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# MUNICIPAL SOCIAL SERVICES. THE NEED FOR A REFOUNDATION

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Los actuales Servicios Sociales municipales comenzaron a implantarse en los años 80 de la anterior centuria. Herederos en buena medida de la beneficencia pública que las administraciones locales venían haciendo, en la actualidad todavía arrastran influencias de aquella etapa. Existe una confusión en cuanto a su misión y su delimitación con otros ámbitos de las políticas sociales. Hay una sobrecarga de trabajo burocrático y administrativo que limita las actuaciones propias de los profesionales de la Intervención Social. Es necesario realizar una refundación de los Servicios Sociales que prestan los ayuntamientos, que debería de pasar por su reconceptualización e importantes cambios normativos, organizativos y metodológicos.

**Palabras clave:** Misión Servicios Sociales, Ayuntamientos y Servicios Sociales, Marco normativo, Organizativo y metodológico, Refundación Servicios Sociales municipales.

The current municipal social services began to be implemented in the 1980's. Largely descendants of the public beneficence that the local administrations provided in the past, they still display influences from that phase today. Confusion exists regarding their mission and their delimitation with other areas of social policy. There is an overload of bureaucratic and administrative work that limits the actions of the professionals of social intervention. It is necessary to refound the social services provided by the city councils, a process that should involve their reconceptualization as well as important normative, organizational and methodological changes.

**Key words:** Social services mission, City councils and social services, Normative, Organizational and methodological framework, Refoundation of social services.

any changes have occurred in the social and regulatory environment since the beginning of what could be understood as the current municipal social services and, on the contrary, very few modifications have been carried out in them on the conceptual, structural and methodological levels. In order to better understand the current situation, it is useful to briefly present the origin of municipal social services:

Weighed down since their origins by a lack of conceptual clarification, especially in regard to their object, the original social services that the city councils began to implement in the 1980s have not undergone substantial changes to date. As a lecturer for more than twenty years on various university graduate programs related to the management of social services, attended by practicing professionals with many years of experience and varied disciplinary provenance, the author of this article always began the first class of the course with an activity in small groups. In this activity, among other things, the participants had to respond collectively to the question: what is the object of social services? In the pooling of all the groups the answers were very varied; the most frequent ones could be called *broad-spectrum*, because they equated the social services

Received: 23 marzo 2018 - Accepted: 30 abril 2018 Correspondence: Miguel López-Cabanas. Trainer and researcher in social services and inclusive policies. C/ Altamirano nº 8. 28008 Madrid. España. E-mail: psicointersoc@gmail.com with the set of policies that should provide the population with social welfare, with a way of guaranteeing their quality of life, meeting their social needs or achieving social rights in general. The problem came when the participants were asked (a) to define these concepts and (b) if they did not believe that other areas of social policies shared those same goals and if this was the case, how they were different from and what could be the specific elements of social services. At these moments the confusion of the group was widespread, but it served as a kickstart to begin the course program. It is difficult to imagine a similar confusion among professionals from other areas of social policies, such as education, healthcare or non-contributory pensions. This undoubtedly leaves social services in a very bad position, especially the most general services, managed by the local administrations, since those offered by the Autonomous Communities commonly focus on specialized areas and facilities, mostly residential, leaving little room for interpretation about their object.

With this conceptual confusion of the professionals themselves regarding the object of municipally managed social services, specifically those of primary or community care, it is not surprising that "a large part of the population still does not know what social services are, or has a confusing image of them that is full of prejudices" (Ferrer, 2017, p.15). Furthermore, it is worth remembering that without an object one cannot speak accurately of a sector of activity and without a sector there is no



system (Fantova, 2017). This analysis comes from way back, since already in the first constructive criticisms of the Concerted Plan for the development of the basic social services provisions in the local corporations, (López-Cabanas & Gallego, 1989), whose thirtieth anniversary it is this year, the lack of conceptual solidity regarding its object was highlighted, contributing decisively to the situation in which "the social services in our country have a problem of lack of definition that has resulted in difficulties when it comes to specifying levels of jurisdiction and organization" (Gaitán, 1992, p.12). The desire to break away radically from public beneficence with the arrival of democracy led to proposals formulated based on political responsibilities while presented as technical proposals—that came to confuse the part (social services) with the whole (the set of social policies). Since then this has generated a great deal of confusion among the population and frustration among professionals whose expectations have been repeatedly unmet. These broadspectrum approaches to the object of social services of local administrations led to it being defined operationally -and somewhat cynically, truth be told- as the mixed bag into which everything went that was not sufficiently attended or that was ousted from the other areas of responsibility of public administrations (healthcare, employment, education, etc.), exempting them from making the necessary adaptations so that their services were truly inclusive.

