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“Vulnerability and co-production of local welfare: shared administration and the public-private network for community welfare. An international comparison”

**ABSTRACT (massimo 800 caratteri, spazi inclusi)**

The research aims at the comparative analysis between policies to fight poverty and disability at national, sub-regional and European level. In particular, it will pay attention not only to welfare production processes adopting the perspective of emancipatory social research (Wright, 2010) and action research (Lewin, 1972), but also to the solutions adopted through forms of co-planning and collaboration - implementation at local level by the public administration and by third sector entities with regard to social planning and the management of the system of social interventions and services, paying particular attention to the issues of contrasting poverty and disability. Finally, an attempt will be made to create open spaces for reflection in which to implement an active dialogue between all stakeholders

**PROJECT RESEARCH**

In an increasingly complex and interconnected society like the Western one, the need to develop skills for global and specific readings of the phenomena that characterize life and its quality is becoming ever more pressing and demanding. Readings that cannot be only species-specific and limited to the "here and now" but which must prove capable of going well beyond the given and the contingent, they must also be able to project themselves towards a desirable future made possible above all through a reading thorough, integrated and participated of needs and in which the weaknesses of the system are not perceived only as mere problems, but as stimuli for learning and improving. To do this, it is essential to set up accessible and "broadband" spaces in which people can meet and gather energy by channeling it towards shared actions that aim to strengthen the system and avoid, or at least mitigate, the ominous drifts of the problems to be faced, as well as their multiplication. In simple words, it is necessary to create open spaces of freedom for aggregation in which everyone can feel protected and entitled to express and exercise their right and duty to contribute to the construction of reality. A reality that is shared and which, precisely being such, needs clear and explicit reference frameworks (frameworks) whose policies are responsible, in their various meanings and declinations, for determining, prescribing and regulating while simultaneously ensuring homogeneous, usable and collectible. Therefore, the rules represent a reference with which the citizen ratifies his belonging to a whole, but they also represent a point from which to start to analyze reality and be able to change it for the better. The rules together with the resources (financial, instrumental and human) and the system actions represent the main levers on which to act in order to be able to carry out the difficult and refined art of planning to live together. Programming is a natural human activity, in fact, as Bruni

claims "man has always had the need to resort to rational planning of his actions to solve everyday problems" (Bruni, 2009, p.11 ). It not only represents an essential element for the organization and rationalization of the action of the human being, but also for the action of the social system as a whole. In fact, programming represents a means of fundamental importance both for increasing territorial social capital and for social learning (Merlo G., 2014).

Due to the outbreak of a traumatic event such as that of the Covid-19 pandemic, the social system found itself having to reflect intensely on the concept of the common good, or those «very vast classes of goods (natural, social, cultural, virtual) that are necessarily shared in social life as an indispensable means and resource» (Donolo, Sordini, 2006, p.255). A rethinking that also involved social planning, a means in which the political sphere interpenetrates with the technical sphere and whose legal dimension is born in the area of public law theory (Sibilla, 2008, p.16). The pandemic has done nothing but strongly emphasize the enormous difficulty that the management of social reality and its processes entails, not only due to its unstable and indeterminable being, but also due to its constant precariousness and evolutionary fragility. Today more than ever, the indeterminacy that complexity brings with it requires the mindset of organizations (public and private), as well as people, to become aware that shared paths are needed to accompany the processes of change, directing them towards an idea of progress that substantially and concretely welcomes democratic principles.

It is in this panorama that the principle of subsidiarity as enshrined in the Italian Constitution (articles 117-118, reform of Title V of the Italian Constitution) and the principle of proximity as promoted by local and territorial welfare stand as pillars of a possible progress towards the construction of a competent society capable of emerging from permacrisis.

Underlying, there is the ability to integrate the different degrees and levels of public policies so that an effective and efficient multilevel governance system can be created that guarantees universality of rights and common goods, without however disregarding the awareness of the existence of local collectives which can be distinguished between those usable by all and those for which only the citizens of a given territory can enjoy them (Ciapetti, 2010, p.16). Therefore, in addition to ensuring "individuals and families an integrated system of social interventions and services" and "promoting interventions for the quality of life, equal opportunities, non-discrimination and citizenship rights", as required by the framework law of 8 November 2000 n.328, it is necessary to specifically evaluate the needs of a territory and to do so it is necessary to identify «tools to favor the reorganization of the integrated system of social interventions and services», such as the Zone Plan (art.19, law 328/2000 ). For the success of the Area Plan, the active involvement and participatory dialogue between the public and the third sector entities is essential, which are called to collaborate in view of a common interest and as a consequence of their constitutive nature of mediocrity, i.e. of intermediation between public and private logics for profit (Cimarelli, Fedeli, Pavolini, 2008). Two worlds, therefore, that of the public and the private, pertaining to two different logics that find themselves having to collaborate regardless of the differences and, indeed, using the latter as resources to be made available for the punctual definition of adequate responses to needs as well as the realization of interventions and integrated services (law 328/2000).

