



THE ROMANIAN NATIONAL INSTITUTIONAL SOCIAL WORK SYSTEM AND SOCIAL INCLUSION POLICIES (2000-2016)

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Abstract: *The re-creation of the social work institutional system after the fall of the communist regime in 1989 is described both from the evolution of the main ideas and actions from the legislation developed in the last 29 years. The development of the social inclusion policies that accompanied the above system is also described in the current article, underlining the moments when the national social policy official strategy focused on poverty alleviation. Drafted with support from international institutions like United Nations or World Bank, the main strategies, action plans and bills on social assistance had different approaches along the last 16 years.*

Keywords: *social work, Romania, social policy, Labour Ministry, social benefits, poverty, social inclusion*

The national institutional social work system of a country represents the last safety net of the social protections system, viewed in a holistic manner, and the purpose of a national social assistance system is to protect the persons who are not in the position and possibility of protecting themselves, being unable to develop competences and capacities in order to be fully integrated in the society, due to economical, physical, psychical or social reasons.

As a former communist country until 1989, for more than 45 years, Romania faced a specific issue related to the social assistance system. The communism and its ideology did not recognize officially that the country faced special social problems. The abandoned children, shadow unemployment, an increased number of people with disabilities and of course, poverty, were important social issues hidden by the regime. The insufficient solutions used for those problems, the overcrowded orphanages, the compulsory employment and ignoring the poverty, created the premises for the difficult situation of the 1990s debut of the social assistance system. The ideology back then was that the state has solutions for every social problem, an evaluation which was wrong from the start. Every state has a limited institutional capacity of intervention.

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The communist welfare state could be defined by the following dimensions:

- The main income source was the salary, the percentage of other income sources being insignificant;
- The difference between the lowest wage and the highest was balanced, the report being 1:5, 1:6;
- The unemployment phenomenon existed, but it was not recognized by the authorities, so there was no unemployment benefit;
- The educational and healthcare services were public and the access to them was universal.

Since its re-establishment in 1990, the social assistance faced a series of important challenges in a society facing severe poverty and new risks brought by the transition to the market economy (Zamfir, E, 2015, p.53).

The main steps fulfilled in the development of the post-communist social assistance system were:

1. Between 1990 and 1993:
 - a. The adoption of the bill regarding the state allowance for children;
 - b. The adoption of the bill regarding the protection of disabled persons and their re-integration in labour;
 - c. The adoption of the first measures regarding decentralization by transferring the administrative and financial responsibilities from the central structures to the local ones.
2. Between 1997 and 2003:
 - a. In the child protections domain, there are defined the services for children and the services are decentralized from the central level to county level for decision regarding the protection measures settled for the children in risk;
 - b. The legislation regarding the disabled persons is revised and the services for the disabled are decentralized;
 - c. The legislation for child protection is revised, the county directions for child protection and the county inspectorates;
 - d. The social benefits system is beginning its development and becomes more divers by the establishment of the minimum guaranteed income, family allowances and the heating aid;
 - e. The framework for organizing and functioning of the social services system is established;
 - f. The bill 75/2001 regarding the national social assistance system is adopted and the government decision for the framework procedure for organizing and functioning of the social assistance public service is adopted.
3. Between 2003 and 2011:
 - a. The Law 47/2006 is adopted, and it proposes three new institutions to be established within the Ministry of Labour: The Social Inspection, The National Agency for Social Payments and The Social Observer;

- b. A unified country structure is created by merging the country directions for child protection with the country inspectorates for disabled persons, together with the county public service for social assistance;
- c. The legislation for child protection (Law 272/2004), adoptions (Law 273/2004) and the legislation for the disabled persons (Law 448/2006) are integrated and renewed.
- d. The Social Inspection is established in 2007, with the role of control and evaluation for respecting the social rights and, in November 2008, The National Agency for Social Payments is established, having the role of administrating and paying the child allowances, the other indemnities and allowances and the social aids;
- e. Some social benefits are eliminated in 2010, by the government, because of the economic crisis.

The focus of the social work system was on the financial transfer measures like the allowances, social aids and indemnities, which were actually replacing the salaries for some categories of population or they were completing the unemployment aid. The variety of those financial measures increased, but their efficiency in promoting social inclusion was not proportional to the development of the system. In this respect, according to the universality principle, some money goes to families that do not need it or some of them are discouraging adult population capable of working to find a job.

Probably, some of the main mistakes made during the institutional development of the social work system were:

- The fragmentation of responsibilities between several central public administration institutions;
- The dissolution of the coordination role that should have been played by The Ministry of Labour, Family and Social Protection, due to the decentralization of some of the social work duties;
- The lack of a sustainable monitoring and evaluation system, in order to measure the impact of the social benefits and services.

