

OPPORTUNITIES AND BARRIERS IN THE DEVELOPMENT OF THE SOCIAL ECONOMY IN ROMANIA. OPINIONS AND ATTITUDES OF SOCIAL ENTREPRENEURS

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Abstract: *The social economy is a relatively new field in Romania. Not only is it little known in public opinion and academic debates, but the number of Romanian social enterprises is very small (only 80 social enterprises). An easy explanation would call into question the relatively new nature of the relevant legislation. In 2015, the Law on Social Economy was adopted (219/2015) and a year later the application norms are published. We start from the premise that not only the novelty of the legislation explains the small number of social enterprises, but also the existence of social and administrative barriers faced by those who want to start social affairs. This article presents the results of a sociological survey based on a questionnaire, administered to a number of 68 social entrepreneurs, in order to identify the opportunities and difficulties encountered by them in the effort to assert the social economy in Romania. The finality of the research approach consists in formulating scientifically justified recommendations for the improvement of their situation and, implicitly, for the development of the social economy in Romania.*

Key words: *social enterprise; social insertion enterprise; social economy; social entrepreneurs; social politics.*

1. Context. General data on the regulation and functioning of the social economy sector in Romania¹

Immediately after the Events of December 1989, in Romania began the reconstruction of the social services system, which involved two directions: capitalizing on the interwar tradition and connecting this system to Western trends (Breaz, 2020). However, the social economy, an important component of the system of measures for the socio-professional integration of vulnerable groups, entered much later in our country, only in the period 2012-2015 (Otovescu, Calotă and Cioacă, 2019).

On July 23, 2015, the Romanian Parliament adopts the *Law on Social Economy* (219/2015), and on August 10, 2016, the application norms are approved. By *Order No. 2034/2016 of the Minister of Labor, Family, Social Protection and the Elderly*, published in the *Official Gazette with No. 895/2016*, in complementarity with *Law no. 219/2015* and to monitor the effects of its implementation, was developed and periodically updated the *Register of Social Enterprises*, a document administered by the National Agency for Employment, through the Department of Social Economy.

In accordance with the legislative provisions mentioned above, the social enterprise certificate is issued by the National Agency for Employment at county level, respectively at the level of Bucharest Municipality, at the request of the legal entity (association, foundation, mutual aid house, company etc.), which, based on the documents of establishment, organization and functioning, must demonstrate

¹ This section was presented and sent for publication, in an extended form, at The International Conference *Literature, Discourse and Multicultural Dialogue*, 8th Edition, 12-13 December 2020, Tîrgu Mureş, Romania. We mention that the research results, presented in the following chapters, have not been previously published or presented at a scientific event.

compliance with the principles and criteria of the social economy, as they are established by Law no. 219/2015.

The social enterprise certificate is valid for 5 years, with the possibility of extension. Unlike the social enterprises themselves, the social insertion enterprises are certified by granting the social mark, with a validity of 3 years. Because it directly promotes the inclusion of persons belonging to vulnerable categories, as they are defined by *Law no. 292/2011 of 20 December 2011 (Law of Social Work)*, the current legislation in the field of social economy recognizes the privileged role of social insertion enterprises and offers them a wider range of facilities and means of financing.

Table 1. shows the evolution of certificates and certificates granted and suspended / withdrawn until October 2018, respectively March 2019, and the number of social economy structures active in Romania at the mentioned dates. The table was prepared on the basis of a secondary analysis on the data provided by the *Register of Social Enterprises* at two different times.

Table 1: General data on the structure of the SE sector in Romania according to the number of certificates / certificates issued / suspended / withdrawn and functional social enterprises.

Crt.	Indicator	October 2018	March 2019
1.	Total number of certificates of social enterprises issued	120	120
2.	Total number of certificates of suspended social enterprises	30	32
3.	Total number of certificates of withdrawn social enterprises	19	19
4.	Total number of social enterprise certificates issued	12	12
5.	Total number of suspended social enterprise certificates	3	3
6.	Total number of functional social economy structures (social enterprises and social insertion enterprises)	80	80
7.	Number of functional social enterprises	71	75
8.	Number of functional social insertion enterprises	9	5

Source: data calculated from the *Register of Social Enterprises*.