This confusion has its origins in the history of social services in our country. Briefly, it is worth recalling the main roots:

- ✓ Public beneficence, the regulatory law on which was approved in 1849 and was applied until the approval of the Basic Law of Local Government in 1985. In this framework, local corporations offered people who had no resources (the poor and needy) discretionary and arbitrary support for very basic survival, as well as health care through specific resources for this population, including the centers of protection of minors.
- Complementary services of social security, aimed at the people who had paid into this organization and who had a disability or arrived at the age of retirement. The departments that managed these services eventually produced INSERSO and subsequently the present-day IMSERSO.

Later, with the Pacts of Moncloa (1977), a process of universalization was initiated, the main expression of which was the approval of the General Health Law of 1986 and access to the services of the INSERSO regardless of whether they had paid into social security. These services, together with those of the protection and reform of minors (using the terminology of the time), gave way, fundamentally, to what began to be called social services, specialized in the first autonomous laws that began to be approved from 1982 onwards. In these laws, the management of the so-called basic or community social services was assigned to the town councils, or to the supra-municipal local entities for smaller towns. Therefore, the municipal social services of the newly recovered democratic town councils (1977) coexisted with beneficence, de jure, for a number of years, but

their mark has been noted, *de facto*, to a greater or lesser extent, depending on the territory, until today.

# BASIC CHARACTERISTICS OF THE CURRENT MUNICIPAL SOCIAL SERVICES

At present, the requests received by the municipal social services are distributed mainly, and unevenly according to the demographic profile of the population and the socio-economic situation at a given time, among the following categories:

- a) Requests related to the lack of income or sufficient resources to live with the minimum standards of our society, referring to different basic areas of daily life: food, clothing, housing with its essential equipment and supplies, complementary expenses for the schooling of minors, medicines, etc. In other words, requests for support to poor people, who may or may not be in a situation of social exclusion.
- b) Requests related to the care of people with reduced functional autonomy, specifically the benefits included in Law 39/2006, of December 14, on the Promotion of Personal Autonomy and Care for people in situations of dependency.
- c) Requests related to vulnerable childhood and adolescence, in situations or at risk of lack of protection or social conflict, as well as with the families to which they belong.

In the first of the aforementioned categories, the municipal social services deal with, two types of aid basically:

- ✔ Benefits related to the guarantee of minimum income that, under different denominations, is legislated and managed by the Autonomous Communities and that, with some exceptions, are not guaranteed as subjective rights. These income transfers are supposedly conditioned to the fulfillment of a number of considerations included in personalized insertion itineraries. However, except for very flagrant cases such as girls and boys dropping out of school, due to work overload and the absence of clear intervention models, de facto, these benefits are not linked to behavioral changes, with the fulfillment of general criteria established in the norms (absence of income, number of people in the coexistence unit, etc.) sufficing.
- Supplementary grants for insufficient income, periodical or one-off, contemplated in the ordinances of local administrations. These are not guaranteed as subjective rights and, as in the previous case, there is usually not enough time, nor is there an organizational and methodological framework to develop other types of actions related to social intervention.

