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EUROPEAN SOCIAL CHARTER

Addendum to the
1st National Report on the implementation of
the European Social Charter
submitted by

THE GOVERNMENT OF AUSTRIA

(Article 12§1, 13§3 and 14§2
for the period
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CYCLE 2013

Reply to the questions addressed to Austria concerning the report on the European Social Charter with respect to the thematic group on “Health, Social Security and Social Protection”

Article 12§1 (Right to social security - Existence of a social security system)

- *Please confirm that the minimum level of unemployment benefit will never fall below the “equalisation supplement rate”. Is the person receiving this amount in unemployment benefit also entitled to other supplementary benefits? If yes, what is average level of such additional benefits?*
- *The Committee recalls there must be a reasonable initial period during which an unemployed person may refuse a job or a training offer not matching his/her previous skills without losing his/her unemployment benefits. The Committee asks what is the length of this period under Austrian law.*
- *Please indicate the minimum level of sickness and maternity benefits.*
- *Please confirm that a single pensioner on a minimum pension receives the “equalisation supplement” 14 times a year.*

Unemployment benefit

Unemployment benefit is an insurance benefit. The Austrian system of unemployment insurance provides benefits of insurance.

The level of unemployment benefit – if the requirements for receiving the benefit are met – is defined as 55 % of the average net income of the calendar year preceding the job loss or of the calendar year before that.

If the unemployment benefit calculated on this basis is lower than the equalisation supplement rate, the unemployed person is entitled to receive additional benefits up to the amount of the equalisation supplement rate; the overall unemployment benefit including this additional benefit nevertheless may not exceed 60 % of the previous average net income.

The ceiling is 80 % of the previous average net income, if the unemployed person has to support family members and is therefore entitled to receive family supplements.

If the unemployment benefit is lower than the minimum level guaranteed by the means tested minimum income scheme of the *Laender* - which is as high as the equalisation supplement rate - the person is entitled to receive supplemental benefits (means tested minimum income) by the *Laender* to guarantee an income at the level of the equalisation supplement rate.

The means tested minimum income scheme guarantees that there is a legal entitlement for a benefit at least as high as the equalisation supplement rate, because the level of the equalisation supplement rate is identical to the minimum level of the means tested minimum income scheme.

Level of benefits of the means tested minimum income scheme

The level of benefits granted under the means-tests minimum income scheme is based on the monthly equalisation supplement rate defined under social pension insurance.

In 2013, singles and single parents receive 794.91 € and couples/partners 1,192.36 € (12 times a year). The flat-rate minimum benefit level already includes some housing support. If adequate housing costs exceed 25% of the minimum benefit level of a shared household of benefit-dependent members, the *Laender* grant additional benefits to cover housing costs. For this purpose they may use funds available under the means-tested minimum income scheme or they may grant support in the form of housing benefits.

It should be noted that the amounts of benefits presented here are to be seen as floor levels which may be exceeded by the *Laender*. Some of the *Laender* provide higher benefits for e.g. children.

Additional information can be found on the homepage of the Federal Ministry of Labour, Social Affairs and Consumer Protection:

http://www.bmask.gv.at/site/Soziales/Bedarfsorientierte_Mindestsicherung/Mindestsicherung_im_Ueberblick/

Initial period

During the first 100 days of unemployment benefit receipt, placement in jobs other than those previously held is considered unreasonable if such placement makes it much more difficult for the job-seeker to find in the future a job in her/his previous occupation.

During the first 120 days of unemployment benefit receipt, employment in another field of work is considered reasonable only if the contributory pay amounts to 80% or more of the last pay used as an assessment basis for unemployment benefit calculation. During the remaining period of unemployment benefit receipt employment in another field of work is considered reasonable only if the contributory pay amounts to 75% or more of the last pay used as an assessment basis for unemployment benefit calculation.

Minimum level of sickness and maternity benefits

Sickness and maternity benefits are typical benefits to offset the loss of income of employed persons during any period of incapacity due to illness once their entitlement to continued payment of their wage or salary by their employer has expired or during any period female employees are not allowed to work due to maternity (in principle eight weeks before and eight weeks after the birth).