By October 2018, 120 certificates of social enterprises had been issued, the number remaining the same in March 2019. Of these, 30 were suspended until October 2018, respectively two between October 2018 and March 2019. Although they were not issued or canceled new certificates of social insertion enterprises, their number decreased due to the expiration of some of them. The number of social economy structures (enterprises and social insertion enterprises) remained constant - 80 - the few entries and exits due to expiration / suspension / withdrawal / extension of validity of certificates / certificates or cancellation of withdrawal decisions.

2. Methodological landmarks

2.1. Purpose and objectives of the research

➤ *The general objective:* to know the opportunities that the social economy structures in Romania benefit from and the barriers that social entrepreneurs face in the activity of administration and development of social enterprises, as well as the formulation of solutions to overcome these barriers.

➤ *Specific objectives:*

- collecting factual information about the social economy structures managed by the surveyed entrepreneurs: type of enterprise, legal personality, number of employees, share of employees belonging to vulnerable groups, field of activity, county;
- identifying the financing modalities used by the social entrepreneurs in view of the establishment of the social economy structure and its further development (where appropriate);
- identifying the optimistic / pessimistic attitude of entrepreneurs towards the future evolution of social enterprises that continue to operate;
- identification of the main causes that led to the cessation of the activity of the currently inactive social economy structures;
- knowing the most important difficulties faced by social entrepreneurs in the development, promotion and expansion of the activity of the social economy structure;
- identification of the main facilities that social enterprises have benefited from based on the status offered by law;
- knowing the degree of receptivity of communities towards social economy initiatives;
- knowing the degree of mutual knowledge among social entrepreneurs;
- measuring the degree of satisfaction of social entrepreneurs with current legislation in the field of social economy;
- knowing the measures that social entrepreneurs take in order to optimize the legislative framework in the field of social economy.

2.2. Working hypotheses and research methods

- *Working hypotheses that express conjectural relations between variables:*
- 1) If the social enterprise was set up on the basis of external financing (partial or total), then the probability of it remaining active is lower than if the social enterprise was set up solely on the basis of its own investment.
 - 2) The more pessimistic social entrepreneurs are about the future of social enterprise, the greater the dissatisfaction with the current legislative framework.
- *Working hypotheses that express provisional expectations in relation to the objectives:*
- 3) Social entrepreneurs are for the most part optimistic about the future of the social economy structure they manage.
 - 4) Lack of funding opportunities is the main barrier facing social entrepreneurs.
 - 5) In general, social entrepreneurs know each other.
 - 6) Communities have been reluctant to the idea of social economy.
 - 7) Most social entrepreneurs evaluate the current legislative framework in a negative way.
 - 8) Most social entrepreneurs can make concrete proposals to improve the legislative framework in this area.
- *Method used:* sociological survey based on questionnaire. The data collection tool: the questionnaire, which included 17 closed, semi-open and open questions.
- *Data collection period:* 05.06.2020-10.06.2020.

- *Data download and interpretation period:* 10.06.2020-15.06.2020.
- *The way of data processing:* quantitative, objective, statistical.
- *Research universe / population:* social entrepreneurs in Romania, both active and inactive.
- *Exploratory group:* 68 social entrepreneurs.

3. Research group structure

According to the data provided by the *Register of Social Enterprises*, analyzed in the previous chapter, so far 120 certificates of social enterprises have been issued, of which 80 continue to operate. Their administrators, called in the paper "social entrepreneurs", constitute the universe (population) of research. The exploratory group consists of 68 respondents, of which 41 carry out their activity at the time of conducting the research, the rest of the certificates being suspended or outside the validity period. Therefore, 50% of active social entrepreneurs were surveyed, which would methodologically justify the use of the sample concept, to the detriment of the exploratory group. However, given the high share of non-responses (68 out of 120, which means a non-response rate of 63%), the sample remains one of convenience, which is why we opted, out of epistemic caution, for the phrase "exploratory group".

Another notable limitation is that an entrepreneur can manage several enterprises at the same time, which means that identifying the number of enterprises with the number of entrepreneurs is not necessarily real. However, in the absence of clear data on the number of entrepreneurs dealing with more than one enterprise, we considered this methodological compromise mandatory in order to achieve the research objectives. At the level of the investigated group, we identified a single entrepreneur who manages three separate social enterprises, in which case we considered it useful to complete the questionnaire for each company, given that the opportunities and barriers were diverse in each of the three cases. Therefore, 65 people were interviewed, one of them managing three different social economy structures.