Therefore, in this category of requests received by the municipal social services, the professionals who attend them fundamentally perform tasks of information and help with the administrative processing of their own services or those of the corresponding Autonomous Community. This type of request linked to the lack of sufficient resources, which has always accounted for a high percentage of the total, increased intensely with the crisis and economic recession that began in 2008. As individuals' period of unemployment benefit comes to an end,



they request an appointment at the municipal social services, as mere bridges of communication, to apply for the aforementioned aids. Families without any other difficulty or added problem than having lost their stable source of income, began to request support until the services became inundated, now they could barely cope, and the administrative and merely bureaucratic work increased very noticeably. This was carried out fundamentally by university professionals, social workers, which is a waste of public resources as well as a source of permanent dissatisfaction for these professionals. This situation does not seem to be improving, on the contrary, even if the unemployment data are improving, those related to poverty are still alarming: according to Euroestat, 27.9% of the population is in a situation of poverty or social exclusion and 5.2% of the population (more than two million people) are in a situation of severe poverty and 14.1% consider themselves to be employed in poverty (EAPN-Spain, 2018) and are still requesting vital assistance for their subsistence and that of their family.

With these data it is foreseeable that the number of requests made to the administration related to the absence or shortage of income will continue to be very high. Now, the question that must be asked is: should these requests be attended to and processed by social services, specifically from the local administration, or should they be managed from another area of public administration? In line with previous work, it is suggested that the income guarantee should be managed from other areas of the administration, either through the employment system, related to its active policies, for cases with possibilities of employability (López-Cabanas, M., 1999), or through specific income guarantee policies (Fantova, 2014), managed from specialized departments. In a complementary manner, the regulation of this aid should be guaranteed as a subjective right, not linked to any consideration. In turn, it would be necessary to establish detection mechanisms for situations where, despite having a guaranteed minimum income, exclusion processes have been initiated in which it would be important to intervene from other areas of the administration, such as social services.

In a step beyond the previous proposal, we must continue to move forward in the interminable debate of universal and unconditional basic income, the implementation of which would mean that all people who meet the requirements established (for example years of residence or age), would receive an amount of money regardless of the goods or income they have. In other words, it would be a universal access service, similar in this sense to other areas of social policies, such as education or healthcare. The criticism that is made of this type of income guarantee, based on saying that people who are richer than those who have no income would earn the same, is totally untrue, because the former would return the amounts received via direct taxes (Raventós, 2012).

Regardless of the modality, just the liberation from the attention to and processing of the requests for aid related exclusively to the lack of income, would free the municipal social services from a huge overload of administrative work that practically

inundates them. This would free up resources that could be used to carry out a true social intervention by all the technical staff of these personal services of proximity: professionals of social work, psychology of social intervention, and social education, primarily.

In this same line, Fantova (2014) proposes housing policy as a specific social policy which, if managed in dedicated departments, as seems to be the most appropriate, would also relieve a lot of pressure from the municipal social services, with whom they should coordinate on the appropriate aspects.

The second major category of requests that are received in the municipal social services (or the first according to the sociodemographic profile of the population) are those related to the catalog of services included in the Law of Dependency. The first thing that should be mentioned is that these benefits were already being offered before the approval of the law in 2006, but not as subjective rights. The second is that the social services of the municipalities, once again, are usually mere processors of the powers of the autonomous communities, where benefits are ultimately granted and from where the most expensive resources are managed, such as residences and day care centers, with the exception of some large city councils and local supra-municipal corporations to whom the management of such assets is occasionally delegated. Faced with this category of requests, the majority of the municipal technical staff, made up of social work professionals, once again, dedicate a good part of their working hours to administrative procedures, which is a clear waste of public resources, as well as being the source of a permanent state of frustration and professional dissatisfaction, with burnout situations being noteworthy in this area of personal

The third major category of interventions that are carried out are those related to the protection of children, either at the request of their own family or other professionals, such as teachers, healthcare workers, or police officers. As in the previous categories, it is usual to attend to a request, once the problem that motivates the intervention arises, with the subsequent coordination required with other areas of the administration, such as the judicial system.

The following can be applied as the main descriptors of the municipal social services:

- They are reactive, attending to the requests they receive from people who live in the territory they serve and sometimes from other entities that intervene therein. There is little or no prevention work.
- ✓ A welfare, palliative and paternalistic approach predominates, focused on lack.
- Chronicity and institutional dependence are promoted, causing waiting lists and the risk of inundation, especially in situations of recession and economic crises.
- ✓ Individualism and social isolation are encouraged in order to deal with collective problems, since in most of the interventions a single person or at the most a family is attended, with the ideological and social control burden that this involves.



