WORKSHOP MEETING REPORT

EU-CHINA SPRP Component 3
1st C3 Workshop on

Legal Framework of Social Assistance
&
Experiences on unified standards for calculation of Social Assistance benefits
&
Social Assistance specific groups - services for children, elderly, people with disabilities, with a special focus on poor rural people

(topics 3.1.1&3.2.1&3.3.1)

Beijing，March 1st, 2016

The Workshop followed the agenda agreed.

Director Liu Xitang MoCA welcomed and presented every participant to the Workshop. After summarizing last year's cooperation between EU and CN experts, Director Liu also referred to the HLF on social assistance in Beijing in September 2016, which was a great opportunity to exchange knowledge between EU experts and policy makers. Then, Director Liu introduced three topics of this Workshop briefly, and expected the next steps should focus on comparing and learning EU countries' experiences, as well as the pilot sites which could put the recommendations provided by experts into practice.

The Workshop was based on the consolidated presentation prepared by three CN experts and three EU experts. The content of the presentations of the experts was a follow up for last year's work, as well as a launch for the year of 2016.

The Workshop started with the three presentations done by the CN short-term experts Prof. Guo Yu, Prof. Gang Shuge and Prof. ZuoTing. Then the three EU experts Mr Davor Dominkus, Mr Mel Cousins and Ms Jadwiga Pauli gave presentations on the EU experiences, which responded Prof. Guo, Prof. Gang and Prof. Zuo's topics respectively.

The first topic 3.1.1 discussed was dedicated to the legal framework on Social Assistance Policy Recommendations. Prof. Guo Yu introduced the current social assistance legal framework briefly, followed by the challenges faced with social assistance legislation, and then focused on the policy recommendations. She stressed that currently China has regulations on national and local level, but has no law. She indicated the challenges, such as lack of comprehensive social assistance legal system, the dedicated social assistance

programs are yet to be improved, the cooperation between different departments, executive capability of social assistance agencies and staff need to be improved further to meet the requirements of social assistance legislation. Among the challenges she stressed the publicity of government information and long-term perspective based on the economic new normal.

According to the challenges, she presented the recommendations for the legal framework of social assistance, such as reference of the Social Insurance Law and Charity Law to promote the legislation process; legal framework should be built upon a mature social assistance system; strengthen cooperation between different levels and departments of government, and rethink that what is the role of MoCA; clear the liability of different stakeholders. She also stressed the importance of government information opening and transparency.

The second presentation under topic 3.2.1 was delivered by Prof. Gang who focused on the calculation and adjustment of Dibao standards. Prof. Gang showed the social assistance policy background, especially the change of Dibao standard under the backdrop of economic development. And then, he focused on a Dibao standard's comparative perspective with the comparison between rural and urban, different regions. He also took the minimum wage and the consumer spending into comparison.

As for the recommendations, Prof. Gang suggested that the coverage rate of Dibao system should realize the orderly development to control the population of Dibao recipients in a duly way; and keep the substitution rate of Dibao standard to the minimum wage at the suitable range, as well as the substitution rate of Dibao standard to the per capita consumer spending. At the same time, he indicated the importance to unify the calculation and adjustment method of social assistance standard, coordinate between dis-centralization and centralization on the funding for the social assistance, and strengthen the classified management with a special focus on the poor children.

The third presentation under topic 3.3.1 Social Assistance for Specific Vulnerable Groups (SVGs) was presented by Prof. Zuo. After a brief introduction on SVG policy and its implementation, Prof. Zuo indicated the achievements of social assistance for SVGs. He stressed that SVG is unique in China; the policy is always late, and its implementation is difficult. Guidance on Further Improvement of the Social Assistance and Support for SVG was released in February 2016, it means that the support system is formulating. Even we have progress, challenges are always there. Mr Zuo mainly stressed the incomplete support in SVG care and the identification for SVGs.

Prof. Zuo suggested the policy improvement should be service provision centered. Based on the request of the new Guidance on Further Improving the Assistance System for Special Vulnerable Groups, to conduct pilot policy experimentation on standards of caring and nursing, participation of social organizations, subcontract of services; and clarify the financial responsibility between different level of governments on the maintenance and operation of nursing. To strengthen the ability of organization and its staff for providing

better services. Meanwhile, make full use of the role of rural community and Village Committee for better individual support. At last, he stressed the importance of encouraging local innovation in SVG support system and learning experiences from excellent local pilots.

