



Belgium 2005

## Minimum Income and Institutional Arrangements for Social Integration



Minutes

Peer Review Meeting  
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on behalf of

 **European Commission**  
**DG Employment, Social Affairs**  
**and Equal Opportunities**





## **Peer Review of the Belgian law on Minimum Income and Institutional Arrangements for Social Integration.**

### **Day 1**

#### *Welcome address*

**Mr Johan Vandebussche**, the deputy head of the cabinet of the Belgian Minister for the Civil Service, Social Integration, Urban Policy and Equal Opportunities, welcomed all the participants and apologised for the absence of the Minister, Mr Christian Dupont, explaining that he had been called away to another meeting.

He said Belgium is a firm believer in the Open Method of Coordination (OMC) and the central role of the Peer Review process. The importance of exchanging information on specific policies, mutual learning, and open discussion cannot be underestimated. "It helps us to understand systems and solutions, makes social inclusion policies visible, it brings in experience and inspiration, and helps us to get to know each other personally, which is of course the basis of sustainable networks."

The item for review, the law on social integration (Droit à l'Intégration Sociale – DIS), is one of the cornerstones of the country's social assistance model. It builds on a long tradition of combating poverty, and institutionalised public responsibility for those who have difficulties catching up with society for socio-economic reasons. Currently, this affects some 80,000 households in Belgium – too many for one of the richest countries in the world, he commented. Everybody has the right to a decent standard of living, and a minimum income scheme can help a lot. That is why Belgium is in favour of minimum income systems in all EU Member States.

The system existing in Belgium might not be perfect, but is the best one we have, said Mr Vandebussche. The host country was eager to explain it, and to receive feedback from all the Peer Review participants. He hoped this would generate inspiration and ambition to make things better and reinforce the fight against poverty.

**Mr Adam Tyson**, head of the social protection and social inclusion policy co-ordination unit of the European Commission's Directorate-General for Employ-



ment, Social Affairs and Equal Opportunities, thanked the Belgian authorities for organising the Peer Review. He pointed out that this was the first time the programme had focused specifically on minimum income provisions, although a meeting in the Netherlands in June 2004 had already examined the social activation process.

The current review was particularly important not only because this is a measure of key interest to civil society organisations, but also because it is an area under the spotlight in Member States. How can minimum income schemes be used to get people out of poverty and integrated into society, he asked.

This new political interest is reflected in the Commission's commitment to launch a consultation exercise later this year, involving Member States, social partners and civil society representatives, to assess whether it would be a good idea to set minimum standards at European level to support minimum income schemes, to help Member States to promote active inclusion. The aim will be to focus on what role minimum income schemes should play and how they can link into the labour market more effectively. The consultation will examine the new drive in many countries to place conditions on the receipt of minimum income, and to require beneficiaries to commit themselves to job search or training, to achieve their own integration.

The more conditions are put in place, the more likely it is that the most disadvantaged groups in society will be excluded, pointed out Mr Tyson. Therefore it is important to achieve a balance. "This is a trick we all need to learn."

A 1992 Council Recommendation on minimum resources caused controversy since some Member States felt this was an area where national governments, and not the EU, should be making policy. As a result, the Recommendation was phrased very carefully, with a view to merely offering guidance. The issue remains controversial today for the same reasons. It is therefore useful to be able to discuss questions of subsidiarity and responsibility within the context of the Open Method of Coordination, where decisions do not impinge on the rights of Member States.

Mr Tyson reminded participants of the three objectives of the Peer Review exercise.

The first goal is mutual learning. The peer countries expect to learn more about the Belgian experience, about the new legislation introduced three years ago



and how effective it is. They expect nothing less than a frank and honest evaluation not only of what works well, but also what does not work as intended, or not at all. The Belgian hosts can also learn from the appraisal of their peers, and it will be up to them to listen to these opinions and reactions, to contrast what happens in Belgium with other countries, and take away the lessons.

However, this is not enough on its own. A second aim is to improve the effectiveness of schemes and strategies in Member States. Social inclusion policies have to fight for survival in a context where emphasis is placed above all on economic growth and employment. "We have to try to improve policies, and where possible facilitate their transfer," he declared. This is the third objective, placing a special responsibility on the Peer Review participants, both from Member States and stakeholder organisations. They are the key actors in enabling the effective transfer of institutional arrangements, methods, organisational frameworks, and other components of good policy, as a result of their privileged access to information.

To support this, the Commission will make available as much information as possible, through the short executive summary and access to all the documents, comment papers, minutes and synthesis report on the website. These materials should be disseminated as widely as possible, and he hoped that they would provide the basis for key lessons to be drawn in a large number of Member States.

Mr Tyson stressed that the Peer Review is not about competition. "We are not trying to rank Member States in terms of their performance. It is not a beauty contest. But we are interested in why certain policies are successful, and sometimes those that are not successful teach us more than those that are," he added.

Even if 'success' is a word to be used sparingly, the Peer Review Programme should be looking for success stories, or at least inspiring stories, to be used and highlighted in the future.

The review seminars are not the only means of transferring good practice:

1. The transnational exchange programme supports projects involving partners from at least three different Member States. Thirty-one different projects are currently drawing to a close at the end of two years, while a further 24 are starting up – mobilising a wide range of actors including local authori-



ties, researchers, NGOs and service providers. They are a useful source of good practice in fighting social exclusion.

2. Assessment by the Commission and the Social Protection Committee of the content of the National Action Plans for social inclusion (NAPs/Incl) and progress towards their implementation offers a further opportunity for exchange of information.

### **Presentation of the DIS (Droit à l'Intégration Sociale – Right to Social Integration)**

**Mr Julien Van Geertsom**, President of the Federal Public Planning Service Social Integration (*Service Public Fédéral de Programmation*) introduced participants to the measure under review. His full presentation can be found as **Annex 1**.

The Belgian law of 26 May 2002 breaks new ground by giving citizens the *right* to social integration. It builds on and replaces earlier legislation of 1974 and 1993, establishing the right to minimum subsistence resources, guaranteeing a minimum income entitled the Minimex, and introducing activation measures. The innovative aspect of the new law is that it recognises social integration and human dignity as a *right* for all citizens. The underlying philosophy is that whereas a minimum income is an important safeguard, it is not enough by itself to guarantee participation in society.

Poverty is not merely about a lack of money, and employment is more than just earning an income – it is also important for social integration. Social assistance should not be a trap for those who receive benefits, but a springboard for social integration. Therefore the 'subsistence minimum' was replaced by 'integration income' (*revenue d'intégration sociale* – RIS).

This measure is put into practice across the country by Belgium's 589 Public Centres for Social Welfare (PCSW) – known as CPAS (*Centres Publiques d'Action Sociale*) in French-speaking communities and OCMW (*Openbare Centra voor Maatschappelijk Welzijn*) in the Flemish – set up by law in 1976. These are autonomous institutions, with a management board elected by the local council, and financed from local, regional and federal resources. The PCSWs receive central funding to cover 50% of DIS social integration spending, rising to 60% and 65% if the number of claimants goes above 1,000. They also offer a range of different support services such as housing, health, and budget guidance.



The award of integration income may be accompanied by agreement of an individual contract, drawn up through negotiation with a social worker, which carries rights and obligations on both sides – it is not just one way. The Minister for Social Integration Laurette Onkelinx first introduced the contract arrangement in 1993. The law aims to prioritise integration for people aged 18 to 25, and makes tailored contracts compulsory for this age group, although people over 25 years of age may also be offered a contract if appropriate. This may lead the individual towards employment, but could alternatively move towards training, voluntary work, or other activities in the community.

Article 60 par. 7 of the 1976 law enables PCSWs to act as employers themselves, for example taking on clients to work with elderly people, in catering services etc. In this case, the state makes a grant equivalent to the integration income, and this measure enables claimants to qualify for unemployment benefits.

The integration income is index-linked and has been increased by 6% with regard to the minimum income. The government is committed to a 10% rise by the end of its term in office, to make up for some shortfall and with the aim of maintaining recipients' human dignity. Foreigners included in the population register are also entitled to integration support.

The law reinforces users' rights. Every application must be registered electronically. PCSWs can only assist citizens resident in their own territory, and are obliged to inform applicants if they are not competent to help them. In cases of disagreement, applicants have a right to be heard and to representation, for example, by a trade union.

The law set out to treat spouses as individuals, regardless of whether they had dependent children, and to increase payments for single parents. However, a court decision in 2004 found this discriminated against two-parent families. From January 2005, new rules apply giving individualised rights to people in households without children, but raising payments for couples with families. Since August 2005, the income payment amounts to €417.07 for cohabitants, €625.60 for single people, and €834.14 for those with children.

Mr Van Geertsom pointed out that take-up figures for December 2004 are not 100% complete, since it may take up to two years to compile accurate statistics. They show:



- 81,678 DIS claimants (could rise to +/- 85,000 once all data collected);
- 73,809 on integration income, approximately 60% women and 40% men;
- 8,489 in employment and activation.

### **Evaluation**

Ernst and Young carried out an independent survey of the measure, using both qualitative and quantitative criteria, and including individual interviews with 110 users in 22 PCSWs, and 149 professionals and elected officers in 48 PCSWs. Elected members have a significant impact on local activities since they decide on the policy approach, in line with the political make-up of the council.

On the **positive** side, the findings showed that the new law is better adapted to the evolution of Belgian society. The aspects highlighted include:

- creation of new categories;
- extension of users' rights;
- an individualised process;
- extra subsidies for personnel costs;
- better integration for young people.

The way the law is implemented by autonomous local offices, which give content to the legal framework, was also identified as a plus point. Between September 2002 and 2003 the total number of integration income beneficiaries fell by 3.8%, while those on activation schemes went up by 17.5%, suggesting that the law is having a real impact on stimulating activation. The important question is what happens afterwards and whether this activity is sustained.

The **negative** points related to:

- too much bureaucracy;
- questions of interpretation: in particular the compulsory three-month time limit for 18 to 25-year-olds to achieve activation. Mr Van Geertsom said in his view the law is clear: after three months the individual must have a pathway into activation, but not necessarily a job;
- lack of efficient data management;
- unclear definition of respective roles of PCSWs and public employment services;
- integration income too low, especially in view of the cost of housing;
- arbitrary distinction between people aged under and over 25 (although over 25-year-olds are not excluded from support).



### Some proposals for improvement

1. New management tools at federal and local level to facilitate benchmarking and evaluation.
2. More and better communication: a users' guide has recently been published.
3. Better integration of PCSWs. The new national database on welfare known as the Crossroads Bank of Social Security will hold data on all payments, enabling authorities to check clients' employment and social security records. From January 2006, PCSW data should also be integrated, establishing a more efficient management system and faster reimbursement.

A second evaluation by the Association of PCSWs highlighted many positive points, but some reservations. For example, the PCSWs' mission to students is important, but it is difficult to assess when the family should be responsible.

Finally, an analysis on behalf of all stakeholders involved in the fight against poverty raised a number of questions:

- Problems of access to services and factors such as shame and fear of stigma among potential claimants;
- Social workers' workload is too heavy. Research is going on into qualitative norms for social work;
- Relationship between claimant and PCSW is unequal. A participative element should be developed in the application of the law.

### First round of questions and comments

The peer country and stakeholder participants raised a number of questions.

- What is the place of the social economy in activation?
- Does the legal contract really give clients 'rights', or is it just an extra pressure or control? What sanctions can be applied and when do they take effect?
- Why is there a higher proportion of women apparently suffering social exclusion?
- Why does the Belgium scheme focus especially on younger people, and is this compulsory or voluntary? (In Slovakia, only circa 17% of registered unemployed recipients are under 25).

For the European Anti-Poverty Network (EAPN), Vice-President **Mr Ludo Horemans** said every element of the law is good in itself, but the network is con-



cerned about the compulsory link between income payments and activation measures. Although the evaluation suggested claimants are not unhappy about the use of the contract, other evidence indicates many people do not know what it contains, or even that they have one. Social workers admit to failing to inform clients fully.

The Belgian approach makes employment its main objective, to the extent of channelling more funds into this area than other social assistance measures, but he described this as “dangerous” and called for a wider definition of social inclusion. Difficult labour market conditions, which cannot satisfy the demand for work, must also be taken into account in determining the ‘success’ of activation.

Host country expert **Professor Ides Nicaise** confirmed that the law was controversial when first introduced because of the contractual relationship. Experience has shown the warnings were exaggerated. “It has not revolutionised the system”, he concluded. In fact, the law has attenuated the framework for sanctions by providing for the partial withdrawal of benefits over a limited period.

He identified housing as the number one problem, due to rising rents and energy costs. PCSWs can now requisition empty property as lodgings, and set up their own social housing projects, but this is still inadequate. He proposed a new research study to calculate the lost purchasing power of the minimum income over the last ten years, due to rising housing and energy costs.