In 2010, the social payments system of the Ministry of Labour, Family and Social Protection had almost 14 types of social payments:

1. State allowance for children;
2. Indemnity for raising the child;
3. Family sustainment allowance;
4. House heating allowance;
5. Social aid for the minimum guaranteed income;
6. Monthly indemnities and the personal budget complementary for the disabled persons;
7. Allowance for the placing of children;
8. Indemnities for the disabled children care;
9. Refugees aids;
10. Food indemnities for the HIV/SIDA infected persons;
11. Newly born allowances;

12. Newly born trousseau;
13. Support for establishing a family;
14. Emergency financial aid.

In July 2010, three of the above social benefits are eliminated, namely the newly born allowance, the newly born trousseau and the support for constituting a family. It is to be noted that this set of measures for the natality support, proposed by a State Secretary from the Democratic Party, part of the center-right governing coalition back then was canceled also by a Minister of Labour, member in the same party (Democrat-Liberal Party) only five years later. In the same time, the amount allocated to the emergency financial aid is reduced and the conditions for receiving such an aid become stricter. The emergency situations are still considered the unfortunate events of home destroyed by calamities, fire or flood, mining accidents etc.

The end of 2010 and the beginning of 2011 come with several changes in the social benefits system:

- The Minimum Guaranteed Income is undertaken and paid by The National Agency for Social Payments;
- The complementary family allowance and the support allowance for the families with one parent are merging into one single benefit – the family support allowance¹;
- New measures to help the parents raise the children are taken: optional measures for the parents to choose for the leave and child raise allowance up to 1, 2 and respectively 3 years old for the disabled children.

The analyses made on the social assistance system have identified the following conclusions, revealed, in this respect, in the Social Assistance Reform Strategy:

- The increased fiscal cost: the expenses with the social benefits of The Labour Ministry and of the local public administration institutions increased from 1.4% of GDP in 2005 to 2.86% in 2010, including the social pensions and other benefits, without making a real difference of the relevant indicators for the quality of life;
- Decreasing the equitable distribution and the total amounts that reach the families with low incomes from 48% in 2005 to 43% in 2009;
- The increased risk of fragmentation and complexity that is unnaturally increasing the access costs for beneficiaries, the high financial amounts necessary for the system administration, the increased level of errors and frauds (egg. The level of irregularities in the social aid programs were 12% in 2010, and in the same year, the level was 14%, for the allowances for the disabled).
- The increased degree of dependence on the system that is adverse affecting the labour offer on the market; from the 11 million of adults that were capable of work from the families assisted by the state, about 20% are not working, are not part of the education system or the professional training system – around 2.2 million people.

¹ The family support allowance will further merge in 2016 with the minimum guaranteed income and the heating aid into the minimum inclusion income that was previously planned to be named the minimum insertion income.

The main issues appeared because of the lack of strategy for the development of the social assistance system. There was no correlation and coordination with the necessary active measures or the social services system. The technocracy of the minister proposed several ideas of social benefits in order to respond to the policies ideas requested by the political leadership of the ministry. The lack of coherence in the social policy of each party or the lack of interest for this domain lead to a social assistance system that was practically built brick by brick with one social aid type over the other. In the same time, even though the international institutions like the World Bank, developed together with the Labour Ministry several monitoring and evaluation training programs, the retention of the personnel trained in this domain was reduced, most of them preferring to continue their career in the international organizations, NGOs, diplomacy, embassies or multi-national companies. In the next four years, between 2011 and 2015, the governmental measures for the modernization of the social assistance system continued, focusing also on the child protection and disabled measures. Notably, in 2011, the Loan Agreement with the World Bank was completed– the program for the modernization of the social assistance system – with a total value of 500 million Euro. This amount was not actually a budget to be spent on different measures, but it was planned as a reward for Romania if the national authorities responsible with the social assistance and especially the Labour Ministry would have proved themselves capable of fulfilling 20 key performance indicators on the system improvement and the optimization of the social actions.

More or less in the same time and as part of the same approach, a new reform strategy in the social assistance domain is approved by the government and a new Social Assistance Bill is also adopted in 2011, Bill 292 from 2011. The new bill is underlining and empowering the main principles that are defining the social assistance system from Romania, introducing probably for the first time, the individual responsibility:

- The bill stipulates the fact that each individual and his/her family holds the responsibility regarding the development of the social integration capacity and the solutions for tackling the difficult situations;
- The state intervention in the social difficulties from above is mainly defined by the creation of equal opportunity framework and by granting social benefits and social services appropriate for each individual or family;
- The social assistance system is considered complementary to the social security systems and the social assistance measures are meant also to contribute to the activation on the labour market for the able beneficiaries and to limit any form of dependence to the given state or community aid.