- ✓ They focus a large part of their efforts on covering the basic needs related to vital subsistence, being largely service managers, with no real time, in most cases, to develop itineraries that promote autonomy and empowerment.
- As a direct inheritance of beneficence, there is a wide margin of professional discretion in the conceding of certain grants that are not guaranteed as subjective rights.
- The benefits that depend on the municipal budget are subject to the provision of the corresponding item, with no obligation on the part of the municipalities to extend it if it runs out before the end of the year, which is a source of intra-municipal inequity: a request for support that a person makes can be met at the beginning of the budget year, and the same request made by another, with similar characteristics, if formulated when there is no budget left, will not be met.
- ✓ There is also inter-municipal inequality, since municipalities regulate these benefits through municipal ordinances, each with its own particular criteria; in other words, the same personal or family situation may be assisted in one municipality and yet not covered in the adjacent municipality. The same thing happens with the support that is offered to families: there are units and services, such as meeting points, mediation or psychological support that are available in one municipality and not in the one next door, causing territorial inequality once more.

It is scandalous that the social services of primary or community attention are the source of disparities and the creation of inequalities, especially when all of the autonomic laws have equality among their basic principles. In short, the burden that is the charitable-welfare root of the social services of the local administration is still too heavy.

## THE NEED FOR A REFOUNDATION

Faced with the current situation of the municipal social services, as briefly described here, it is imperative to carry out a refoundation that involves a real structural change, whose main modifications could be grouped in the normative, organizational and methodological areas:

#### **REGULATORY CHANGES**

The regulatory framework within which we act is fundamental, since it establishes the limits and determines the potentialities. In order to move towards the consolidation of community social services of a municipal nature, the following regulatory changes, among others, should be undertaken:

It is necessary to approve a state social services framework law, similar to the healthcare and education laws. The attempts that were made at the end of the 1980s to promote this came up against contrary legal reports, in which it was anticipated that in the case of an appeal for unconstitutionality, it would be very likely to prosper, because Article 148.1°.20 of the Constitution provides that the autonomous communities can assume the powers in matters of social assistance, which they have all done.

In the first place, social assistance, a term that was still in use in 1978, is conceptually related to beneficence, from which it comes and the inheritance of which it is wished to eradicate. Secondly, in the Constitution the term social services only appears as such in Article 50, reference being made to the elderly (known as the "third age" in Spanish, an expression that was used at that time), whose well-being should be promoted by the public authorities "through a system of social services that will attend to their specific problems of health, housing, culture, and leisure". This article reflects the work that INSERSO had been doing, but arises from a very restrictive description for the current reality, as well as being outdated, as, for example, since the approval of the General Health Law of 1986, everything related to the attention to health problems is the jurisdiction of this system. Finally, the fact that there are only social services laws in the Autonomous Communities means that the regulatory framework that controls them has developed very unevenly, which has led to citizens of different categories in terms of their possibilities of accessing similar social services of primary or community care, a source of inequality that the Concerted Plan of basic Provisions of Social Services in the Local Corporations aimed to solve, but to a large extent failed to do so.

It is urgent, therefore, that when a modification of the Constitution is addressed, the possibility of updating the reference to social services is contemplated, while introducing the changes that allow the passing of a general law at the national level, as is the case with other protection systems, without prejudice to the responsibility of the Autonomous Communities for the jurisdiction of their management and approval of the appropriate regulatory framework. It is important that, if these constitutional changes are carried out, the whole of social services, including municipal services, is guaranteed as subjective rights, as is the case for a part of them, such as care for dependency.

In the same way, the municipal responsibility in the management of community social services or primary care should be guaranteed normatively, by modifying Law 27/2013, of December 27, on the rationalization and sustainability of the Local Administration, in which the local jurisdiction was eliminated that appeared on this matter in Law 7/85, of April 2, Basic Regulation of Local Government.

Likewise, the applicable regulatory framework must establish clear, concrete, and stable formulas for financing the municipal social services, guaranteeing their equity and financial sufficiency (Rodríguez Cabrero, 2007), no longer subject to agreements and subsidies, as occurs in other areas of social protection.