Answering the questions, **Mr Van Geertsom** said the social economy is very important. Since September 2004, PCSWs have had provision to finance 2,000 jobs in this sector. Work is the main objective, but not necessarily in the private labour market.

Sanctions are contrary to the principle of human dignity, he said, agreeing that the contract represents an unequal power relationship between state and client, but negotiations should be a dialogue, and the social worker has a responsibility to respect the individual’s wishes. If the client does not agree, s/he can ask a stakeholder organisation or trade union for support in challenging the offer.

Contracts are legally compulsory for 18 to 25-year-olds. This approach dates back to 1993, when the authorities became aware that a large number of young claimants stayed on benefits for the rest of their lives. The law aims to keep



them out of a minimum income trap from which they cannot escape. "But I repeat, it is not forbidden for PCSWs to conclude contracts with other categories of people," he emphasised.

As regards the gender balance, he pointed out that single parents families – usually led by women – are one of the biggest groups on social integration income. "Separation carries a high poverty risk," he explained.

**Mr Vandebussche** added that prioritising under-25s is a prevention strategy. The longer people stay in the benefit system the harder they find it to get out, and this also carries the risk of reproducing poverty in a new generation of children.

### **The DIS in a European context**

Thematic expert **Professor Yuri Kazepov** introduced his central hypothesis: that policy and institutional reforms taking place all over Europe are tending to converge around ideas like activation, contracts, and conditionality. But their impact varies in different countries because of different frameworks. His full presentation can be found as **Annex 2**.

Among the changes underlying this trend is the weakening of the traditional family's protective capacity, together with a growth in unemployment and atypical working. The pressure on politicians to get people off the welfare payroll has led to a lengthy debate about relative merits of different social models over the last 15 years.

Belgium falls within the 'corporatist' group of EU countries, together with Luxembourg, Germany and France. As a percentage of GDP, its social expenditure is close to the EU average. By comparison, in Italy, (a member of the 'familist' group of states), lack of institutional support to families forces them to stay together and reduces levels of divorce and illegitimacy. Unemployment is low among middle-aged male 'bread-winners', but high among women and young people. Belgium has more births out of wedlock than Italy, but fewer than the UK and Denmark, because the family still plays an important role. Divorce is a poverty risk, but the state provides benefits and support.

The redistributive capacity of different systems is important, and is lower where the state intervenes less and therefore wealth can only be redistributed



within the family. In Belgium, redistribution successfully cuts poverty by 50%, compared with some 19% in Italy.

Professor Kazepov highlighted some important elements of the DIS in a European context.

- Reforms since 1988 have introduced a tailored approach;
- Dissatisfied claimants have the right of appeal to a court;
- Benefits are funded according to demand, giving clients who qualify the right to support (unlike southern Europe, where benefits are limited by budgetary constraints).

**Further issues, also raised by peer group comment papers:**

**Eligibility:**

- Young people are given priority, whereas in some other countries they are excluded from assistance on the assumption that they should be in the care of the family. But income payments do not take account of the different needs of different family members.
- Foreigners and Belgians have equal rights, but are they treated equally in practice?

**Activation as a condition for receiving income:**

- What allowance should be made for the incapacity of society to offer decent jobs, (stemming from problems in the development of capitalist economies over the last 10-20 years)?
- How do people prove they are available for work? Do they need to supply evidence of job applications etc?

**Role of the labour market:**

- Employment is not the only component of social integration. For many people the path to employment is not straightforward. 85% of activation projects are in public offices or the third sector.

**Territorial differences:**

- Recent structural reforms in some EU countries have devolved responsibilities, but have not always provided the resources to go with them, thus leading to overburdening of local authorities. This is not necessarily the case in Belgium, but does give rise to questions about equal treatment and how the law is implemented in different regions. Cultures, practices and social worker training paths may vary between different regions.



- How is coordination between actors organised? The move to local implementation means it is no longer purely governments deciding policies but stakeholders playing an increasing role both in developing the vision and providing the services. Professor Kazepov gave the example of Italy, where legal reform in 2000 was well conceived but badly implemented, with the result that it merely reinforced existing regional disparities.

Transparency, evaluation and participation:

- Evaluation is very important
- Much information is available on the Internet, but people in conditions of need are often technically unskilled and do not have online access, so they do not find out about their rights.

### **Is good practice transferable?**

Good practices are the result of a complex set of factors and therefore tend to be difficult to transfer in total. But this does not prevent peer countries from 'shopping' – selecting specific features to reproduce. Peer group members should ask themselves: "How can we fit the positive elements of this policy into our institutional framework and how would it interact with our own conditions?"

## **Discussion**

**Mr Michel Mercadié**, Vice-President of the Employment Working Group of the European Federation of National Organisations Working with the Homeless (FEANTSA) agreed that there is a tendency to emphasise personal responsibility for exclusion, rather than structural causes. "There must be a balance," he argued.

He called for an adaptable, flexible range of jobs, which should 'pay' both financially and morally and not stigmatise the worker. He rejected the "workfare mentality" that regards the labour market as the only objective, and emphasised the principle of personal freedom as enshrined in Article 15 of the EU Charter of Fundamental Rights.

**Austrian expert Dr Christine Stelzer-Orthofer** said nine different provincial laws govern social assistance in Austria, with no single overall approach. This is one thing the country could learn from Belgium. The first step would be a national law to harmonise measures. Step two would mean minimum stand-



ards for activation, which also differs from area to area, amounting in some places to little more than a means of discouraging claimants from applying for benefits.

**Estonian** expert **Mr Priit Ruut** told the meeting that a new law will come into force at the beginning of 2006 in Estonia, aimed at activating the long-term unemployed. It was very interesting to hear of the Belgian practice, at a time when Estonia is finding its own way towards fighting exclusion.

In **Hungary**, said **Dr Zsófia Tóth** from the Ministry of Youth, Family, Social Affairs and Equal Opportunities, local government runs social assistance schemes, but there are some problems, with provision varying in different regions. Liaison between local authorities and public employment services is good, but it is especially hard to implement activation programmes in small villages.

**Ms Petra Böwen** from **Luxembourg's** Ministry of the Family and Integration said Luxembourg introduced a minimum income similar to Belgium's in 1986, establishing the right to financial assistance and the duty to be active. However, entitlement is limited to 25 to 60-year-olds.

Support is rapid, but so are sanctions, allowing for withdrawal of 100% of benefit. "But in reality we recognise that most people *want* to work and participate," she added. However, in Luxembourg where the employment rate is relatively low, not everyone is equipped for this market. Moreover, selecting those clients for whom the labour market is an option, and those for whom it is not is difficult, and social workers lack training in this respect.

A common legal base regulates social assistance schemes in **Slovakia's** 45 district offices, said expert **Ms Kvetoslava Repková**. An important change in 2004 means that people in material need have to be active. The authorities guarantee basic living necessities: shelter, clothes, and one meal a day, and claimants can obtain further support for housing, health care services and special support if they are unable to work.

Recent research by the Centre for Work and Family Studies showed that 70% of asked claimants have been activated through local authority jobs or volunteering, but this is not sustainable since many of them tend to return to benefits. The new Labour Minister wants to replace "small municipal jobs" with sustainable workplaces, and this is crucial for activation in Slovakia.



Since February 2004, social assistance and employment services have been united “under one roof”, so that claimants only have to visit one office to get information and assistance. More than 80% of clients find this an improvement.

**Mr Jan Timmermann** from the Dutch national association of work, income and social welfare managers in municipal services said a recent law in **Holland** operates in a similar way to the Belgian measure in promoting reintegration. However, a positive aspect of the Belgian law is that it offers people more rights.

He asked how Belgium monitors the competence of social workers, and what scope there is for experimentation.

In **Romania**, local authorities have discretion over awarding benefits, and there is a problem with who takes the final decision, explained expert **Ms Luana Pop**. Legislation of 2002 places the responsibility on local authorities and political actors. However, a lot of small rural communities lack the administrative capacity to carry out inquiries. A second problem is that activation is separate from minimum income payment, and organised at regional level. Claimants must undertake community work to receive payments, but this is not recognised as real employment and therefore they lose pension rights. Small local authorities have little capacity to offer a wide range of services or organise community work, yet in rural areas there are few opportunities for regular employment. Therefore there is a need for alternative work opportunities with legal status.

Replying to some of these points, **Mr Van Geertsom** said the move away from individualised rights in families with children brought the social integration measure more into line with other laws on social protection.

Regarding the compulsory element for young people, he wondered what the alternative would be. “Should we give them money to do what they want?” he queried. But the contract is just an instrument for setting down on paper the measures that need to be taken, and solutions are tailor-made within the framework of the law and local policy. For example, an immigrant mother with seven children would not be expected to seek mainstream employment.

On the issue of coordination between actors, he said the aim is to promote networking between PCSWs and employment services, rather than build totally new structures. “We are trying to work together in a cooperative model.” Stakeholders, including the social partners, are also involved in the preparation of the National Action Plan for social inclusion (NAP/Incl).



With regard to access to information, PCSWs are responsible for disseminating materials and produce a range of publications and guidelines.

Host country expert **Ms Myriam Bodart** offered some clarification on the legal base of the PCSWs, and the options they can pursue to place an integration income recipient in work.

1. Under Article 60 par. 7 of the 1976 law, and Articles 36 and 37 of the DIS law, the PCSW is able to conclude an employment contract with the client, who then receives remuneration, not assistance, and will qualify for unemployment benefits. However, this is not a long-term solution.
2. Alternatively the PCSW seeks an employer to hire the client (under Article 61 of the 1976 law and Articles 36/37 of the DIS law). The PCSW works to create a favourable contract for the client, and suggests supervision and training, but is not the direct employer.
3. The PCSW can contact the local labour market services to find a suitable employment contract among other activation programmes (under Article 39 of the DIS law). It may assist with remuneration costs but is not the direct employer.

Ms Bodart's paper can be found in full as **Annex 3**.

**Mr Nicaise** outlined what he felt were vital criteria for understanding the dividing line between social integration and 'workfare'.

1. Underlying philosophy/motive: is the aim to get rid of claimants, or to give people more resources for integration?
2. Degree of choice for claimants: very few poor people object to the principle that they should do something in return for benefits. But there is a problem about expecting them to accept any proposal, however unsuitable. Are clients assisted in formulating their own choices?
3. The legal and economic status of the client: what is the definition of a 'suitable offer'? Do people earn a fair wage and get social security coverage?
4. Are there procedures in place to allow for appeal?
5. A balance between rights and duties: do the state and the social workers have duties as well as the claimant?

### Site visits

After lunch, the participants broke up into three groups to visit three different CPAS/OCMW centres in Brussels, Fleurus in Wallonia and Herent in Flanders.



### *Visit to the CPAS in Fleurus*

Fleurus is a town of 20,000 inhabitants, to the south of Brussels. The group met the President of the CPAS (local councillor), the Secretary, four social workers, a person in charge of the citizens' space – which is open to anybody wanting internet access – and an officer of the organisation for in-work training (EFT) *The Little Hand of Fleurus*, also set up by the CPAS. There was a visit to the EFT, and meeting with beneficiaries.

The visitors heard about the different tasks of the CPAS: granting social integration income (RIS), covering expenses (such as medical, transport, accommodation), advancing allowances, for example to families. There is also a debt mediation and budget management service; welcome centre for political refugees (76 places) offering accommodation, support and children's education; and organisation of a home help service. The centre has a wide range of social services. It organises different workshops (cooking, internet, theatre etc) for a large target audience including the unemployed.

Two-thirds of those on social integration income are women. The majority of 18 to 25-year-olds are students, or people with interrupted education, or young mothers. Among the over-25s, they are divorcees, or those without rights to other existing social benefits.

The CPAS is involved in numerous projects, some financed in the framework of the phasing out of the EU's Objective 1 and EQUAL programme funding.

- CLAIS: local coordination of support for social integration, which brings together on a voluntary basis all the partners involved in socio-professional insertion in the area of Fleurus.
- Pilot project Jobcoaching, now run under an EQUAL project. The aim is to establish closer links with the private sector. Job-search for DIS beneficiaries and assistance to employers (contacts with SMEs and very small businesses) in identifying and helping to fill job vacancies.

In 1998, 210 people claimed the Minimex. In 2005, 135 receive RIS. According to the president and director of the CPAS, this fall in the number of claimants shows the positive results of the action for professional reinsertion. People in employment: about 46 on the staff of the rest home run by the CPAS, and textile and horticultural sections of the EFT.

The CPAS' overall strategy is to :



- offer a wide range of services, some of which open to all in order to avoid the risk of stigmatisation for those on RIS, and to create links between people.
- create links and networks with all actors involved in social and professional integration in the area
- offer a personalised service depending of the situation of the person (from social integration (and psychological assistance) to job coaching
- create activities and services where beneficiaries can find insertion jobs and/or training.