Table 2: The structure of the research group according to the development region of the SES¹.

Crt.	Development region	%
1	South East	18%
2	Northwest	17%
3	Center	17%
4	Southwest Oltenia	16%
5	West	10%
6	Bucharest-Ilfov	9%
7	North-East	8%
8	South-Muntenia	5%
TOTAL		100%

Table 2 presents the distribution of social enterprises included in the group according to their geographical position. The respondents were asked to mention the county on whose territory the social economy activity is carried out, the answers being subsequently codified to correspond to the development regions. Most social

¹ SES = social economy structures (phrase includes social enterprises and social insertion enterprises)

enterprises are located in the South-East, North-West and Central regions, and the least in the North-East and South-Muntenia regions.

Table 3: Research group structure according to the type of enterprise

Crt.	Type of enterprise	%
1	Social enterprise	96%
2	Social insertion enterprise	4%
TOTAL		100%

Table 3 presents the share at the level of the investigated group of the two types of social economy structures recognized by law - social enterprises and social insertion enterprises. The majority are the social enterprises themselves, so that only 3 administrators of social insertion enterprises participated in the sociological survey. The structure of the group reproduces, from this point of view, the structure of the population.

Table 4: The structure of the research group according to the legal person

Crt.	Legal entities	%
1	Trading companies	55%
2	Associations	40%
3	Foundation	5%
TOTAL		100%

Predictably, most of the SES included in the batch are companies, followed by associations and foundations, a distribution that is also found in the population, according to the secondary analysis performed in the previous chapter.

Table 5: The structure of the research group according to the number of employees of SES

Crt.	Number of employees	%
1	1-5	50%
2	6-15	30%
3	16-30	20%
TOTAL		100%

Most of the social enterprises included in the group are small enterprises, with less than 15 employees. It should be noted that the question concerned only those legal categories likely to be employed or that had active employment contracts at the time of the investigation.

Table 6: The structure of the research group according to the number of SES employees belonging to vulnerable groups

Crt.	Employees belonging to vulnerable groups out of the total number of employees	%
1	Under 30%	70%
2	30-50%	25%
3	Over 50%	5%
TOTAL		100%

The share of employees belonging to vulnerable groups is generally very low, below the threshold of 30% of total employees in the case of 70% of the companies in the group.

Table 7: The structure of the research group according to the field of activity of SES

Crt.	Field of activity	%
1.	Social work activities, social services, welfare	15%
2.	Crafts, materials processing, construction, infrastructure	15%
3.	Counseling activities, career guidance, training, employment	10%
4.	Economic-financial, managerial, organizational consulting activities	10%
5.	Sports, recreational, leisure activities	10%
6.	Ecological activities, tourism, environmental protection and promotion	9%
7.	Beauty, clothing, tailoring, make-up services	8%
8.	Social and marketing studies	8%
9.	Health and medical care	5%
11.	Education and culture	5%
13.	Data processing, photocopying, secretarial activities	5%
TOTAL		100%

The distribution by fields of activity of social enterprises included in the research group approximates the distribution at the population level, the first three options - "Social work activities, social services, welfare", "Crafts, materials processing, construction, infrastructure", "Counseling activities, career guidance, training, employment" - being similar in the case of the secondary analysis performed on the *Register of Social Enterprises*.

4. Results

4.1. Sources of funding

According to Table 8, which shows the main source of financing used by entrepreneurs to set up the business, where appropriate, we find that the vast majority of social economy structures (62%) were based on external financing, mainly from local, national or European non-reimbursable funds, through specific programs. Only 38% of the social enterprises included in the group were set up entirely through the entrepreneur's own investment. The analysis is extended in Table 9, which illustrates the main source of funding used by social entrepreneurs after the establishment to ensure the optimal functioning of the company. We find that, in most cases (67%), social enterprises were able to ensure a normal operating regime through self-financing, donations and support from local authorities being the least evoked sources of funding.