In the same way, the new normative structure should delimit from the municipal social services all responsibility in relation to access to housing and income guarantee, which would have to be managed from independent administrative units, although with the necessary coordination protocols, for which in these units, as well as administrative personnel, there should be professionals from social intervention.



The whole normative framework that establishes the actions to be developed by the social services of local administrations must guarantee subjective rights, i.e., can be claimed before the courts, moving away from the current arbitrariness, thus advancing towards the true abandonment of the inherited burdens of beneficence.

## **ORGANIZATIONAL CHANGES**

The main change in this area must come, as a basic principle of quality management, from adapting the organizational structures more and more to the sociodemographic profiles of each specific territory, in an attempt to adapt the services provided to the people. To do so, we must forget the dogmas of faith as sole entry doors, with one-(wo)man-band professionals or people who know a lot but are experts in very little, as well as that which is considered to be an exclusive profile to establish the professional of reference, as this should depend on the characteristics of the interventions that are to be carried out, rather than prioritizing corporate interests.

Starting from the basis that the municipal social services, as a proximity service, should be flexible organizations, with the following or other denominations, they should be organized into three major basic units of intervention with citizens:

- ✓ Support unit for dependency
- ✓ Support unit for children and adolescents and their families
- ✓ Social inclusion unit

People should have direct access to each of these operating units, with the profile of the requests they serve and the interventions they carry out being clearly publicized. However, for people who due to various reasons may have doubts, it is necessary to establish a unit of information and administrative management whose main functions could be: to report on the place where they would have to request an appointment (which could be within the municipal social services, in other councils or departments of other administrations), at the same time as giving the first appointments in the corresponding unit, informing, verbally and with printed material, on the documentation that, in each case, they must take in order to save time. In the same way, in this unit the administrative procedures should be carried out that are required from the intervention units mentioned. Obviously, a university education is not necessary for these tasks of information and administration, which would lower the costs, while allowing people hired for their university qualification to focus their efforts on practicing their profession. This way we can avoid having a workforce with a high degree of frustration and worrying levels of burnout. This proposal to offer a powerful information service, prior to the actions of the professionals of social intervention, together with the recommendation that they stop doing administrative tasks, are proposals that were made a long time ago (López-Cabanas & Gallego, 1993), but have scarcely been implemented. Nowadays, with the level of development of ICT, this remains an issue yet to be addressed for municipal social services to exploit its potential (Brezmes, 2009).

The intensity in terms of human and budgetary resources of the aforementioned intervention units is affected by various parameters, such as the population pyramid (proportion of people over or under 18), as well as by various social indicators (unemployment, school dropout, migrants, persons with disabilities, reports of domestic abuse, number and profile of associations and citizen participation in them, etc.) and, in any case, by a permanent analysis of the requests and response to community interventions that are carried out in the territory. The implementation of these operational units is determined by the size of the municipality; those with smaller populations are recommended to establish them in supra-municipal structures such as municipal associations or others.

Of course, these units must have coordination protocols for the circumstances in which it is necessary to carry out joint interventions. In the same way, the local social services must work as a network and participate in stable structures of coordination with other councils, as well as with other areas of management of the autonomous communities, highlighting the following: healthcare (essential for support of dependency), education and the judicial system (fundamental for the protection of children and support for victims of family and gender violence) and employment, minimum income and housing (basic for actions that aim to promote social inclusion). In fact, we can talk about the following areas of intersection and coordination: socio-health, socio-labor, socio-educational (López-Cabanas, 1999) to which we should add socio-housing (Fantova, 2014) and socio-legal protection (the protection of children and family and gender violence, mainly). From the point of view of the transversality of social policies, for these intra and inter coordinations to be effective, it is advisable to work on matrix management structures, the development of which exceeds the scope of this article.