### *Visit to the OCMW in Herent*

The group that visited the OCMW in Herent, Flanders, was welcomed by a delegation from the OCMW board and a group of seven clients and former clients, who gave an impression of the wide variety of people being supported by the integrated approach of this OCMW.

The OCMW in Herent is perhaps not a typical one, as the board representatives admitted. They do not follow the priorities set by the federal government in all cases. The emphasis on the target group of people under 25 is not seen in Herent, simply because that is not a group that needs the services of the OCMW. Young people go to the adjacent larger city of Leuven to find work. The majority of OCMW clients are 45 to 54-year-olds.

Clients that start to work as an art. 60 par. 7 placement must be able to keep up the *tewerkstelling* for one to two years and must have a perspective of regular employment after that period. One of the former clients present had started with a placement while she had five children to look after, but since then had been in regular employment for at least 15 years. However, 60% of the placements are not success stories. That is why at the end of the placement the OCMW can offer clients an additional €500-worth of services (training in job interviews, assessments), to facilitate their transition to the labour market.

Most of the placements are in social economy initiatives. Within the OCMW, there is a second-hand shop, an electroshop, ironing and cleaning services and an odd jobs service. Most services cater to private individuals. In addition to the placements, there is an option to do volunteer work in exchange for a small fee (€ 1.85 per hour). This provides a meaningful occupation also to refugees who are waiting for the conclusion of their procedures.



Herent has a large elderly population. The OCMW plays an important role in providing services to maintain their independence as long as possible. They offer home care, meals on wheels, cleaning services and odd jobs to elderly people. The OCMW and the municipality have respectively 72 and 150 placements and are two important employers in Herent.

Compared to larger cities, the OCMW Herent works in a comprehensive and integrated way. Each individual case is looked at from all sides. Clients have one social worker throughout the process, which allows them to discuss their problems from different angles without having to explain their situation time and again to different professionals. Starting in 2006, the OCMW will also provide group sessions for clients with similar problems and issues.

The caseload of social workers in Herent is 61 cases per worker – a relatively low caseload compared to the 85 cases in the Brussels example. This allows social workers to spend more time per individual client and assist with other problems such as housing, debt resolution, etc. Some of the clients present expressed their appreciation for this, indicating that they would not otherwise have tackled these problems.

#### *Visit to the CPAS in Brussels*

The group met the Director of the social action department Ms Gert Van Ransbeeck and the head of one of the local offices (*antenne*) Ms Magda Gillyns, as well as two recipients of support.

It is difficult to reach everyone in Brussels from the main CPAS, so over the last 10 years the centre has adopted a more proactive policy, opening nine offices around the city, each one offering the same basic services. Each *antenne* has a leader and eight or nine workers. The aim is to make services as accessible as possible. The first step for new clients is a home visit by a social worker, followed by case research. The dossier is then passed to the social action committee, and the client is guaranteed a reply within 30 days. The centre never has waiting lists, but deals immediately with everyone who applies. 100-150 new dossiers are introduced each week. Funding comes from national, regional and local levels, depending on the size of population and the number on RIS. The CPAS is open four days a week from 8 to 11 o'clock, and closed Wednesday for administration, but can open outside these hours on demand. It offers a very wide range of services, including support for alcohol and drug-addicts,



asylum-seekers, under-18s who leave home, and parents with difficult children. It negotiates with landlords over the condition of accommodation and has renovated property itself. It runs a home for old people, and used to organise hospital services.

In the past, social workers had to handle more than 100 dossiers each. This has been cut to 85, but the target is 65. Social workers must complete three years of study (degree-level) before they start work.

The CPAS has 3,500 clients on social integration and 1,500 on social assistance (those not entitled to RIS, such as immigrants on arrival). It works with some 15,000 people in all. The level of integration income is set by the state, but the CPAS can offer supplementary payments in cases of special need.

More and more people seeking aid have some income, but not enough to cover their living expenses. One "ambiguity" in the system is that people fear a cut in their income if they take a job. However, Belgium's minimum wage is higher than the RIS, and the CPAS makes up the revenue of part-time workers.

In practice, people of all ages are treated in much the same way. Immigrants can join the population register after five years' residence, or in some cases earlier. A special labour court with one expert judge, one from the trade unions and one from the employers' side, hears appeals, but not many people take up this right.

Collaboration with employment services (ORBEM) could be improved. One problem is that the CPAS prepares clients for job opportunities but ORBEM does not always provide them.

## Day 2

### *Feedback from site visits*

**CPAS Fleurus:** The visitors were impressed with the range of services offered: housing, health, transport, debt, refugees, home services etc. There are workshops for disabled and unemployed people, and opportunities for professional training. The centre also provides follow-up to clients who secure work. It has 25 staff (social workers, psychologists, lawyers etc).

There is no other professional training body in the community, and the fact that the in-work training offered does not lead to a professional qualification could be a problem.



Serving a relatively small district permits a personalised approach. The centre puts more emphasis on social (family, neighbourhood) than professional integration. Some felt this strategy was more successful in a small urban community than it would be in a big city or rural area. **Mr Mercadié** disagreed, saying it was important for the public to see the CPAS as a welcome centre rather than a jobs centre. The election of the management is a positive factor, but on the other hand continuity is important, especially for financing, and NGOs often offer a continuity that political bodies cannot.

**OCMW Herent:** the town has some 20,000 inhabitants. The visitors commented on the integrated approach offering support on health, housing, debt management etc. In large cities this might be more difficult. Of the 58 social integration dossiers in 2004, 12 people are integrated and 18 unable to work. The centre arranges a lot of other activation measures outside the labour market. On offer is paid 'voluntary' work, subsidised part-time work, and transportation services (the main local employer is the nearby airport). It does not prioritise the under-25s. There are plans to launch a housing project.

**Mr Nicaise** pointed out that the part-time supplement is not available to foreigners not yet on the population register.

**CPAS Brussels:** the visitors highlighted the outreach facilities provided by nine local officers in different neighbourhoods, so that workers have direct contact in clients' homes. They noted that in Belgium, generous family allowances are important in making up family income and are not seen as part of welfare provision. They are doubled when parents are unemployed.

However, the social workers' caseload of 85 clients each was judged to be too heavy, creating too much administration, and plans to reduce this to 65 were welcomed.

The group asked about the accountability of the President between council elections. **Mr Vandebussche** explained that the CPAS board carries overall responsibility, and inevitably reflects the political complexion of the local council. Forthcoming local elections in 2006 could lead to a change of management for some PCSWs.

**Mr Van Geertsom** said the contract could be a kind of "written dialogue", which was not so formal and involved less administration. If all over-25s had a contract the workload would be unmanageable. The Ernst and Young study showed a high level of satisfaction among clients. But **Mr Nicaise** pointed out the difficulty of getting feedback from individuals who drop out. There are in-



dications of high levels of dissatisfaction among people who do not or cannot use services, across Europe. He contrasted the UK, where non-take-up is very high, with Belgium – one of the better performers in this respect.

### **Key points for discussion in sub-groups**

**Professor Kazepov** outlined some key areas for consideration during sub-group discussions (presentation of key points is attached as **Annex 4**):

1. Eligibility criteria: value of targeting certain groups, such as young people. How to this without cutting back services to others?
2. Activation: unequal relationship between provider and recipient: use of sanctions, and role of wider society in increasing the offer of good jobs.
3. Dependency and labour market attachment: does activation mean employment alone and does welfare constitute a trap? Denmark has the highest social welfare expenditure in the EU but low unemployment, and is also highly competitive. A World Economic Forum study places three of the highest spending countries (Sweden, Denmark, Finland) in the top five most competitive.
4. Territorial differences: how to reach a balance between local flexibility and equal opportunities? This is a hot topic because of devolution in many EU states.
5. Transparency, evaluation and participation: how to involve stakeholders?

The participants then broke up into three working groups for a round-table discussion.

### **Feedback from sub-groups**

Session chair **Ms Thea Meinema** asked for feedback on a topic-by-topic basis.

#### **Activation and conditionality**

Resources should be unconditional on principle, but at a time of tight budgets this calls for a range of possibilities: e.g. if jobs are not available on the labour market there should be openings for study or voluntary work. The principle of 'opportunity' is preferable to 'conditionality' since it is more in keeping with human dignity.



What are clients' motives for activation? In Slovakia, 70% seek employment so as to qualify for benefits. Dignity/respect should be the prime motive, followed by the desire to earn a living. Activation must be part of social integration, with a paid job plus assistance preferable to voluntary work. Different bodies engaged in integration (employment, welfare) must collaborate.

Benefit fraud does exist, and conditionality may be a means for authorities to deal with this, but must not undermine human dignity.

People who seek social assistance in Belgium tend to be those who have never worked and so do not qualify for unemployment benefit, have been sanctioned by the employment services, or stopped work of their own accord. School-leavers have a one-year 'waiting period' during which they receive support higher than integration income but lower than unemployment benefit. The qualifying period for unemployment benefit is one year for young people and three years for older ones. There is no time limit on unemployment benefit, but claimants must show they are looking for work. Unemployment benefit is always higher than RIS, and amounts to 60% of salary, up to a ceiling, dropping to 40% after six months except for heads of households.

The quality of activation is crucial: **services** should be integrated, holistic and flexible (PCSWs offer a good 'one-stop-shop' model). They should respond quickly to new clients.

A '**suitable offer**' (of work) means matching the right job to the right person. Defining this legally is difficult. Integration services have more room for manoeuvre in defining a suitable job than employment services. The question of recognition of qualifications also arises, with foreigners sometimes compelled to take jobs they are overqualified for. The federal and regional governments in Belgium are also looking at ways of recognising experience and ability without formal qualifications.

The integration **contract** should be negotiated at length. In Belgium, three months is the negotiation period, not the integration deadline. It should be dynamic, regularly re-evaluated, and amended as people progress up the 'integration ladder'. There should be a balance between rights and obligations. It should entail quality control of social workers' performance.

A tension exists between the individual's responsibility and the structural situation. Success of activation depends also on the economic health of the labour market. Employers should also play their part in providing more jobs. But there is a difference between private employers who pay little attention to promoting social inclusion, and non-profit organisations that are more willing to develop openings.



### **Targeting and territories**

In Belgium, local authorities are responsible for integration programmes and entitlement is based on residence. The federal government imposes minimum standards but local offices can offer more. The targeting of young people is controversial. While some Peer Review participants felt the age distinction is not relevant, and that solutions should relate to people's problems, not their youth, the fact is that resources are limited and choices have to be made. Some people referred to the riots simultaneously taking place in some French cities as a justification for such a focus. Young people also have children who, once born into poverty, find it difficult to escape. Therefore this is a key moment for breaking a vicious circle. Young people are starting their lives and can be kept out of many years of social exclusion. However, diverting scarce resources could bring a risk of increasing marginalisation among other groups.

On balance, the consensus was in favour of the support for young people, although this should not mean diminished rights for others.

The national law is useful in setting minimum standards for the DIS, but activation is geared to local needs and opportunities. Some territories have more resources than others due to the local socio-economic fabric or employment offer. Some political leaders are more dynamic. Sometimes public services themselves need to be activated. PCSWs are spaces for people to explore their role in society, not just in the labour market. It is important to have plenty of local flexibility and creativity.

Regular monitoring must be carried out, using standard indicators, not only relating to employment. This should allow for the adjustment of local disparities.

### **Monitoring**

In Belgium, the Crossroads Bank of Social Security will bring together information and boost collaboration between local authorities. Up to now, the delay in data collection meant that evaluators were 'looking at the past'. The CBSS will collect data on what is happening at grass-roots level *at the present time*, thus allowing for a speedier response to cases of need and more up-to-date evaluation of services.

How can social integration programmes be evaluated? There is no single method. Slovakia is starting to survey clients' assessment of services. Belgium has 57 indicators, 16 of them set by the EU at Laeken, but these should not be confused with the administrative monitoring of local public services. Evaluation of the DIS is already available and should be a permanent process, both statistical and qualitative.



Collaboration between different levels of government is the only way forward and could be a good example for other countries. PCSWs could also evaluate and compare experiences through a kind of regional Peer Review. The European Foundation for the Improvement of Living and Working Conditions supports research on the working conditions of social workers.

### **Relevance for and transferability to peer countries**

#### *Austria*

Government representative **Ms Gertraud Käfer** said Austria is trying to harmonise its laws and also focus on activation measures. Adoption of a specific measure is in the end a political decision. **Dr Stelzer-Orthofer** found Belgium's system both similar and different. There are similarities in the screening of benefits and the fact that claimant numbers are not very high. Differences relate to the lack of a national framework in Austria, and the Belgian structure being more complicated. She would wish to propose that Austrian provincial governments should follow the Belgian example in creating national, legal minimum standards plus voluntary access to sustainable activation measures. Greater equality between different systems in Austria is required.