Mr. Liu commented that the State Council promulgated the Guidance on Further Improving the Assistance System for Special Vulnerable Groups lastly (on Feburary 10th, 2016).

The Guidance is coherent with Prof. Zuo's topic, and it can be seen from the guidance that the development within social assistance is transforming from the main focus on substantial support (Dibao) to include as one of the main aspect also social services. Mr Liu stressed that the research of the experts' within C3 SPRP project also had some impacts on the promulgation of the Guidance; the idea and framework of the Guidance to some extent are similar with the Workshop discussion and the reports prepared by experts mainly by Prof. Zuo. All our experts' work is promoting the change of regulations or institutions with social assistance.

The EU expert Mr Davor Dominkuš responded topic 3.1.1 legal framework on EU experience. He indicated that we should have clear objectives of the new social assistance legislation first, and then start the preparatory process for the legislation. Mr Dominkus took EU procedures as an example to show the procedure, structure and content (e.g.Dibao) of a new law on social assistance. He stressed that before the implementation of the new law, it is necessary to ensure all the necessary infrastructure including IT support, training/education of the staff/providing bodies and the publicity.

In terms of legal framework on social assistance, he suggested that the government should pay attention to the long term intention to support people at risk of poverty and social exclusion, and promote the participation and cooperation of different stakeholders on a central, provincial/local level. Mr Dominkus stressed the importance of transparency and the effective use of public funds.

The EU expert Mr Mel Cousins responded topic 3.2.1 calculation and adjustment of Dibao standards on EU experiences. Mr Cousins stressed the importance of methodology used. We couldn't conduct large scale research, so we require suitable data series exists. As for the Dibao standard, it was noted that there was no EU standard, but national standards are monitored under Open Method of Co-ordination (OMC). He stated some issues in setting the rate of benefit, such as impact on labour market incentives both for those on Dibao who have work capacity and those currently in work.

Mr Cousins made a suggestion to MoCA to provide National Guidelines as to Dibao standard and indexation baseline standard and to clear legal definition of what income and assets are included and guidelines as to implementation. The government should learning from some excellent pilots on the targeting issue, such as Shanghai. And, don't ignore to share data with other relevant organizations.

The EU expert Ms Jadwiga Pauli responded topic 3.3.1 Social Assistance for Specific Vulnerable Groups based on Poland experiences. She showed the social care within the structure of public administration in Poland with their own liabilities respectively. She indicated that the role of social assistance in Poland is to support people so that one could use his potential for earning his living, it's the idea of empowerment. The main tasks of social policy include prevention, active social integration and intervention. In China, the social assistance is mainly on the financial support currently, and lack of services, especially on the growing rural group of elderly, people with disabilities and children under the age of 16. They are completely relying on social assistance system.

Ms Pauli proposed some suggestions on the above two rural groups respectively for better services. And she also mentioned the cooperation with NGOs and the idea of prevention is useful for situation in China.

Comments by three CN invited experts were followed.

The first expert Prof. Yang Sibin who focuses on the legal frame work of social assistance. He gave 5 comments.

1. Prof. Yang clarified the legislation's necessary and opportunity, and explained why the social assistance legislation is delayed. The social assistance system is not mature is one factor. *Some people think that our economy is slowing, it is not the right time and opportunity to make the social assistance framework fixed. However, some countries did it in the economic downturn.* The legislation can't impact the policy innovation. Therefore, it is always the time to consider the legislation.

2. The cross-sector cooperation also needs the legislation, for example, to make sure the leading sector-MoCA's role.

3. Pay attention to methodology, cliff effect, the coordination in policy and among policies, such as the coordination between social assistance regulations and Social Insurance Law.

4. Social Assistance should be under the background of take targeted measures to help people lift themselves out of poverty.

5. Pay attention to authorities' power, legislation procedure and responsibility.

The second expert Prof. Yao Jianping who focuses on the Dibao standards and children's assistance gave 6 comments.

1. Standards could be different, but the calculation method should be unified. And the standards should have interval.

2. Allocate the central and local government's responsibility reasonably. Pay attention to the regional disparity on the allocation of responsibility.

3. Included more NGOs for social assistance service providing.

4. Focused on the Group management just as Prof. Gang and Zuo said. Links up social welfare system and social assistance system, such as the disability welfare and Dibao benefits.