Table 8: Main source of financing on which the company was set up (where applicable)

Crt.	The main source of funding on which the company was established (where applicable)	%
1	entirely through its own investment	38%
2	through the Sectoral Operational Program Human Resources Development - SOP HRD (2007-2013)	25%
3	through the Human Capital Development Operational Program - POCU (2014-2020)	22%
4	from the local budget	10%
5	through the Nation Start-up Program	5%
TOTAL		100%

Table 9: Main source of financing for the company (during operation)

Crt.	Main source of financing for the company (during operation)	%
1	income from the activity (self-financing)	67%
2	donations	15%
3	access to non-reimbursable funds	8%
4	sponsorships	5%
5	support from local authorities	5%
TOTAL		100%

4.2. Difficulties and facilities

Table 10: Main reason for cessation of activity (where applicable)

Crt.	Main reason for cessation of activity (where applicable)	%
1	lack of satisfactory funding opportunities	84%
2	lack of qualified human resources	5%
3	expiration of the validity of the social enterprise certificate	2%
4	difficult access to the market	2%
5	the impossibility of ensuring an adequate working environment for the needs of vulnerable people	2%
6	difficulties encountered in motivating vulnerable people	2%
7	difficult bureaucratic procedures	2%
TOTAL		100%

Table 11: The main difficulties encountered by social entrepreneurs in carrying out the activity

Crt.	The main difficulties encountered by social entrepreneurs in carrying out the activity	%
1	limited funding opportunities	20%
2	lack of qualified human resources	15%
3	difficult access to the market	12%
4	reduced opportunities to work with local authorities	10%
5	difficult bureaucratic procedures	10%
6	lack of a legislative framework conducive to the development of	8%

	the sector	
7	reduced opportunities to collaborate with other social entrepreneurs	6%
8	lack of knowledge and experience in the field of social economy	5%
9	limited entrepreneurial knowledge and skills	5%
10	the impossibility of ensuring an adequate working environment for the needs of vulnerable people	5%
11	difficulties encountered in motivating vulnerable people	2%
12	difficulties encountered in motivating and increasing community cohesion around the business	2%
TOTAL		100%

Table 12: The facilities that social enterprises have benefited from

Crt.	The facilities that social enterprises have benefited from	%
1	no facilities	75%
2	accessing, as an actor of the social economy, the European funds for development, through the Human Capital Operational Program 2014-2020 (POCU)	11%
3	tax exemption for buildings owned or used	5%
4	reducing the amount of tax on buildings owned or used	5%
5	non-taxation of incomes up to 15,000 euros	2%
6	priority in public procurement	2%
TOTAL		100%

According to the data presented in Table 10, the lack of adequate funding opportunities is the main reason behind the cessation of the activity of some social enterprises. This reason is mentioned in 87% of cases. The item only targeted social enterprises in the group that no longer hold a valid certificate. It should be noted that this does not actually imply the cessation of the organization's activity. Some companies, for example, continue to operate in the absence of a certificate, their activity being still socially oriented, despite the fact that, legally, they are no longer recognized as actors in the social economy. Moreover, the main reason that discourages the extension of the validity of the certificate and the continuation of the activity as a social economy structure is the fact that in 75% of cases the entrepreneurs did not benefit from any facility offered by this statute, according to Table 12.

4.3. Attitudes, representations and predictions

Table 13: The degree of receptivity of the communities regarding the idea of social economy

Crt.	How receptive was the community in which you live to the idea of social economy?	%
1	very receptive	30%
2	responsive	20%
3	indifference	5%
4	reserve	15%

5	very reluctant	25%
6	DK / NA	5%
TOTAL		100%

The degree of receptivity of the communities to the idea of social economy is particularly heterogeneous, according to Table 13. It should be noted, however, that 25% of entrepreneurs felt a very strong reluctance on the part of the communities. Worryingly, only 15% of respondents know other social entrepreneurs. The pessimistic attitude of the respondents is also included in the register of problematic aspects: 40% of the surveyed entrepreneurs anticipate that the company they manage will cease their activity in the next 3 years.

Table 14: Distribution of answers to the question "Do you know other social entrepreneurs?"

Crt.	Do you know other social entrepreneurs?	%
1	Yes	15%
2	No	85%
TOTAL		100%

Table 15: Distribution of answers to the question "Do you know other social entrepreneurs?"