The new bill was focusing, according to its own stipulations, on the following objectives:

1. The correlation between the social assistance system from Romania with successful models from other European countries;
2. Diminishing and limiting the dependence to the state given support by encouraging the active participation of the person/ family at the personalized intervention program;

3. Making and giving social assistance benefits and social services in a package of correlated and complementary measures;
4. Simplifying the administrative procedures by setting up a one stop point for the registration of the beneficiaries' requests and setting up a unique form for requesting the social assistance benefits;
5. Setting up the level of the social assistance benefits based on the social reference indicators used also for the unemployment rights;
6. Focusing the social assistance benefits on the social categories that are facing the biggest risks of poverty and social exclusion. The effective implementation of the bill is planning to reach 9 categories of social assistance benefits;
7. Ensuring the development of the social services network and developing the mixed market of social services, by creating the possibility of contracting the social service supply both to private suppliers as well as to public ones;
8. Creating the premises for an equitable development of the social services at the territorial level by making the local public administration authorities more responsible to the community citizens' needs, as well as encouraging the public/private partnerships;
9. Making the evaluation system for the disabled more efficient by unifying the criteria for establishing the degrees of disability, invalidity, dependence and ensuring the evaluation by using the Institute for Medical Expertise and Work Capacity Recovery.

One of the important institutional changes that took place was the unification of the social inspection activity with the one regarding the payment of the social assistance benefits and The National Agency for Payments and Social Inspection is created.

Since the beginning of the 21st century, a new concept appeared within the general framework of social protection, namely the social inclusion concept, as a solution for the social exclusion of the vulnerable groups and in a very strong relation with the concept of poverty reduction or alleviation. In this respect, an institutional mechanism for designing the social inclusion policies was also created.

The first step was the creation in 1997 of the National Commission for Prevention of and Fight against Poverty in 1998, under the patronage of the Romanian Presidency. The result of the commission's working sessions was a Strategy for the Prevention of and Fight against Poverty. Back then, President Emil Constantinescu said about the document that "*it had correct figures and a honest evaluation*". The strategy elaboration process was also co-financed by the United Nations Program for Development. The principles of social policies described in the book came mostly from its main author, Professor Cătălin Zamfir, dean and founder of the Sociology and Social Work Faculty from the Bucharest University and former minister of Labour in the first post-revolution government. Somehow, Cătălin Zamfir hoped for the strategy to be undertaken by the institution capable of implementing it, the Romanian Government, but back then the ruling center-right coalition did not have any special interest or focus on the social policy domain, being preoccupied mostly on the internal quarrels between

¹ <http://www.constantinescu.ro/discursuri/253.htm>

the senior ruling party, PNȚCD, and mainly the junior ruling party, PD. In 1999, the senior ruling party was mainly focused in replacing its own Prime Minister, rather than promoting a presidential strategy. The President himself and the Prime Minister Radu Vasile were in conflict. In order to implement the strategy, the presidential adviser responsible for the social domain invited a series of NGOs, considered the most active or important for the social domain and told them to implement the document, an approach not agreed by “the brain” of the strategy.

The next institutional step was the creation of an Anti-Poverty and Social Inclusion Commission (CASPIIS), an organization active between 2001 and 2006. Actually, the commission has not been legally and formally settled by a normative act, like a government decision. The members of the commission were members of the government, responsible for different areas related to the social inclusion measures (Zamfir, C., 2007, p.300). The team which drafted the documents, which were subjects for the national commission approval, was made of young sociology graduates, researchers from the Quality of Life Research Institute, PhD students in sociology helped by external consultants (statisticians, etc). Somehow, CASPIIS was a national experiment for applying the European mechanism on the Open Method of Coordination. The commission moved to the next institutional level: from a visionary strategy of principles which also contained an assessment of the social situation of the country to a detailed action plan, with implementable measures on several domains, with institutional responsible coordinators (like the Education Ministry, responsible for the implementation of measures for reducing the scholar abandon among poor children, the Health Ministry, responsible for measures to improve health indicators in deprived Roma communities etc). In order to involve the local public administration institutions, the institutional actors capable of implementing the measures at the country level, County Anti-Poverty and Social Inclusion Commissions were created under the authority of the Government representatives in the counties, the Prefects, and of the County Presidents. A set of social inclusion indicators was developed at the national level, with a methodology sustained by the World Bank, focused on consumption, and further social inclusion indicators were also created on county level. In this respect, a methodology for monitoring and evaluation the plan implementation was created. The National Anti-Poverty and Social Inclusion Plan was adopted by Government Decision in 2002, becoming compulsory national legislation¹ and anticipating the European Commission’s request to draft a national plan for social inclusion in each member state (Zamfir, C., 2009, p.182).