#### METHODOLOGICAL CHANGES

In order to break completely and definitively with the inheritance of beneficence, reflected in the current residual aid culture, the municipal social services must modify the strategies and work methodologies that prevail today. While this does not claim to be an exhaustive list, the main changes required would be the following:

- Increasing pro-active strategies and preventive, generalist and risk group actions very clearly (Fernández-Ríos, 1994), without detriment to those of a rehabilitation nature that are still needed.
- ✓ From the perspective of human development and a personcentered approach, instead of focusing on the shortcomings, interventions must be designed to reinforce the capacities and potential of each person, group or community, favoring attitudes that increase resilience, empowerment (Musitu & Buelga, 2004) and the motivation to change. In short, in the interventions with people, the aim is "to promote their functional and relational capacities, which allow them to live in full autonomy" (Ferrer, p. 165).



- ✔ Progressing in the interventions towards the transition from the analogue to the digital era, with the transitory deadlines and the support measures that are required. It is clearly useful in increasing efficiency and effectiveness in various aspects such as the management of requests, completion of procedures, monitoring and telematic support, access to information of interest, resolution of specific questions, the use of apps for specific areas and profiles, and an increasingly growing list of others.
- ✓ Having said the above, in the municipal social services, face-to-face interaction should be the basis for personalized group and community interventions, which should take priority over individual care as one of the strategies for breaking with social assistance: mutual support groups, workshops for personal development (focusing on dimensions of attitude as well as aptitude), working with the social entities of the territory, volunteering, participatory community forums, time banks, etc. In other words, the aim is to work so that problems can be addressed in a collective way within social interaction, facilitating their individual and family resolution.
- The implementation of new methodologies should be preceded by training plans; professionals who have had certain ways of working for many years are in need of a recycling in order to develop new forms of intervention.
- ✓ Developing knowledge management and collective intelligence strategies, from the perspective of the synergies that collaborative work among professionals can produce, the people upon whom the intervention is carried out, and the social entities operating in the territory. In short, people are the main asset upon which we should rely.
- Managing human diversity based on respect for difference and the right to equality, thus facilitating social inclusion with full citizenship rights.

#### **CHANGE OF MODEL**

In short, a profound change in the municipal social services model is needed, and a reference to an earlier work is appropriate here (López-Cabanas, 1998). Regrettably, twenty years later it is pertinent to present it once more:

It is a basic principle of organizations that they tend to perpetuate themselves and justify themselves beyond the purpose for which they were created. This situation ultimately has a limit, because society itself ends up rejecting and marginalizing organizations that do not adapt to the new realities and requirements of the contexts. Therefore, the models of the organizations have to be flexible, in continuous dynamism and evolution, in a permanent process of adaptation, providing the answers that the beneficiaries of their services need.

But what do we talk about when we talk about models? Sometimes we forget that when we talk about a model, whichever model it may be, we have to refer to a theoretical construction with a solid base argument from which a series of general principles, methods, and techniques are derived, that must be subjected to an empirical test that ratifies them. We are not referring, therefore, to either proclamations or dogmas, which due to sheer repetition seem consubstantial to the system, immutable and unquestionable, a position that is quite frequent in social services. We must flee from prescriptions and impositions, often associated with spending power and positions of defending the status quo. It is necessary to further develop our theoretical corpus, which has been too weak until now. (p.69).

It is an issue yet to be resolved for municipal social services to implement R & D & I strategies that help their conceptual development, a previous step to designing models that respond in different territories to a reality in permanent evolution.

#### **CONCLUSIONS**

The main problem of social services provided by local administrations is not the lack of resources, or not mainly, but rather the regulatory framework, conceptual redefinition, organizational proposals, and social intervention models that are applied, because "social services have great structural and functional weaknesses" (Ferrer, page 171) that must be resolved urgently. There are enough arguments to coincide with the assertion that we could face the possibility of a structural collapse, which should be assumed as an opportunity for a reform of the entire social services system (Manzano, 2016). In any case, we must stop making an external attribution of responsibilities and assume our own responsibilities, which involve, no doubt, a profound paradigm shift that will lead to the unavoidable re-foundation of municipal social services.

#### **CONFLICT OF INTERESTS**

There is no conflict of interest

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<sup>&</sup>lt;sup>1</sup> An expression used in the states of federal court to reflect the ability to impose conditions on decentralized structures (in our case, autonomous communities) in exchange for funding, as was the case of the Concerted Plan with its organizational proposal of the municipal social services.



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