Nr.crt.	Distribution of answers to the question "How do you see the social enterprise in 3 years?"	%
1	most likely, the social enterprise will expand its activity	5%
2	most likely, the social enterprise will operate as before	45%
3	most likely, the social enterprise will cease its activity	40%
4	DK / NA	10%
TOTAL		100%

4.4. Legislative framework

Table 16: How respondents assess the current legislative framework of the social economy

Crt.	How do you assess the current legislative framework in the field of social economy?	%
1	very satisfactory	5%
2	satisfactorily	10%
3	neither satisfactory nor unsatisfactory	2%
4	unsatisfactory	25%
5	very unsatisfactory	51%
6	DK / NA	7%
TOTAL		100%

Table 17: The main proposals made by entrepreneurs to improve the legislative framework

Crt.	The main proposals made by entrepreneurs to improve the legislative framework	%
1	the registered office of the social enterprise shall be provided free of charge by the authorities	12%
2	the obligation of local authorities to provide social enterprises with the facilities provided by law 219/2015	12%
3	reduction of the payroll tax, of the CAS and of the CASS related to the salaries of the personnel employed in the social enterprise	10%
4	elimination of quarterly and annual reports	10%
5	protected procurement / procurement priority	8%
6	access to AJOFM qualification courses for employees in insertion, even if they no longer have the status of unemployed	7%
7	digitization of Annex 7	7%
8	simplification of the procedures for obtaining the certificate of social enterprise / social trademark	6%
9	mechanisms to ensure more efficient communication with AJOFMs	6%
10	reducing the percentage of co-financing when accessing non-reimbursable funds	5%
11	taking over already functional and sustainable practices from other countries	5%
12	free legal / economic assistance	4%
13	inclusion of social enterprises in the nomenclature of social services	2%
14	state fund for active and permanent financial and logistical support for social enterprises	2%
15	providing support for the implementation of social support for employees in the insertion	2%
16	creating a new set of result indicators that reflect the reality of the insertion work	2%
TOTAL		100%

4.5. Comparative analyzes and statistical correlations

- Difficulties that are more prevalent at the level of companies: limited financing possibilities, difficult market access, lack of a legislative framework conducive to the development of the sector, impossibility to ensure a working environment suitable for the needs of vulnerable people, limited knowledge and entrepreneurial skills, difficulties encountered motivating and increasing the cohesion of the community around the business, difficulties encountered in motivating vulnerable people.
- Difficulties that are more prevalent at the level of associations and foundations: lack of qualified human resources, difficult bureaucratic procedures, reduced opportunities to collaborate with local authorities, reduced opportunities to collaborate with other social entrepreneurs, lack of knowledge and experience in the social economy.

Figure 1: Main difficulties encountered by entrepreneurs (companies versus associations and foundations)