5. Dibao standards and other standards as Prof. Gang mentioned should depend on the economic situation in different areas, the rate of 30% is just a principal which may has disparity.

6. Prof. Zuo's presentation on specific groups mentioned the prevention for children in poor families. Children is country's future. Finding children's special needs will benefit for poverty prevention.

The third expert Prof. Jiang Zhiqiang who focuses on the SVGs gave 5 comments.

1. From 1994-2014, China spent 20 years to make a regulation, not a law. Privacy is not be protected in the social assistance practice, and the regulation has mentioned the protection of rights.

2. Necessity and availability for legislation need to be seriously considered. Is this the time to fix the social assistance framework at present China?

3. Pay attention to the standard procedure in the policy implementation.

4. The framework of social assistance has formed already, but it lacks of social assistance services; we should promote this kind of service on the legislation level.

5. The social assistance for SVGs should have its own specific financial account.

Director Liu Xitang responded that after the identification of rural and urban SVGs, the number of targeting groups will increase as estimated. As for the relationship between social assistance for SVGs and LTC system, maybe we can practice it from care services for specific vulnerable groups.

The discussion session started by the comments and questions from CN expert Mr Li Weidong, he came up with a question to Prof. Gang about his views on the Dibao standards and coverage rate. The Prof. Gang responded that the data used in the report mainly comes from the statistical yearbook. The estimated social assistance beneficiary is 70 million according to the economic situation and the role of Dibao. It is the goal to realize equilibrium between promoting the working incentive and guarantee of the basic living of the Dibao recipients. In general, the Dibao standard should be increased, but the differentiated management of Dibao standard for the sub-group of Dibao recipients should put into practice. The adjustment may go up and down in different situation.

The EU expert Mr Davor Dominkuš stated that EU has no unified standards on EU level. The methodology is different in countries. But, EU has clear target on alleviation poverty by 2020, the EU countries has supervision but we didn't do well till now.

CN expert Ms Luo Xin asked about the role of social organizations in EU on social services delivery. EU expert Ms Pauli responded to the question, she said that Poland has legal framework on the social organizations for social services, they can apply for the subsidy and get the opportunity to provide social services.

The EU expert Mr Gruat made comments as follow: Social protection needs available resources, it is a challenge. Sustainable financial support is important. The responsibility of different level's government should be allocated, and the allocation of human resources reasonably. The information should be shared among stakeholders and let people know. MoCA can't take all responsibilities by itself. There is a need for cooperation with other governmental bodies.

The EUD Project Officer Ms Yi Xiaolin summarized the 3 topics, and spoke highly of the communication and cooperation between EU and China, and then suggested that we can summarize our experiences and share with other Asia countries.

EU C3RE Ms Marzena Breza focused on the follow-up activities and expressed appreciation for every expert and MoCA team. The workshop is a milestone, and also a summary of last year C3 activities. Next days we will receive the reports on recommendations from CN and EU experts. The first reports will focus on the experiences and will share some motivation for moving from interim to long-term legal provisions. It will include also the issue of stakeholders' cooperation procedure when drafting law. As for second report on the Dibao benefit standards, we should discuss more in deep the methodology of the standards and better targeting. Children's assistance should stress on investing in families based on the EU countries' experiences. Ms Breza mentioned the strategies in the EU countries when setting targets for poverty or employment and even local strategy for social organizations activities. Social organizations are efficient, and they are close to the beneficiary therefore should be recognize as social services providers.

Ms Breza mentioned that new 3 topics will be researched within this year which will allow deepening the topics from last year.

Closing speech by Director Liu Xitang: The next steps should focus on the legislation of social assistance. We will assess the regulation's implementation and advocate the legislation of social assistance. There is a fully understanding of a need of an accurate standard for Dibao benefits. The issue is to know how the standard should be set up, and then updated. In addition, system for providing services together with Dibao is needed. Dibao national regulations are still on way, we need experts to provide more support on international expertise studies.

Next step arrangement:

1. Research deeply on the EU experts' national background reports to generate more specific suggestions for Chinese social assistance system.

2. Summarize Chinese experiences, which some of them also valuable. This will enable to share Chinese Social Assistance achievements.

3. Further improve the reports from experts, and we will follow up their updates on the MoCA and Project website on the activities of the C3 SPRP.

4. Focus on the outcomes' publicity and broaden, such as training and textbooks for stakeholders.

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