#### *Estonia*

**Mr Ruut** felt reassured that Estonia is moving in the right direction in developing activation measures. The main message from the meeting was that "we are not alone", and these questions are important everywhere, and he recalled the view of the Dutch expert that there are other problems to resolve beyond activation for work alone.

#### *Hungary*

**Dr Tóth** said the Hungarian system differs a lot but the main issues are the same. The country is considering an activation approach and bringing different measures together in one system. Expert **Mr Mihaly Nyilas** felt Hungary could learn from the general philosophy of the Belgian law.

#### *Luxembourg*

Expert **Mr Frédéric Berger** said Luxembourg has a similar system but in a different context due to the size of the country and the level of unemployment.



He was very interested by the Crossroads database and proposed contact between the two countries to help Luxembourg build a similar resource.

### *Slovakia*

**Ms Repková** felt the main objective of the Peer Review was to share a common philosophy of social integration. Evolutions are similar in virtually all the countries, although organisation and institutional systems are different. She was doubtful whether the Belgian system could be transferred in detail – as a psychologist and social worker she would want more feedback from clients and users.

### *Netherlands*

For **Mr Timmermann**, the most interesting aspect was the integration of employment and welfare issues. In the Netherlands, two different Ministries handle the recent employment law and a forthcoming welfare law. He proposed stronger ties between Belgian and Dutch managers in the field of social services. **Ms Judith Tijdink** from the Ministry of Social Affairs and Employment said it was an eye-opener to see how clients and social workers negotiate on contracts, because clients also have a say.

### *Romania*

**Ms Mihaela Grecu** from the Ministry of Labour, Social Solidarity and Family drew attention to the legal recognition and emphasis on social integration and accompanying measures, with a single law covering social and employment integration, and a legal basis for work in the community. Closer monitoring could make standards of service more equal. “The Peer Review will not lead directly to changes in the Romanian system but can be used as a benchmark,” she said.

### *FEANTSA*

**Mr Mercadié** said the Peer Review was very useful for FEANTSA, which works in 22 EU Member States. He highlighted two aspects of the DIS:

1. Emphasis on the *rights* of citizens – employment should be only a tool, not the objective.
2. Transversality – emphasis on work should not exclude other issues such as housing, social and other needs.



He was struck by the convergence of policies in all countries, regardless of their stage of development, but also concerned about the shortage of funds and continuity in some places.

### *EAPN*

**Mr Horemans** commented that the review demonstrated the importance of the implementation of measures at local level. This is an element that has been lacking in the past and must get higher priority in the EU's social inclusion strategy and the NAPs/Incl. With 25 Member States, it is important to take account of the different contexts, which mean that transfer is not so easy. However, it is useful to know about other experiences in order to improve measures in each country.

In the EU's Lisbon Strategy, the social policy element must be emphasised, he concluded.

### **Response of the host country**

**Ms Muriel Rabau**, social attaché at the Belgian representation to the EU, said she had learnt a lot about the participants' countries, and this would be the start of a deeper understanding. We do not always remember the similarities rather than the differences, and she was happy that the peer group shared the view that social integration is important. "We don't want workfare," she stressed. "The social aspect and human dignity are very important."

She felt monitoring and evaluation at national and European level would be important to ensure the equality of access and treatment within a country and in improving the quality of service in all countries.

**Mr Van Geertsom** was surprised to find an even more common perspective on activation than he expected. "We have to be very careful about comparing systems because they start from very different bases," he admitted. In Estonia, for example, social assistance payments amount to €45 a month. The EU must play a greater role in diminishing differences and developing real social convergence.

Given the level of consensus within the Peer Review, **Mr Nicaise** wondered why national governments have such difficulty reaching a common position on minimum income. "What are the obstacles and how can we help to overcome



them?” he asked. NGO representative **Ms Emmanuelle Deville** felt the meeting had heard too little from the users’ perspective.

**Professor Kazepov** drew attention to the striking differences between the US and European models. He highlighted the influence of different actors and stakeholders, rather than merely a government perspective. The focus on social integration is difficult and costly, but Belgium is sustaining its effort in the context of difficult times for welfare spending. “This important commitment should be prized,” he concluded.

### Résumé and closure

**Mr Hugues Feltesse** from the social protection and social inclusion policy coordination unit of DG Employment, Social Affairs and Equal Opportunities thanked the Belgian authorities for organising a Peer Review on a topic linked to so many aspects of social exclusion. It is at the heart of current Commission reflections, especially in view of the forthcoming Communication on labour market integration and the minimum income. This follows the 1992 Recommendation suggesting Member States put in place minimum income measures with the capacity to encourage work and training.

He highlighted some lessons to be drawn from the review:

1. The measure relates directly to provisions in the EU Charter of Fundamental Rights (Section 1) relating to respect for human dignity. These rights are not merely being talked about but are having an impact at a practical level.
2. The Belgian law is not put into practice through optional projects but makes social integration a permanent right, implemented by rules and principles. The measure extends this right to everyone, through good governance, local flexibility and partnership with stakeholder organisations.
3. The notion of the contract is important in that it gives visibility to the relationship between services and client, sets down a project and commitments to keep to, and is reciprocal, with rights and commitments on both sides.
4. The debate raises the question of sanctions and what they mean, which was also touched on at the Peer Review in the Netherlands in 2004. In Belgium, they form part of a wider approach, but exist nonetheless. Exchange of information helps us to understand how they should be used.



5. Work is an important objective, and should carry the right to a legal contract with all relevant rights attached. However, this must be approached in the light of the individual's personal evolution, which can take time. It may follow an activation path of first getting out of the home and renewing social contacts. This may culminate in labour market employment, but could equally lead to other things. Work should be meaningful for the person doing it and for the community. It should not be forced labour or punishment.
6. The Belgian approach is multidimensional. Can other countries learn something from the 'one-stop-shop' offered by PCSWs, which supply a wide choice of services (including childcare, IT training, computer access, etc)?
7. Problem of non-take-up. This needs further examination.
8. The review highlights the importance of monitoring and coordination between different services, with common tools and indicators and a common understanding of objectives so that clients do not waste their time.
9. A single national law is a strong framework for the variety of services offered by different centres and different regions, to make sure support is evenly distributed and objectives shared.

## Conclusions

**Mr Feltesse** said the debate illustrated the diverse political situations and choices at play. There is also a need to go further in assessing what measures are best for reaching specific target groups (young people, women, ethnic minorities), but they must be able also to address a variety of grass-roots problems.

The consultation exercise announced by Mr Tyson, to be launched by the end of 2005 or early 2006, to assess whether it would be a good idea to set minimum standards at European level to support minimum income schemes to help Member States to promote active inclusion, will indeed be a very important opportunity to assess the most useful ways in which the EU could support and complement ideas and actions at national level regarding minimum income schemes and institutional arrangements for social integration.

**Mr Vandebussche** said Belgium appreciated the opportunity to show how the DIS works at grass-roots level. It was hard to find a common agenda of relevance to countries where conditions are often very different, and it was



perhaps “not sexy” to spend two days discussing one law. However, the visits showed how it is being implemented, even though it is often not easy for individual clients to talk about their lives when they have not turned out well.

Belgium is a complex country with a complex system. Not all the 589 CPAS/OC-MWs are the same. The socio-economic context and link with local authorities is important and allows for a multidimensional, tailor-made response, combining social and employment integration aimed at appropriate jobs.

The DIS is “only one tool in the box” of measures available to public services. In the end, these are human problems that must be solved by one person sitting down and talking to another, and the input of the social worker is important. The more personal the contact, the more likely a good solution will be found, through “matching” with an appropriate activation path rather than “dumping” on the labour market.

The DIS law is not perfect but it is the best we have at present, concluded Mr Vandebussche. The government will be taking account of the Peer Review comments, and information gained about other systems, when it comes to improving the Belgian scheme.



# Law concerning the right to social integration

Julien Van Geertsom

President of the Federal Public Planning Service Social Integration

October 2005



POD | Maatschappelijke Integratie  
SPP | Intégration Sociale



## Summary of the presentation:

1. Introduction
2. Characteristics of the law
  - 2.1 contract model
  - 2.2 increase of the minimum income
  - 2.3 equal treatment of the users
  - 2.5 categories of beneficiaries
3. Amounts and figures
4. Evaluation





# 1. Introduction

Law of 26 May 2002 concerning the right to social integration

Effective since 1 October 2002

Replaces the Law of 7 August 1974 instituting the right to minimum subsistence resources



Right to minimum subsistence resources:  
guaranteed the minimum income

Right to social integration:

- guarantees the right to human dignity
- wider than the right to the minimum income

Vision: a minimum income is still necessary but is mostly unsatisfactory with regard to participation in society



The “subsistence minimum” income: has been replaced by the “integration income”

The social integration income

- requires an engagement from the beneficiary
- is the counterpart for the engagement of the beneficiary to integrate in society



### The right to social integration

- is granted by the Public centre for social welfare (PCSW)
- is materialised by:
  - an employment
  - or the award of an integration income accompanied or not by an individualised project for social integration (contract)



## 2. Characteristics of the law (1)

### 2. Characteristics of the law

#### 2.1. contract:

##### 2.1.1. individualised project for social integration

- compulsory for persons aged 18-25
- possible for persons aged 25+





## 2. Characteristics of the law (2)

It may concern:

- training
- personal or social trajectory
- first professional experience
- employment





## 2. Characteristics of the law (3)

### The contract

- is mutual
- is drawn up in accordance with the human dignity of the person
- contains chances for development
- eliminates the obstacles to social integration





## 2.1.2. mission: employment

The persons have to be guided by the PCSW in their search for an employment

The PCSW can act as employer

Different employment programmes



## 2. Characteristics of the law (5)

### 2.2. increase of the minimum income

The integration income = index-linked amount

Increase with 6% with regard to the minimum income

Increase with 10% by the end of this term of office





## 2. Characteristics of the law (6)

### 2.3. Equal treatment of the users

- allocation in the personnel costs of the PCSWs
- Integration of the foreigners registered in the population register



## 2. Characteristics of the law (7)

### 2.4. Reinforcement of the users' rights

This law reinforces the users' rights with regard to the following points:

- the right to information;
- the registration and the treatment of the applications;
- the obligations of the incompetent PCSWs





## 2. Characteristics of the law (8)

- the right of the applicant to be heard;
- the motivation of the decisions;
- the prolongation of the period for appeal;
- the right to interests in case of delays



## 2. Characteristics of the law (9)

### 2.5. Categories of beneficiaries

The original law: individualisation of the rights of the spouses + increase of the amount for single parents with children

Court of Arbitration (January 2004) : discrimination between single parent families and the spouses with children

Categories as from January 2005:

- individualisation of the right (when there are no children)
- increase when there are children





## 2. Characteristics of the law (10)

### 3. Amounts and figures

#### 3.1. amounts of the integration income per month

Since 1 August 2005:

Cohabitants: 417,07 €

Single person: 625,60 €

Person with a family: 834,14€





## 2. Characteristics of the law (11)

### 3.2. Figures

December 2004

Number

- RSI (Right to Social Integration): 81.678 (+/- 85.000 with extrapolation for the missing PCSWs)
- Integration income: 73.809  
68,8 % complete and 31,2 % partial  
40,4 % men and 59,6 % women
- Employment and activation: 8.489





## 4. Evaluation of the law (1)

### 4.1. Independent research: Ernst & Young

- Quantitative survey by questionnaire: results of 81 PCSWs
- Qualitative survey: individual interviews
  - 110 users in 22 PCSWs
  - 149 professionals (president, secretary, social assistant) in 48 PCSWs



## 4. Evaluation of the law (2)

- Results of the qualitative survey among professionals and beneficiaries



## 4. Evaluation of the law (4)

### General perception of the interlocutors

- Knowledge of the law RSI
  - **Sufficient with the professional, except for interpretative aspects (need for training and exchange of « best practices »)**
  - **Badly known among the users**
- New law is better adapted to the current social context
  - **Extension of the users' rights**
  - **Importance of the concept of integration via the concept of individualised projects for social integration (IPSI)/employment**
  - **Individualisation of the rights**
  - **Extra subsidies: subsidies increased with 3, 250€ / file, ...**
  - **Integration of the foreigners as new beneficiaries**
  - ...
- Confirmation of certain existing practices (75% of the PCSWs)
  - **« Already before 2002, we worked in the spirit of the new law concerning integration and employment »**
  - **thus « the new law has formalised certain aspects and has introduced the obligation**