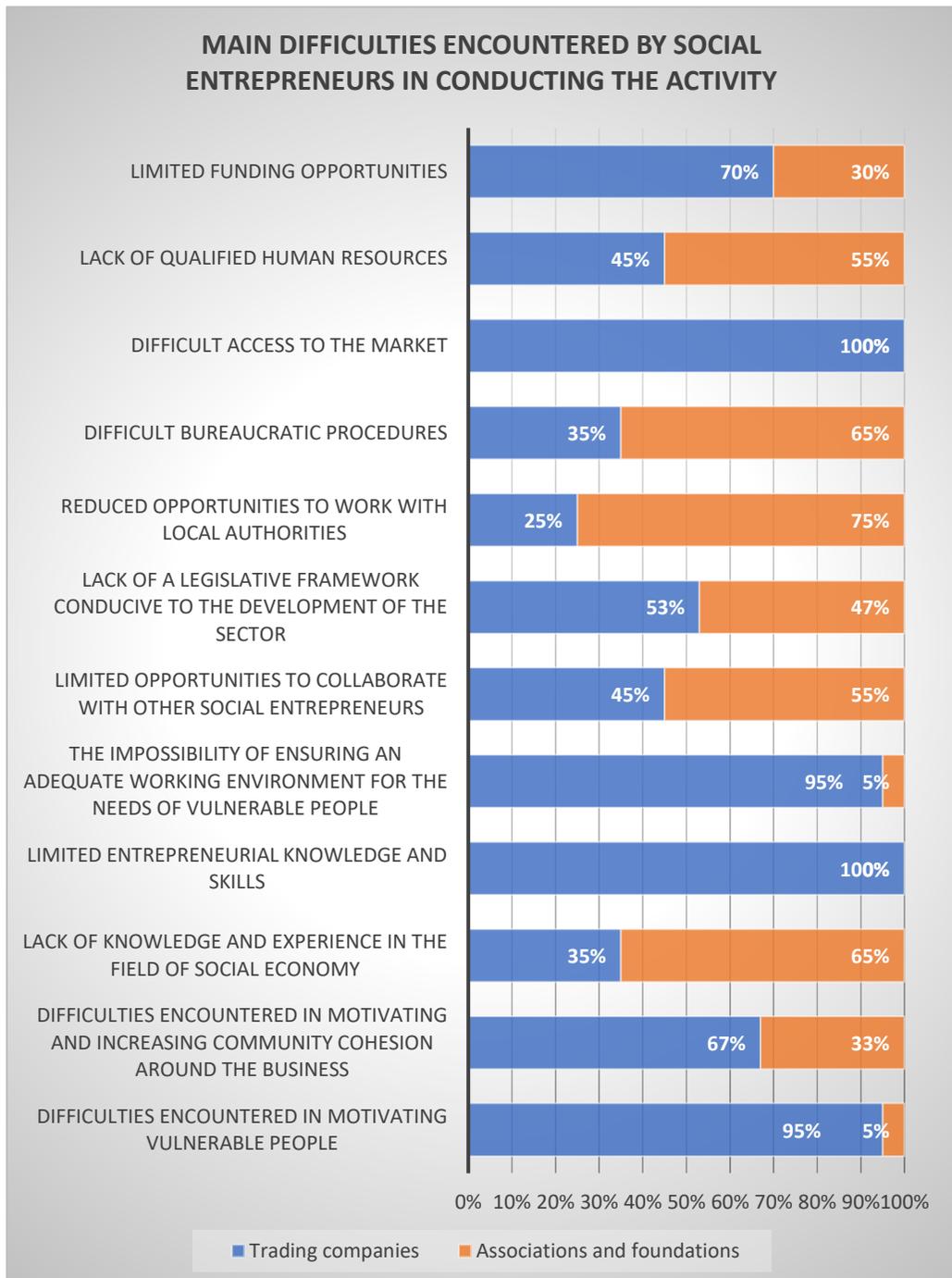


Table 18: Testing the hypothesis "If the social enterprise was set up on the basis of external financing (partial or total), then the probability that it will remain active is lower than if the social enterprise was set up solely on the basis of its own investment."

		Funding required for the establishment:		Total
		external (partial or total)	entirely through own investment	
Status of the social enterprise:	activate	37%	63%	100%
	inactive	75%	25%	100%

The first hypothesis - "If the social enterprise was set up from external financing (partial or total), then the probability that it will remain active is lower than if the social enterprise was set up exclusively on the basis of its own investment." is confirmed. Most of the inactive social enterprises included in the group were set up on the basis of external support, which leads us to assume that these forms of support correlate with the low capacity of enterprises to operate in a self-sustaining manner. Therefore, funding should be accompanied by a set of sustainability measures and indicators, including long-term monitoring of the business and new improvement interventions when the business is in difficulty.

Table 19: Testing the hypothesis "The more pessimistic social entrepreneurs are about the future of social enterprise, the greater the dissatisfaction with the current legislative framework."

		Attitude towards the future of the enterprise:		Total
		optimistic	pessimist	
Attitude towards the legislative framework:	satisfaction	55%	45%	100%
	dissatisfaction	57%	43%	100%

The second hypothesis - "The more pessimistic the social entrepreneurs are about the future of the social enterprise, the greater the dissatisfaction with the current legislative framework." - He refuses. The contingency table did not show significant differences between categories. Therefore, dissatisfaction with the legislative framework does not have an important explanatory power on the optimistic or pessimistic attitude towards the future of social enterprise.

