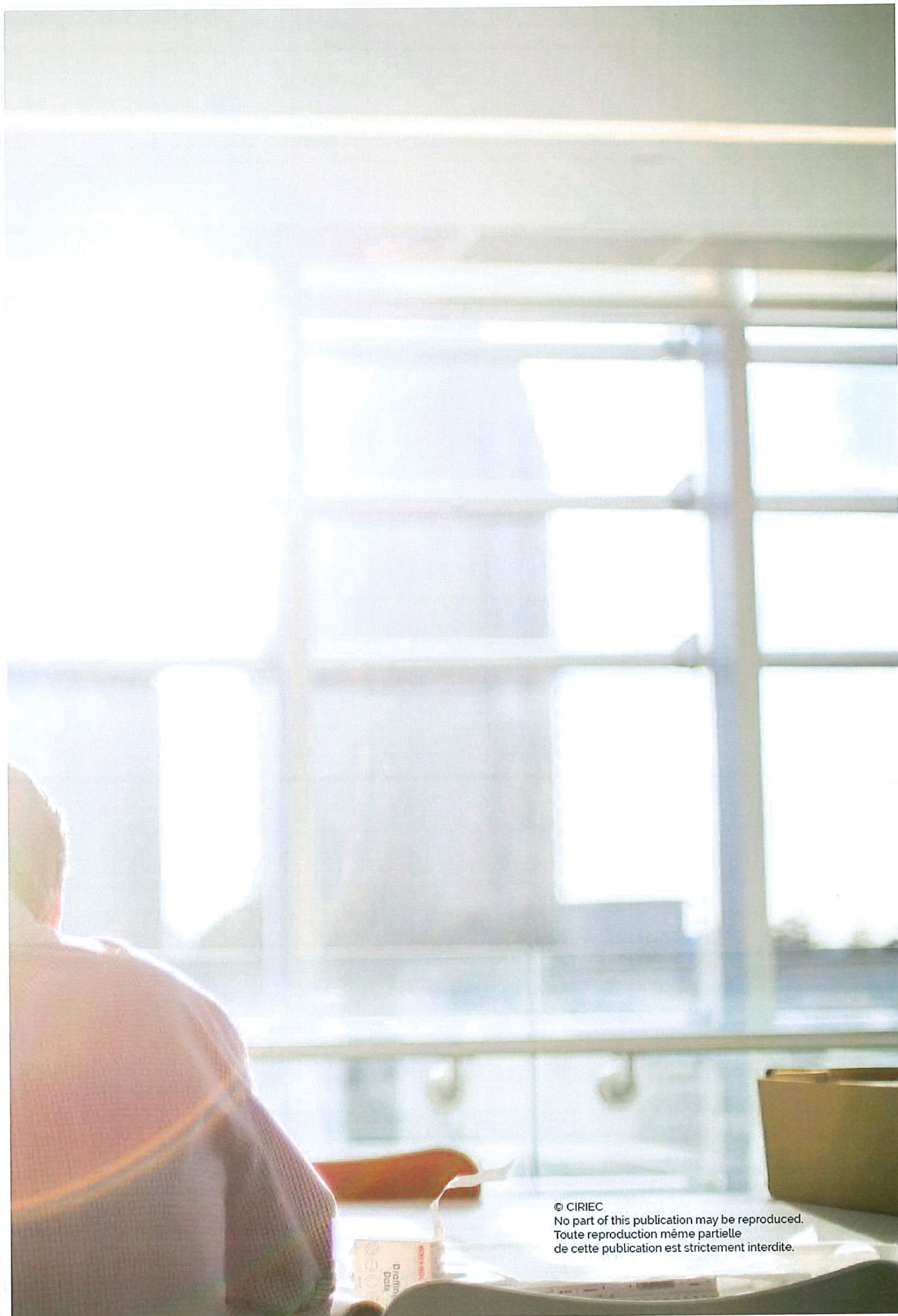
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