## 4. Evaluation of the law (5)

### Legal measures

- The first months: confusion and difficulties with interpretation (categories, students, homeless persons, ...) → certain aspects have been elucidated thanks to explanatory circulars from the Federal Public Planning Service (PPS) and the Minister
- Interpretation problems with regard to the period of 3 months for the conclusion of an IPSI for young persons: obligation of result vs. obligation of means?
  - **→72% : period is too short to find an employment or to finalise an integration project**
  - **→62% : distinction between aged -25 and +25 years is too artificial and too strict**
- Right to assistance by a third party, right to time for reflection before concluding a contract (5 days), right to be heard, according to users/professionals
  - **The strengths of the new law have to be preserved**
  - **But rights not often used. The trust between users and social assistants predominates .**



## 4. Evaluation of the law (6)

### Legal measures

- Sanctions
  - The new rules are clear **BUT** the period provided by the law is too long → not often used
  - Quantitative level: very few sanctions, only administrative, number decreases
- Insufficiencies
  - Amount of the integration income is insufficient (!)
  - Other instruments in relation with the law RSI are necessary: education, social housing, crèche, ...
  - No obligation to employment or integration by project for those aged 25+



## 4. Evaluation of the law (7)

Public aimed at by the law RSI

- Students
  - **70% of the PCSWs perceive a strong increase of the applications → a lot of requests for information, especially in the first months**
  - **The applications not always lead to the award of an integration income → this explains the stability of the figures with regard to students at the quantitative level**
  - **According to the PCSWs, the applicants know their rights, but they do not know their obligations as well**
- Foreigners registered in the population registers
  - **Positive aspect of the new law, but did not cause a major change → more administrative**
  - **According to the PCSWs, the employment should be accompanied by an integration project (language course, ...)**



## 4. Evaluation of the law (8)

Reception of and communication towards the users

- Communication of and publicity for the new law
  - **At the launch: accent on the rights, less on the obligations**
  - **Currently: lack of tools**
- According to the social assistants, too much information has to be given to the applicants during the first talks
- Right to assistance by a third party, right to reflection time before concluding a contract (5 days), right to be heard:
  - **According to the professionals: almost always communicated and explained**
  - **According to the users: hardly communicated**



## 4. Evaluation of the law (9)

### Reception of and communication towards the users

- Number of intermediaries for a new user before the contact with “his” social assistant
  - **In 50% of the cases: no intermediary**
  - **In 40% of the cases: from 2 to 3 intermediaries**
- The users lack knowledge of the other kinds of assistance a PCSW provides (budget, rent, assistance at home, ...)



## 4. Evaluation of the law (10)

### Networking of the PCSWs

- The PCSW expect a lot of the implementation of the Crossroads Bank for Social Security (CBSS)
- No collaboration with the schools (in the context of the individualised projects for students)
- Collaboration with FOREM/VDAB/ORBEM
  - **Great differences in practice between the PCSWs**
  - **Not flexible in general, except for collaboration via Maison de l'Emploi ("Employment House"), Sociaal Huis ("Social House"), Werkwinkel ("Employment Shop), ...**
  - **No collaboration in the field of information exchange e.g. post-Art. 60§7 transition period**
  - **For the social assistants, the boundaries between the competences of the PCSWs and FOREM/VDAB/ORBEM (employment services) with regard to employment are not clear**



## 4. Evaluation of the law (11)

### Networking of the PCSWs

- Collaboration with the PPS with regard to competence conflicts (arbitration): periods respected, information adequate
- Collaboration with the land registry has to be improved!
- “Referents” of the PCSWs
  - **Who? Trade unions, health insurance funds, police, ...**
  - **Need for information/training to avoid that they give the users incorrect information**



## 4. Evaluation of the law (12)

### Impact of the law RSI on the management of the PCSWs

- The clarity of the procedures is appreciated in general
- The law requires more red tape
  - **The administrative burden is heavier but manageable in general (except for the registration of the applications)**
  - **For 53% of the interviewed professionals the red tape affects the relationship with the beneficiaries**
- Request for urgent assistance: no particular criteria to grant or not the urgent assistance of the president
- The calculation of the integration income is too complex in certain cases



# Summary of the results of the survey





## 4. Evaluation of the law (14)

### Summary of the quantitative and qualitative results

#### Positive points

- The new law is experienced as beneficial and better adapted to the social and societal evolutions
- The most important positive aspects of the law: division according to new categories, extension of the users' rights, possibility of employment or benefit of an individualised project, extra subsidy for personnel costs, clarity of the procedures, possibility of better integration for young persons
- Importance attached to integration, employment and training
- Individualisation of the right to social integration
- The main objectives of the law are made concrete by the PCSWs
- The total number of beneficiaries of an integration income (taking into account the effect of the individualisation) decreased by 3.8% and the number of activations increased by 17.5 % between 30/9/2002 and 30/9/2003

Points positifs

Points négatifs



## 4. Evaluation of the law (15)

### Negative points:

- The law requires more red tape than before
- Still certain difficulties with the interpretation of certain aspects
- No exchange of “Best practices” between the PCSWs
- No tools for efficient data management
- Not enough collaboration between the PCSWs and the education/training institutions
- The boundaries between the competences of the PCSWs and FOREM/VDAB/ORBEM (employment services) with regard to employment are not clear
- The amounts of the integration income are too small, they do not allow complete integration
- The law RSI is only one of the tools to combat poverty; its integration/alignment with others tools is indispensable
- The distinction made between the persons aged 25+ and 25- is considered as too artificial



## 4. Evaluation of the law (16)

# Proposals for improvement





## 4. Evaluation of the law (17)

### Proposals for improvement

- PCSWs and management
  - **Management tools (Management Information System)**
  - **Development of a system of standardised annual accounts**
  - **Competence conflicts: increase the period of 5 calendar days to 5 working days**
  - **Guarantee the confidential nature of the notions the pay slip contains**
- PCSWs and communication
  - **Development of more or less standardised tools (forms, publications, ...)**
  - **Exchange of “Best Practices”**
- PCSWs and PPS Social Integration
  - **Integration of the “management information system” of the PCSWs in a national “management information system”: basis for the development of suggestions with regard to legislation, strategy, management**
  - **Organisation of training session with regard to the law by the PPS**
  - **Development of the tools for the calculation of the integration income**



## 4. Evaluation de la loi (18)

### Proposals for improvement

- PCSWs and CBSS
  - **Need for better communication of concrete information concerning the CBSS**
  - **Training and information**
  - **Accelerate!**
- PCSWs and other partners
  - **Train/inform the local political leaders on the advantages of the collaborations with partners such as Maison de l'Emploi, Werkwinkel, Sociaal Huis, ...**
  - **Develop collaboration partnerships**
    - Formalise the rules for the collaboration between PCSW and FOREM-VDAB-ORBEM, RVA-ONEM
    - Standardise the rules for the collaboration between PCSW and land registry, PCSW and schools
    - Standardise the categories of beneficiaries for the social institutions



## 4. Evaluation of the law (19)

### Proposals for improvement

- The law RSI
  - **Impose the integration and the employment of the persons aged 25+ but over a period of 6 months or 1 year instead of 3 months for the persons aged -25**
  - **Connect the other tools for combating poverty with the law RSI, at national and local level (social houses, crèche, budget, rent, ...)**
  - **Reduce the period between the decision and the execution of a sanction**
  - **Increase of the amount of the integration income**



- 4.2. Evaluation by the associations of the PCSWs





## 4. Evaluation of the law (21)

### POSITIVE POINTS

- Extension to the foreigners registered in the population register
- Relaxing with regard to sanctions
- Alimony is taken into account





## 4. Evaluation of the law (22)

### POSITIVE POINTS, but...

- Increase of the amount of the integration income, but...
- Individualisation of the rights, but...
- Co-parentship is taken into account, but...
- Subsidy for the personnel costs, but...
- The mission of the PCSW in favour of students, but...



## 4. Evaluation of the law (23)

### TO BE REVISED

- A right to integration that is not limited to integration by means of employment
- Distinction age -25/25+
- The categories
- The administrative burdens





- 4.3. Evaluation of the Service for combating poverty, precariousness and social exclusion



## 4. Evaluation of the law (25)

### The organisation of the evaluation

- **Qualitative: interviews**
- **Participative: central role of the actors concerned by the evaluated law**
- **questionnaire + analysis have been realised with the actors in the field**
- **Experience of the users (32) and the social workers (14)**
- **Individual and collective interviews**

### Guideline

#### The trajectory of the applicant (and not article per article)

- **Access and reception**
- **Information**
- **Application**
- **Decision**
- **After the decision**





## 4. Evaluation of the law (26)

### Access

- **Crucial question**
- **Subjective obstacles (shame, fear that the children may be taken into care, etc.)**
- **Consequences: postponement of the application for assistance, the problems are accumulated**

### Reception

- **Organisation (social assistant or administrative staff)**
- **Environment (inadequate waiting room, no individual office for the social assistant, etc.)**
- **Relational aspects (smile, the way in which the social assistant is dressed, etc.)**





## 4. Evaluation of the law (27)

### Information

- **claimants: those who are best informed are often those with a higher education**
- **social workers (badly informed)**
- **distribution tools (lacking)**
- **relational aspects: the quality of the relationship – have an immediate answer to the question they ask**

### From the application to the decision

- **the expression the request and its formulation (always of financial order)**
- **the social survey**
- **the right to be heard**
- **the decision: oral communication**

**Written communication is not preferred by the user – they do not understand the documents they receive**





## 4. Evaluation of the law (28)

### The trajectory of the claimant after the decision

- **Individualised social integration project**
  - Information
  - Perception in the field: interesting tool, perspectives – but also dangerous (increased use of sanctions) - need to be able to negotiate - unrealistic to expect an employment contract within three months
- **The employment**
  - Possibilities
  - Perspectives: the end of the contract is often the return to the starting point
  - Financial stimuli





## 4. Evaluation of the law (29)

### Conditions for the implementation of the law

- **Workload: important increase of the administrative and social tasks**
- **Nature of the social work: more and more complex and partitioned, torn between the role of guidance and the role of control**
- **Consequences for the entitled persons**

The effectiveness of the law depends on the way it is implemented





## 4. Evaluation of the law (30)

### Conclusions

- **Evaluation** : the evaluation of certain questions has to be continued:
  - The postponement of the request for assistance and not turning to the PCSW
  - The number of files treated per social worker
  - The place of the applicant in the negotiation process with the PCSW
- **Participation**: necessity to integrate a participative dimension in case of a new evaluation





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# The Belgium *Droit à l'integration sociale* (DIS) in a European perspective

Yuri Kazepov (University of Urbino)  
Stefania Sabatinelli (Sciences-Po, Paris)



European Commission  
DG Employment, Social Affairs and Equal Opportunities





# Aims of the presentation

- 1 To discuss the main features of the Belgian DIS law in the wider context of the European development of activation policies;
- 2 To provide some inputs for discussion emerging from the comments.

In order to do so, we will first of all present the hypothesis that frames our analyses and then we will address the questions stemming from it.



## Ambivalent trends

- particular narratives and institutions like contractuality, activation, conditionality, are converging in Europe;
- the impact, however, differs among countries because of the different regulatory frameworks in which measures and narratives are embedded.

This highly structures their impact bringing about a ***path dependent convergence***.



# Questions to be addressed

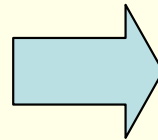
- 1 Why are minimum income and activation schemes becoming more important in Europe?
- 2 What are the main features of the *welfare systems* in which minimum income and activation policies are embedded?
- 3 What are the characteristics of the Belgian DIS which are relevant in a critical comparative perspective?
- 4 What can we learn from the comparison?



# 1.0. Why are minimum income schemes becoming more important in Europe?

## Macro changes

- growth of unemployment from end of the '70s;
- persistence of unemployment and long-term unemployment;
- flexibility and spread of atypical jobs;
- weakening of family ties.



## Effects

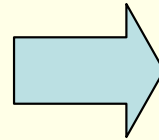
- growing precarity and risk of poverty
- growing claimants of minimum income



# 1.1. The development of activation schemes in Europe

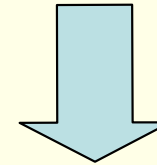
## Causes

- more minimum income claimants;
- scant public resources;



## Aims

- get people off the payrolls;
- prevent dependency and poverty traps.