One of the first references regarding the role of the third sector occurred with the law 328/2000 in art. 5 in which he declares that «to favor the implementation of the principle of subsidiarity, the local authorities, the regions and the State, within the framework of the resources available on the basis of the plans referred to in articles 18 and 19, promote actions for the support and qualification of subjects operating in the third sector" and "promote actions to promote transparency and administrative simplification, as well as the use of forms of awarding or negotiation which allow subjects operating in the third sector to fully express their planning" (Article 5, law 328/2000)

With the enabling law 106/2016, then, the Third sector is defined as "the complex of private entities set up with civic, solidarity and social utility purposes which, on a non-profit basis, promote and carry out activities of general interest, through forms of voluntary and free action or mutuality or production and exchange of goods and services, in line with the purposes established in the respective statutes or articles of association» (Chamber of Deputies, 2022). Another decisive step with which the Third sector was fully recognized as an actor in all respects took place with the Legislative Decree of 3 July 2017, n. 117, the Third Sector Code. With it, the Reform of the third sector was fully implemented with which the precise category of third sector entities was identified and the matter was organically reorganized, as well as the establishment of the RUNTS. Of particular importance is to be attributed

to articles from 55 to 57 of Title VII of the Code of the third sector, which have taken steps to integrate and regulate the relations between the Public Administration and the Entities of the third sector and with which, according to the Constitutional Court given «one of the most significant implementations of the principle of horizontal subsidiarity enhanced by art. 118, IV comma, Cost» (Ministerial Decree n.72/2021) thanks to the shared administration which has provided an alternative to the competitive logic of the market. More specifically, Article 55 provides that "public administrations, in exercising their functions of planning and organizing interventions and services at the territorial level in the sectors of activity referred to in Article 5» ensure «the active involvement of third sector entities through forms of co-programming, co-planning and accreditation in compliance with the principles of law 241/1990» (art.55, Legislative Decree 117/2017). It should be noted that the object of the collaboration has undergone an extension of its competence to the generality of interventions, no longer de facto limited to the sole sphere of welfare (cantiereterzosettore, 2022). It is then with the sentence of the Constitutional Court n.131/2020 that steps were taken to enhance the category of third sector entities "as a limited set of legal entities endowed with specific characteristics (art.4)" aimed at "pursuing the good municipality" (art.1) and to underline the inadequacy of the use of the Public Contracts Code (Legislative Decree 50/2016) to regulate the collaboration between the public administration and third sector entities. Subsequently, on 31 March 2021, the "guidelines on the relationship between public administrations and third sector entities" were adopted with Ministerial Decree no. 72 with which further clarity was made on the subject by reaffirming once again the importance of the institution of co-programming which is recognized as an ordinary tool for exercising administrative action (Government Report on the CTS scheme) and «aimed at identification, by the proceeding public administration, of the needs to be satisfied, of the interventions necessary for this purpose, of the methods of implementation of the same and of the available resources" (art.55, CTS, co.2).

It can be seen how the progressive legitimacy entrusted to the third sector corresponds to the transition from the "New Public Management" (NPM) model, in vogue in the 90s within the Public Administration to the "New Public Governance" model ( NPG), (Osborne, 2006) with which the public administration has assumed a cooperative role with all the other actors, thus making the shared administration concrete (articles 55-57 Legislative Decree 117/2017).

The gradual emergence of this new approach has not often found practical application and correspondence in many contexts due, above all, to rigid organizational cultures (Schein E., 2004) which actually limit new and generative processes. Therefore, within the same Italian context it is possible to trace a wide heterogeneity of experiences between the relationships between the Public Administration and the third sector entities which varies from Region to Region and, even, from Municipality to Municipality. A heterogeneity that also has consequences from the point of view of responses to vulnerabilities and therefore deserves to be investigated.

The aim of the research will be to contribute to the understanding of the differences between different organizational contexts and cultures in order to identify their critical points and strengths, focusing above all on the analysis of needs, local resources and best practices through participatory research methodologies and in harmony with the emancipatory social science researcherach (Wright, 2010). Furthermore, the themes of poverty and disability will be explored as paradigmatic themes of the condition of vulnerability par excellence of the human being and as topics exposed to greater exploitation at a political level given the importance covered. Policies on disability and the fight against poverty will be studied both at the Italian national level and at the European level in such a way as to be able to detect converging and divergent trends. After that, we will try to verify how much the provisions issued both nationally and internationally are implemented at the local level in order to eventually be able to formulate solutions that facilitate the system to apply them

Furthermore, in line with Mission 5 component 2 of the PNRR "Social infrastructures, families, communities and the Third Sector", the research will aim to have a positive impact on the promotion of social inclusion and on the processes of co-planning, co-participation and co-creation of interventions and services to fight poverty and for people with disabilities and their families. To this end, we will collaborate in the organization of projects, at various levels (national, regional and local) on policies and services concerning people with disabilities and those fighting poverty.

We will propose to study the relationships between public administration and third sector entities through action research (Lewin K., 1972) and to facilitate organizational development by paying

attention to the languages and organizational cultures of the stakeholders to analyze the effective degree of involvement in policy making and decision making

It is expected that from this research project it will be possible to implement increasingly open and inclusive participatory processes between public administration and third sector entities, as well as providing innovative tools that can ensure the guarantee of substantial participation in decision-making processes.

Finally, it is hoped to increase collaboration not only between public administration and third sector entities, but also between universities, public administration and third sector entities, believing that the university is an institution that can contribute decisively in supervision of participatory processes and in the mediation of these, at least until the achievement of a concrete autonomy of these processes. Therefore, the University as another interlocutor to refer to and turn to for the refinement of the skills necessary to be able to manage the complexity of needs by organizations.

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