An important moment for the social inclusion policies assumed institutionally was the Joint Inclusion Memorandum, a document compulsory for every European Union candidate state. The elaboration of the Joint Inclusion Memorandum was institutionally coordinated by the Labour Ministry, as the governmental body responsible for social inclusion measures. Back then, in 2001-2004, the cooperation between the leadership of the Labour Ministry and CASPIIS was functional. The founder of CASPIIS, professor Zamfir, was appointed by the new social democratic government as State Adviser to

¹ <https://lege5.ro/Gratuit/heztcnbv/hotararea-nr-829-2002-privind-aprobarea-planului-national-antisaracie-si-promovare-a-incluziunii-sociale>

the Prime Minister, the Prime Minister was the CASPIS President and the Labour Minister was the technical coordinator of CASPIS. In this respect, the Labour Ministry asked CASPIS to draft the first form of the Joint Inclusion Memorandum. As a young employee of the central public administration, part of the European integration advisers' team, I had the privilege of drafting the chapters focused on the social inclusion policies for Roma and the one on the equality of chances between men and women. Many debates were organized by the Labour Ministry in 2004, in order to get the opinion of the main stakeholders on the document, which was actually a country report on social inclusion, assessing on the current situation and also giving a glance of the necessary actions to be taken by the governmental bodies in the future. The new center-right government who won the elections in 2004 adopted the Joint Inclusion Memorandum in 2005 and signed it together with the European Commission as a mutual engagement document. After the government change in 2005, Cătălin Zamfir resigned from the position of State Advise of the PM, responsible for social inclusion and CASPIS. Still, CASPIS had to implement some remaining issues at the institutional level. The technical secretariat, functional at the level of the Prime Minister took care of promoting a government decision for approving the national social inclusion indicators system in 2005 and prepared the final steps for the signing of the Joint Inclusion Memorandum (Zamfir, C., 2010, p.90).

In 2006, the State Secretary responsible for social assistance initiated a government decision regarding the establishment of the national social inclusion mechanism, dissolving CASPIS and starting a new institutional mechanism coordinated directly by the Labour Ministry. The National Social Inclusion Committee was formally organized as part of Inter-ministerial Council for Social Affairs, Health and Consumer Protection. The members of the committee were state secretaries from the most important ministries responsible for domains involved in social inclusion, but the committee had a consultative role, not one of monitoring and evaluation. The Ministry of Labour did not have the necessary human resources to handle the role of implementing, monitoring and evaluating the implementation of a National Action Plan on reducing poverty and promoting social inclusion. Somehow, the 2006 government decision for setting up a new national mechanism for social inclusion was also the end of the series of country plans on poverty alleviation, national strategies and action plans, started in 1998 under the direct patronage of the President.

As described above, 2011 was the year when the center-right government dominated by the senior ruling party, PDL, who also sustained the President, has chosen to initiate the Social Assistance Reform Strategy and the Law 292 on social assistance, document with a domination of center-right principles, such as the personal responsibility of the individual, externalization of the social services etc.

Ten years after the signing of the Joint Inclusion Memorandum (JIM), the center-left government adopted the Social Inclusion and Poverty Reduction Strategy in 2015. Ten years after working as a junior expert for monitoring and evaluation the National Anti-Poverty Plan and drafting the JIM, I had the privilege of coordinating the elaboration process of this national strategy. Our goal was to also include some sort of an action plan within the strategy and we had a special chapter on flagship initiatives necessary for the next two years. The Prime Minister involved himself in the debate when the

document was launched and publicly recognized later that he should have involved himself more in the social inclusion domain. After the government change in the autumn of 2015, the new technocrat Prime Minister organized a debate under his patronage, presenting what he called a feasible way to operationalize the strategy by proposing a package of measures for reducing strategy¹.

References

- Zamfir, E., Stănescu, S. M., Arpinte, D.. (Eds.) (2015). *Asistenta socială în România după 25 de ani: răspuns la problemele tranziției. Texte selectate*, Eikon, Cluj-Napoca
- Zamfir, C., Stănescu, S. M. (Eds.) (2007). *Enciclopedia dezvoltării sociale*, Polirom, Iasi
- Zamfir, C. (2009). *O istorie subiectivă în sociologia românească. Din 1946 până în prezent*, Polirom, Iași
- Zamfir, C., Stănescu, S. M. Briciu, C.. (Eds.). (2010). *Politici de incluziune socială în perioada de criză economică*, Expert, Bucuresti

¹ Reiterating in a better manner the idea of the presidential adviser from 1998, the PM presented some success stories of NGOs which developed important and functional social inclusion programs.