## New tools

- more means-tested measures;
- empowerment approach;
- “*not passive anymore*” rhetoric;

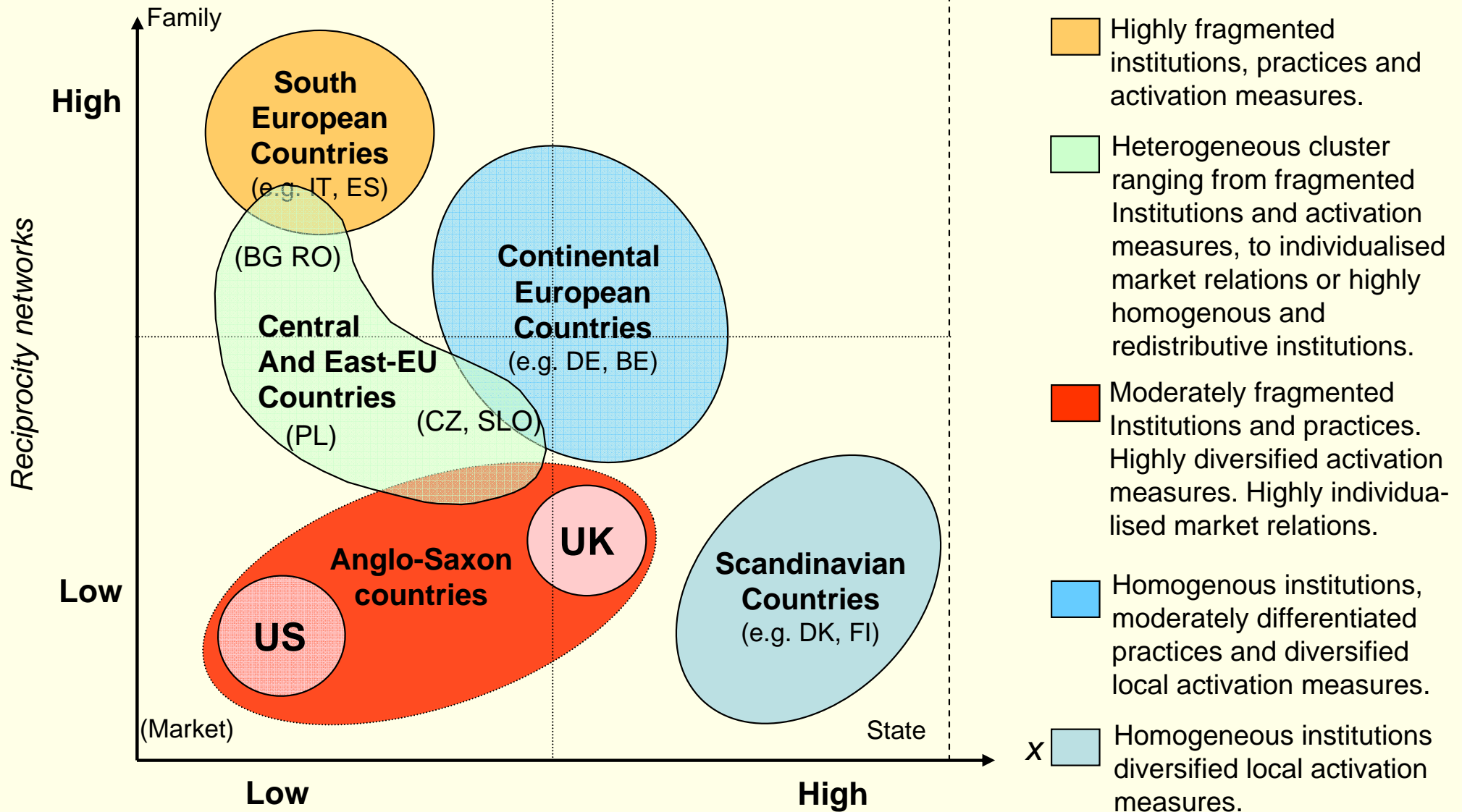


## 2.0. The main characteristics of the European welfare systems

Welfare systems	Main characteristics
<ul style="list-style-type: none"><li>■ <b>Liberal</b> (UK, IR)</li></ul>	<ul style="list-style-type: none"><li>■ Residual, market is the prevailing integration mechanism;</li></ul>
<ul style="list-style-type: none"><li>■ <b>Social-democratic</b> (DK, SE, FIN, NO)</li></ul>	<ul style="list-style-type: none"><li>■ Pervasive state welfare, universalistic measures;</li></ul>
<ul style="list-style-type: none"><li>■ <b>Corporatist</b> <b>(Belgium, DE, LU, F, ..)</b></li></ul>	<ul style="list-style-type: none"><li>■ Meritocratic state welfare, family is the prevailing social agency, strong active subsidiarity;</li></ul>
<ul style="list-style-type: none"><li>■ <b>Familist</b> (IT, ES, PT, GR,...)</li></ul>	<ul style="list-style-type: none"><li>■ Meritocratic and fragmented state welfare, passive subsidiarity, family overload;</li></ul>
<ul style="list-style-type: none"><li>■ <b>Transitional</b> (SI, PL, SLO, RO, BG, MT, ...)</li></ul>	<ul style="list-style-type: none"><li>■ Deep structural change after 1989, different reforms, possibly different results.</li></ul>



# 2.1. Minimum income policies in European welfare systems



*Redistributive Institutions*



## 2.2. The European development of activation in minimum income policies

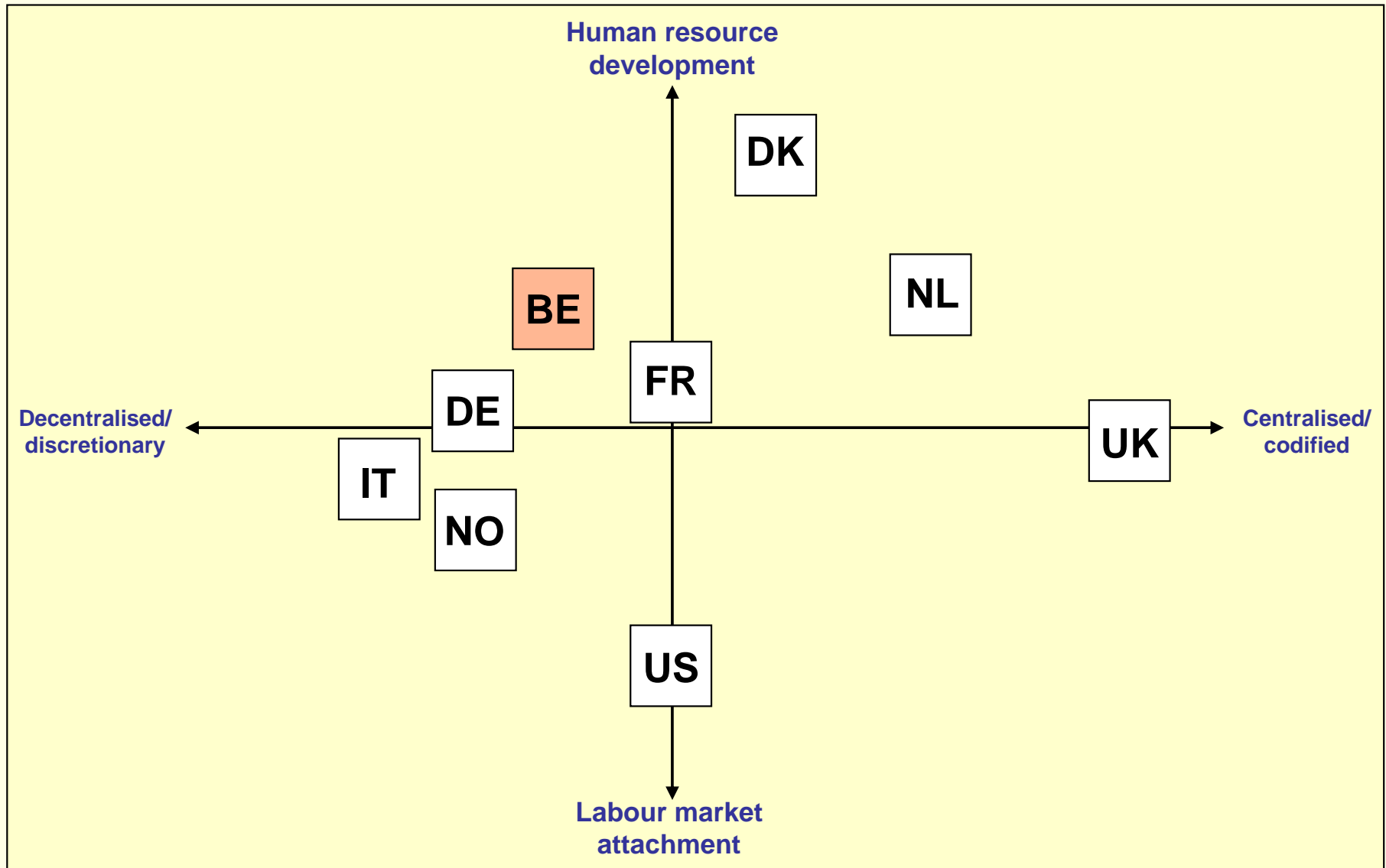
### Activation development in the different welfare systems

- **Liberal**  
(UK, IR)
  - Strong accent on workfare in the '80s and early '90s; tailored compulsory programs for risk groups (New Deal)
- **Social-democratic**  
(DK, SE, FIN, NO)
  - Long tradition in active labour policies; '90s: more importance of social assistance and more activating elements to contain high expenses;
- **Corporatist**  
**(Belgium, DE, LU, F)**
  - Balance of punitive and empowering elements (French RMI, 1989); local variation and financial pressure (D); Minimex reform (**Belgium**, 1993)
- **Familist**  
(IT, ES, PT, GR,...)
  - Active last resort measures, though with wide local differentiation (ES) or low replacement rates (PT); only a test in Italy (1998-2002), nothing in Greece.
- **Transitional**  
(SI, PL, SLO, RO, BG, MT, ...)
  - Old systems still partly persist, social assistance not top priority, categorical measures, low replacement rates.



## 2.3. European countries according to main features of their activation policies

Source: own calculation, inspired by Lødemel and Trickey (2001).





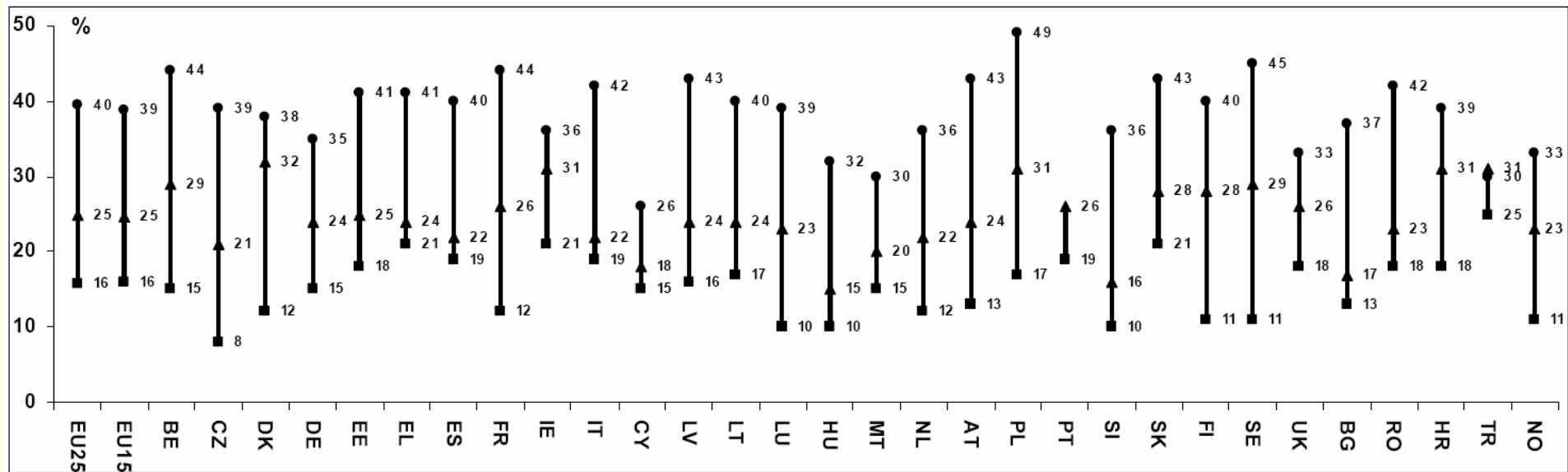
## 2.4. The Belgian welfare system in the European context

2004	DK Universalistic	BE Conservative	IT Familistic	UK Neoliberal	EU-25
<i>Old age index</i>	22,3	26,0	26,9	23,7	24,1
<i>% population aged &gt; 65</i>	14,9	17,1	19,2	17,1	16,5
<i>Fertility rate</i>	1,18	1,61	1,29	1,71	1,52
<i>Births out of wedlock</i>	44,8	29,5	10,8	43,1	30,2
<i>Divorce</i>	2,8	3,0	0,7	2,7	2,0
<i>Unemployment male (15-64)</i>	5,1	7,0	6,4	5,1	8,1
<i>Unemployment Female(15-64)</i>	5,6	8,8	10,5	4,2	10,2
<i>Youth (15-24)</i>	8,2	19,8	23,6	12,1	18,6
<i>Long-term (15-64)</i>	22,9	50,8	49,4	20,2	n.a
<i>As % of GDP</i>	29,5	27,5	25,6	27,2	n.a
<i>On labour policies</i>	4,63	3,65	1,20	0,75	n.a
<i>On active labour policies</i>	1,58	1,25	0,57	0,37	n.a
<i>Unemployed covered</i>	63,8	85,5	4,4	26,2	n.a
<i>60% median pre-transfers</i>	32	29	22 (2001)	26	24 (2001)
<i>60% median post-transfers</i>	12	15	19 (2001)	18	15 (2001)



## 2.5. The outcome of the Belgian welfare system in context

Fig. 3. At-risk-of-poverty rate for 2003 before social transfers (top), after pensions (middle) and after all social transfers (bottom).