5. Research conclusions

The survey based on the questionnaire aimed at knowing the opportunities that benefit the social economy structures in Romania and the barriers faced by social entrepreneurs in the activity of administration and development of enterprises. One of the central objectives of the survey was to know the financing methods used by social entrepreneurs in order to establish the structure of the social economy and its further development, where appropriate. The main sources of financing that formed the basis for the establishment of SES were the own investments of the entrepreneurs, respectively the non-reimbursable funds attracted by the Operational Program Human Resources Development - SOP HRD (2007-2013). Subsequently, the vast majority of companies secured the necessary financing to operate through their work, while

donations, sponsorships and fundraising were rather complementary sources of financing.

Regarding the degree of optimism / pessimism of entrepreneurs about the future of the company, the hypothesis that they are mostly optimistic is refuted, provided that the differences between the percentages are insignificant, which leads us to the conclusion of a partial confirmation. Beyond the insignificant variations, the share of optimistic entrepreneurs is almost equal to the share of pessimistic entrepreneurs. On the other hand, the hypothesis that the lack of adequate funding opportunities is the main problem that entrepreneurs face is fully confirmed. The next positions are the lack of qualified human resources and difficult access to the market. Limited funding opportunities are also the main cause of 87% of inactive social enterprises in the group. At the same time, the hypothesis according to which social entrepreneurs know each other is denied: only 15% of respondents know other social entrepreneurs.

The assumption that communities are reluctant to the social economy must be viewed with great caution, the distribution of responses to this item having a high degree of heterogeneity. The hypothesis is confirmed that social entrepreneurs evaluate in a negative way the current legislative framework, so that 76% of respondents categorize the current legislative framework as very unsatisfactory and unsatisfactory. It is also worrying that 75% of respondents did not benefit from any facilities due to the status of social enterprise.

6. Recommendations:

- 1) 12% of the social entrepreneurs surveyed drew attention to terms such as “to can” and “possibility”, recurring in the text of Law 219/2015, with reference to the provision of facilities for social enterprises by local authorities. The wording is inappropriate for a normative act, which, by definition, is not capable of making recommendations and, moreover, leaves it to the local authorities to decide whether or not to grant the facilities listed by law. Taking advantage of this legislative ambiguity, local authorities decide in most cases not to grant these facilities, which makes it difficult for the company to operate, inability to develop and demotivate entrepreneurs (75% say they have not benefited from any facilities). Therefore, it is necessary to amend the text of the law in order to create the obligation to provide the facilities mentioned by law.
- 2) Given that the social economy sector in Romania is made up of 42% of trading companies, these being the main legal form of the social economy structures, it is necessary to amend the text of Law 219/2015, so that trading companies (SRL) to no longer be assimilated to "other categories of legal persons", but to be named as such.
- 3) Given that only 15% of participants in the questionnaire survey know other social entrepreneurs, it is necessary to create and develop a collaborative inter- and intraregional social economy network to facilitate dialogue, exchange of experiences and joint initiatives (increase system interconnectivity). The very low level of inter-knowledge among social entrepreneurs means that the social economy sector is represented by disparate, uncorrelated initiatives with a minor community impact.
- 4) Lack of funding opportunities is the main barrier felt by entrepreneurs. It is necessary to develop new lines of financing, for example by including the social economy in the activities recognized by Law no. 350/2005 on the regime of non-

reimbursable financing from public funds allocated for non-profit activities of general interest.

- 5) Measures are needed to stimulate the sector, such as: ensuring free of charge headquarters; reduction of the salary tax, of the CAS and of the CASS afferent to the salaries of the personnel employed in the social enterprise; elimination of quarterly and annual reports; protected procurement / procurement priority; access to AJOFM qualification courses for employees in insertion, even if they no longer have the status of unemployed; digitization of Annex 7; simplification of the procedures for obtaining the certificate of social enterprise / social mark; mechanisms to ensure more efficient communication with AJOFMs; reducing the percentage of co-financing when accessing non-reimbursable funds; taking over already functional and sustainable good practices from other countries; free legal / economic assistance; inclusion of social enterprises in the nomenclature of social services; state fund for active and permanent financial and logistical support for social enterprises; providing support for the implementation of social support for employees in insertion; creating a new set of result indicators that reflect the reality of the insertion work.

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