Note: Data missing for the rate before social transfers (top) in PT.

Source: Atkinson et al. (2005)



## 3.0. Towards the DIS: the relevant steps

- **1974:** Minimex law – universal means-tested minimum income right;
- **1976:** law creating the CPAS – local public agencies for the implementation of social policies;
- **1993:** reform of the Minimex with strong activation elements;
- **2003:** DIS law – right to minimum income *and* to social integration.



## 3.1. The DIS law: relevant features

### What is comparatively relevant?

- Tailored individual insertion project;
- Mutual contractual obligation of the activation scheme;
- Recipients have a right to participate in drawing the project at the basis of the contract;
- Emphasis on social integration (in particular on education and training);
- Recipients have a right to appeal to court;
- Indexation and realignment of benefit level;



## 3.2. The eligibility criteria to access DIS

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ Special attention towards <b>young recipients</b> (&lt;25), to prevent their fall into dependency.</li><li>■ Attempt towards <b>individualisation</b> of rights and step backwards (in order to equally treat households with children)</li><li>■ <b>Foreigners</b> and Belgian nationals have equal rights</li></ul>	<ul style="list-style-type: none"><li>■ How to devote special attention to particular groups without disregarding the others?</li><li>■ Lack of <b>equivalence scale</b> to take into consideration number and age of children in the household?</li><li>■ Any differences in practice?</li></ul>



## 3.3. Activation as a condition for accessing minimum income

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>▪ <b>Responsibility:</b> emphasis on responsibility of both the recipients and the State.</li><li>▪ <b>Conditionality</b> of activation and suspension of benefit as a sanction.</li><li>▪ <b>Implicit unbalanced position of recipients</b> in the social contract and potential discretionary power of the CPAS.</li></ul>	<ul style="list-style-type: none"><li>▪ What about the incapacity of the social system to offer decent jobs and assure equal chances? What is a <i>suitable</i> job?</li><li>▪ What does <i>availability</i> to work mean? Is it acceptable from a humanitarian point of view? What is the alternative? Only long-term accompanying?</li><li>▪ Split up the roles of accompanying and controlling to establish confidence between recipients and social workers Special training of social workers;</li></ul>



## 3.4. Can dependency be solved primarily in the labour market?

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ <b>Employment is not enough</b> to reach social integration. The DIS foresees also social accompanying measures.</li><li>■ <b>85%</b> of activation projects are in the public local offices or in the third Sector.</li><li>■ <b>Scant resources</b> to develop projects for all. Time limit of 3 months.</li></ul>	<ul style="list-style-type: none"><li>■ What is good activation? Mainly employment? Or also training, voluntary, care, cultural work? Results in the labour market depend much on accompanying measures (training, health, childcare, housing, debts).</li><li>■ Are activation experiences in the public local administration and in the third sector sustainable in the long term? Can they offer an activation chance to all the minimum income recipients?</li><li>■ More probability to enroll recipients with more resources, most likely to get back to work.</li></ul>



## 3.5. DIS: the critical issue of territorial differences

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ <b>Implementation</b> of activation cannot but be local. Claims for federal efficiency.</li><li>■ <b>Coordination</b> among local actors.</li></ul>	<ul style="list-style-type: none"><li>■ How to reach a balance between local adaptability and equal treatment for all citizens?</li><li>■ Lack of interregional and federal agreements.</li></ul> <p>Need of tighter links between social services and PES.</p> <p>Coordination with stakeholders should be foreseen from the first steps of the design of policies.</p>



## 3.6. Transparency, evaluation and participation

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ The DIS has already been object of a number of evaluation reports, both institutional and independent.</li><li>■ A great amount of information is available to everyone on the web.</li><li>■ Involvement of stakeholders in the reform process and in the evaluation process.</li></ul>	<ul style="list-style-type: none"><li>■ Importance of monitoring and follow up on a regular basis.</li><li>■ IT divide? Relevance of transparency.</li><li>■ How to take into consideration the point of view of stakeholders? Which methods? Which criteria of representation and inclusion/exclusion should be foreseen?</li></ul>



## 4.0. What can we learn from the comparison?

### Is a good practice transferable?

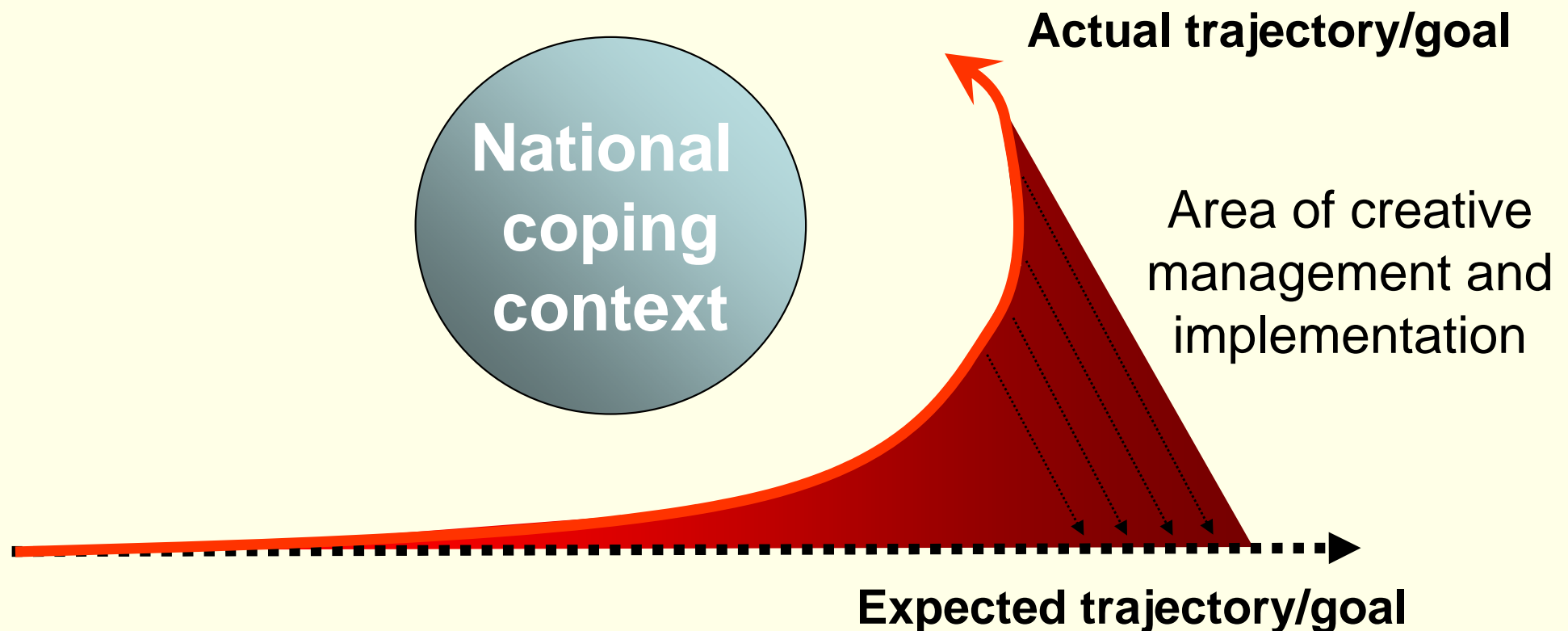
Usually a good practice is a whole set of ideological assumptions, goals, actors and resources, embedded in a specific demographic, institutional and socio-economic context.

Given the intrinsic impossibility to reproduce the specific mixes in another country, as a matter of fact – and strictly speaking – a good practice is *not* exportable ..... but – as we have seen – many countries have adopted similar policies.



## 4.1. Mutual learning and the need of creative management and implementation

The relationship between the input (a foreign good practice) and its outcome is not a direct and straightforward process.



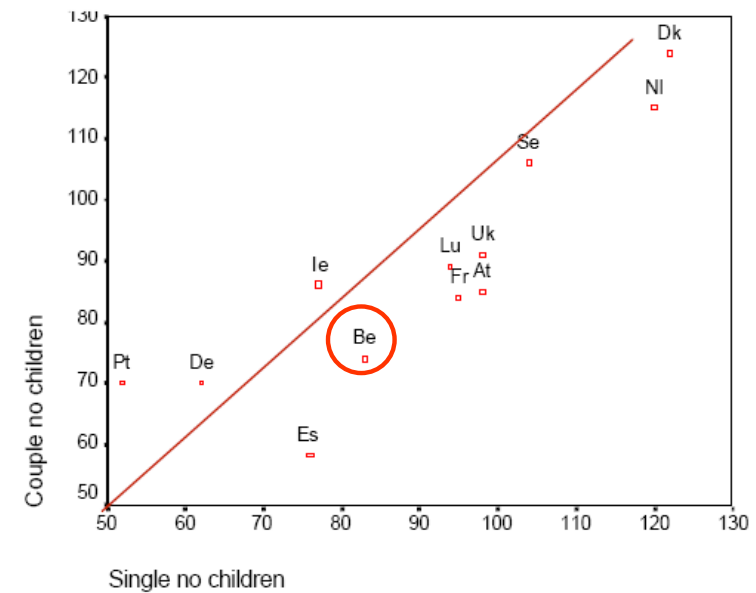
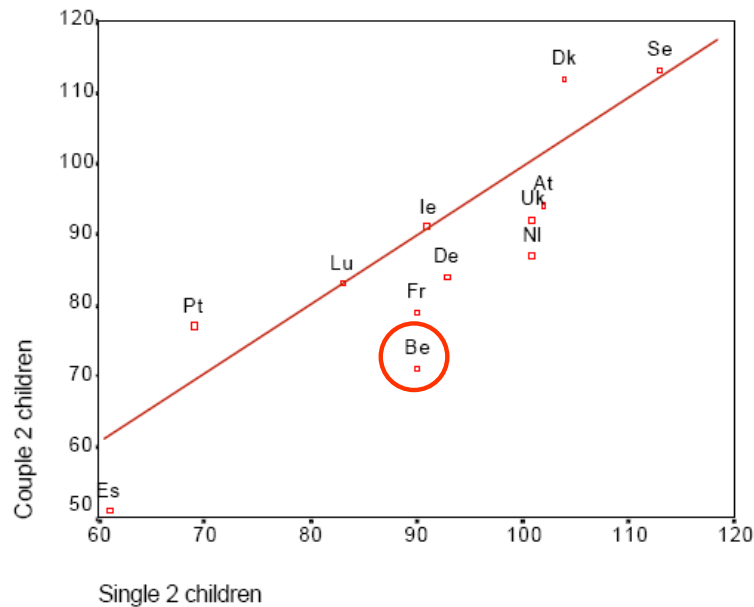
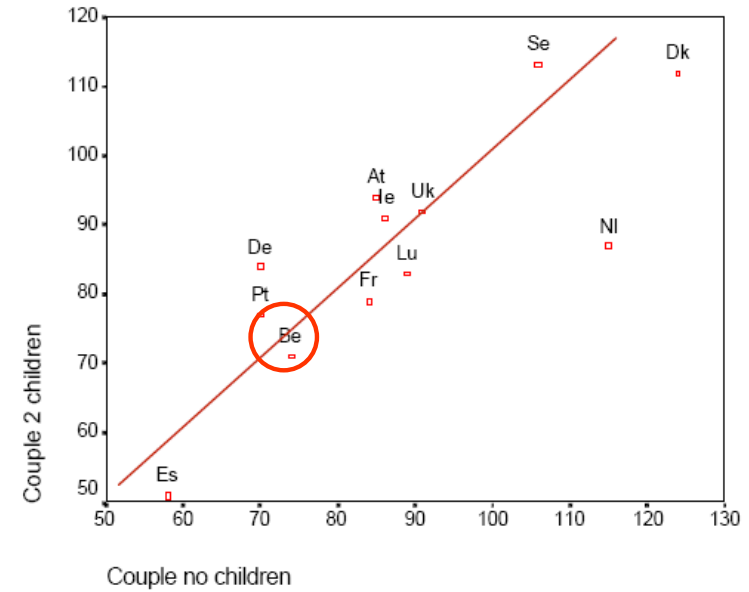
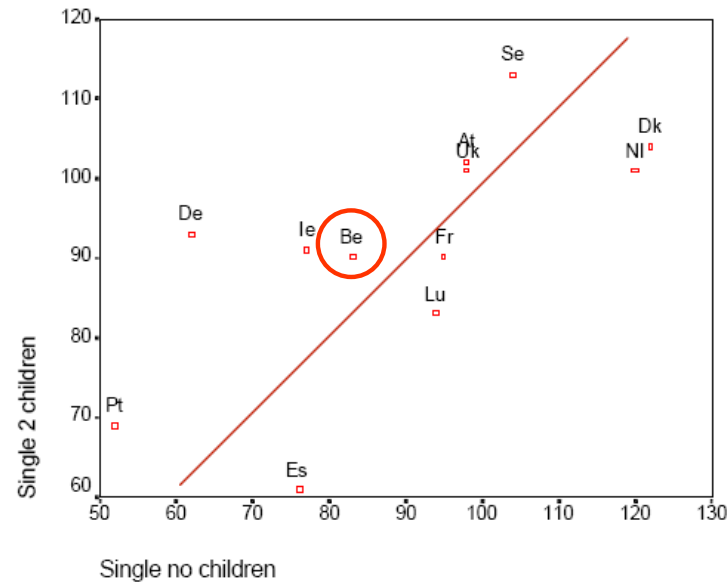


# Thank you for your attention

[yuri.kazepov@uniurb.it](mailto:yuri.kazepov@uniurb.it)

[stefania.sabatinelli@unimib.it](mailto:stefania.sabatinelli@unimib.it)

**Fig.1. Cross-country Correlations between net social assistance benefits of various Households types expressed as a % of the 60% median poverty risk threshold**



Sources: Statistical annex to European Commission (2004b) for 60% at-risk-of-poverty rate. Cantillon, Van Mechelen and Van den Bosch (2004), for net social assistance benefits.  
 Note: The lines show where the values of the net social assistance levels are the same percentage of the threshold for the two family types shown in the respective boxes.



### 3. The Belgian welfare system in a European context

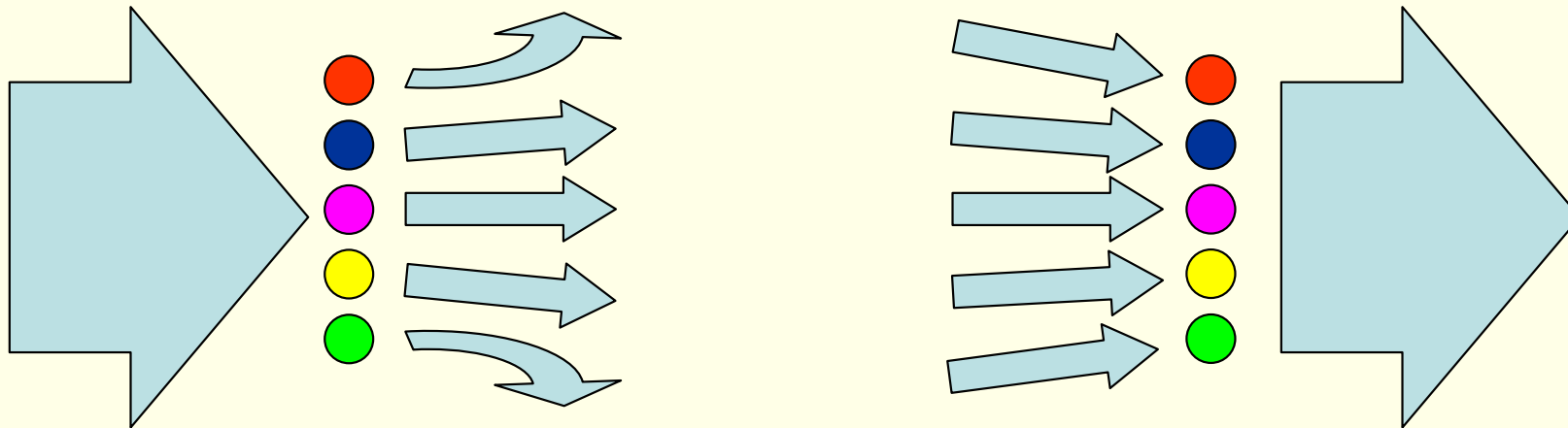
#### Main outcomes of the Belgian welfare model

- good risk prevention capacity;
- higher expenditure share on labour policies and active labour policies;
- good redistributive capacity;
- good replacement rates;
- recent reforms → important activating features.



## 4.0. Possible outcomes in mutual learning processes

- 1) A convergence-based divergence;
- 2) A divergence-based convergence (i.e the development of functional equivalent policies);
- 3) Orbits and creative implementations.



## Some comments about the draft discussion paper

### **CPAS have several legal means to propose a job to DIS recipients :**

1. CPAS may hire the DIS recipient and conclude an employment contract with him/her (not only an employment project as said in your paper, point 2.1.6. c) al. 2).  
This possibility is set forth by art. 60, § 7 of the CPAS Law 1976 and by art. 36 and 37 of the DIS Law.

In this case, the CPAS is the employer and the recipient is the worker who is entitled to a true remuneration from his/her employer (the CPAS) and not to a social income anymore.

The goals pursued by this system are :

- a) making the recipient work during the period of time necessary to obtain unemployment benefits;
  - b) allowing the recipient to have a (first) work experience.
- In both cases the employment contract between the CPAS and the recipient is only concluded for the period of time necessary to obtain unemployment benefits.

The CPAS may either hire the recipient in its own departments or hire the recipient out as a worker for a municipality, another CPAS, an entity from the non-profit sector or a private company from the for-profit sector. In all these cases, the CPAS remains the recipient's only employer.

2. The CPAS looks for a possible employer who will then hire the DIS recipient  
This possibility is provided for under art. 61 of the CPAS Law 1976 and by art. 36 and 37 of the DIS Law.

Under this scheme, the CPAS's intervention consist in first creating a favourable contact between the employer and the DIS recipient and later, during the course of the employment contract's execution, proposing supervision or training to the worker. The CPAS is never the direct employer of the worker.

3. The CPAS contacts the local labour market services to find an employment contract amongst different activation programmes  
This possibility is provided for under art. 39 of the DIS Law.

Under this scheme, the CPAS may bear a part of the remuneration costs of the worker. The CPAS is never the direct employer of the worker.

### **The power of social workers :**

The social worker has no power to take decisions in DIS matter. The CPAS Council only is competent to take such decisions.

The discretionary power belongs thus to the Council rather than to the social worker.

Consequently it is not exactly correct to say that "the social worker in charge of the specific dossier has the discretionary power to decide whether to suspend partly or totally the payment of the integration income up to one month at the maximum, and up to three months in case of recidivism within one year." (cf. your paper, point 2.2.4. al. 2)

The decision to penalize the recipient is taken by the CPAS Council with prior **advice** of the social worker (art 30, § 2 of the DIS Law) but not at the social worker's **instigation**, which was the case in the minimex regime.

### **The coordination of the local services**

In the Walloon area of the country, a regional decree<sup>1</sup> was adopted in April 2004, which aims at organizing the coordination between the different labour market services :PESs but also CPAS and other public or private labour or training services.

In this legal context, the CPAS federations and the FOREM signed a framework contract in order to improve their local cooperation.

At municipality level, the CPAS and the FOREM are associated in *Employment Houses* (the so-called "Maisons de l'Emploi") which propose to anyone interested information, advices and technical assistance about the different possibilities for seeking job or training.

### **Possibility to lodge an appeal**

The recipient who wants to exercise his/her appeal right must first lodge a complaint by the Labour Court.

If he/she does not agree with the Labour Court's decision, he/she may then lodge an appeal against this decision by the Appeal Labour Court.

### **A detail in your paper, point 2.2**

You write "The CPAS pays the training costs, and during this period recipients are entitled to an *integration income* (see table 1), and may also be entitled to an additional help (*aide supplémentaire*). It is not clear on which basis this is eventually erogated and how discretional it is."

The legal basis of this additional help is the CPAS Law of 1976. This law provides for possible discretional actions to be taken by the CPAS because the principle of this law is to enable everybody to have a life conform with human dignity, without giving more details about the conditions to obtain social assistance.

### **A detail in your paper, point 3.2 , al. 2 b)**

You write "It is, however, to be noticed, that the DIS law decidedly widens the claimants' rights in terms of possibility to participate in the elaboration of the individual project, time to reflect about the activation proposals, possibility to refuse options that are too far away from one's expectations."

I would moderate this sentence about the possibility to refuse options that are too far away from the recipient's expectations.

It is true that the DIS law does not set forth penalties in case of refusal of options that are too far away from recipient's expectations but such a refusal may be considered as a failure to be

---

<sup>1</sup> Decree of the Région wallonne relatif au dispositif intégré d'insertion socio-professionnelle, Moniteur belge 01.06.2004

at disposal on the job market, which may lead to a refusal to grant the DIS (on the basis of Article 3, 5° of the DIS law).



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# **The Belgium *Droit à l'intégration sociale* (DIS) in a European perspective**

## **Inputs for discussion**

Yuri Kazepov (University of Urbino)  
Stefania Sabatinelli (Sciences-Po, Paris)



European Commission  
DG Employment, Social Affairs and Equal Opportunities





# Eligibility criteria

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ Special attention towards <b>young recipients</b> (&lt;25), to prevent their fall into dependency.</li><li>■ Attempt towards <b>individualisation</b> of rights and step backwards (in order to equally treat households with children)</li><li>■ <b>Foreigners</b> and Belgian nationals have equal rights</li></ul>	<ul style="list-style-type: none"><li>■ How to target particular groups without disregarding others? The importance of synergies with other policies.</li><li>■ Lack of <b>equivalence scale</b> to take into consideration number and age of children in the household? Important role of family allowances.</li><li>■ Any differences in practice?</li></ul>



# Activation

## The DIS law

- **Responsibility:** emphasis on responsibility of both the recipients and the State.
- **Conditionality** of activation and suspension of benefit as a sanction.
- **Implicit unbalanced position of recipients** in the social contract and potential discretionary power of the CPAS.

## Inputs for discussion

- What about the incapacity of the social system to offer decent jobs and assure equal chances?  
What is a *suitable* job?
- What does *availability* to work mean?  
Is it acceptable from a humanitarian point of view? What is the alternative?  
Only long-term accompanying?
- Split up accompanying and controlling roles in order to establish confidence between recipients and social workers  
Special training of social workers;



# Dependency and labour market attachment

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>▪ <b>Employment is not enough</b> to reach social integration. The DIS foresees also social accompanying measures.</li><li>▪ <b>85%</b> of activation projects are in the public local offices or in the third Sector.</li><li>▪ <b>Scant resources</b> to develop projects for all. Time limit of 3 months.</li></ul>	<ul style="list-style-type: none"><li>▪ What is good activation? Mainly employment? Or also training, voluntary, care, cultural work? Results in the labour market depend much on accompanying measures (training, health, childcare, housing, debts).</li><li>▪ Are activation experiences in the public local administration and in the third sector sustainable in the long term? Can they offer an activation chance to all the minimum income recipients?</li><li>▪ More probability to enroll recipients with more resources, most likely to get back to work.</li></ul>



# Territorial differences

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>■ <b>Implementation</b> of activation cannot be but local. Claims for federal efficiency.</li><li>■ <b>Coordination</b> among local actors.</li></ul>	<ul style="list-style-type: none"><li>■ How to reach a balance between local adaptability and equal treatment for all citizens?</li><li>■ Lack of interregional and federal agreements.</li></ul> <p>Need of tighter links between social services and PES.</p> <p>Coordination with stakeholders should be foreseen from the first steps of the design of policies.</p>



## 3.6. Transparency, evaluation and participation

The DIS law	Inputs for discussion
<ul style="list-style-type: none"><li>▪ The DIS has already been object of a number of evaluation reports, both institutional and independent.</li><li>▪ A great amount of information is available to everyone on the web.</li><li>▪ Involvement of stakeholders in the reform process and in the evaluation process.</li></ul>	<ul style="list-style-type: none"><li>▪ Importance of monitoring and follow up on a regular basis.</li><li>▪ IT divide? Relevance of transparency.</li><li>▪ How to take into consideration the point of view of stakeholders? Which methods? Which criteria of representation and inclusion/exclusion should be foreseen?</li></ul>



# Thank you for your attention

[yuri.kazepov@uniurb.it](mailto:yuri.kazepov@uniurb.it)

[stefania.sabatinelli@unimib.it](mailto:stefania.sabatinelli@unimib.it)