Amount and calculation of sickness and maternity benefits are tied to the previous earnings obtained from the insured employment:

Sickness benefit amounts to 50% of earnings until the 42nd day of incapacity to work, rising to 60% from the 43rd day. Where the statutes of the sickness insurance fund so provide, the benefit may be increased by a given percentage if the insured person has a spouse and/or other dependent family members. The increased benefit may not exceed 75% of earnings.

Maternity benefit is calculated on the basis of the average net earnings during 13 weeks (3 months) prior to the occurrence of the insured event (eight weeks before birth).

A minimum level of sickness or maternity benefit has not been defined. It is nevertheless the result of the fact that full mandatory insurance covering health, accident and pension insurance which brings about the entitlement to sickness and maternity benefit only eventuates, if the sum of all earnings is above the marginal earnings threshold (monthly 386.80 € in 2013).

With regard to self-employed persons in the trade and industry sectors and self-employed persons in agriculture and forestry the following applies:

Sickness benefit:

Self-employed persons who are subject to the Commercial Social Insurance Act (GSVG) have the option of taking out voluntary additional insurance which entitles them to sickness benefit for the event of inability to work or daily allowance while receiving institutional care.

The amount of the benefit as well as the contribution to be paid has to be specified in the statutes of the Social Insurance Institution for Trade and Industry (SVA).

According to the current version of the statutes the daily sickness benefit amounts to 60% of the respective contributory basis for health insurance for a maximum duration of 26 weeks, but at least as high as 27.73 € (in 2013).

In addition, as of 2013 a new non-contributory benefit to support self-employed persons in case of illness of a long duration has been introduced, which is financed by the Austrian Workers' Compensation Board (AUVA). Self-employed persons without employees or who do not employ more than 26 employees on a regular basis are entitled to this benefit, if the maintenance of the operation of the business directly

depends on their personal job performance. The benefit amounts to daily 27.73 € (in 2013) from the 43rd day of incapacity to work up to a maximum duration of 20 weeks.

Self-employed persons subject to insurance pursuant the Farmers Social Insurance Act are not entitled to a monetary benefit in case of sickness. The Farmers Social Security Authority may nevertheless pay the cost for operational support or household helps in the form of voluntary benefits under the title “measures towards stabilising individuals’ health”.

Maternity benefit:

Persons insured under the GSVG and the BSVG are primarily entitled to operational support in the form of a benefit in kind. Where operational support is not suitable, the recipient is entitled to a maternity benefit in the amount of 50 € daily instead.

In general it has to be added that recipients of sickness of maternity benefits are entitled to additional benefits under the means-tested minimum income scheme of the respective Land, if the amounts of the sickness or maternity benefits are lower than the amount of the minimum standard fixed by the respective Land (which is equivalent to the equalisation supplement rate).

Equalisation supplement

Austria confirms that a single pensioner on a minimum pension receives the „equalisation supplement“ 14 times a year.

Article 13§3 (The right to social and medical assistance – Prevention, abolition or alleviation of need)

Please describe the (public or private) services available in each Land (including Carinthia, Styria and Tyrol) providing advice and personal help to persons without adequate resources or at risk of becoming so. Please note that this concerns services specifically available for persons without resources, irrespective of other criteria (gender, age, disability, etc.). In this respect, please provide any figures, statistics or other information which might be relevant to demonstrate that these services are provided with sufficient resources to meet the demand and indicate whether and under what conditions they are accessible to foreign nationals.

Preliminary remark:

Social services accounted for EUR 7.2 billion in 2011 (with the exception of health care), i.e. 8% of social benefits or approx. 2.4% of GDP. The major areas of social services include labour market policy measures, non-school childcare, homes for the

elderly and nursing homes, day-structuring and extramural services, housing and/or employment schemes for people with special needs, as well as counselling and assistance to individuals with special problems (e.g. women exposed to domestic violence and their children, drug-dependent or drug-addicted persons, homeless persons or persons at risk of losing their homes, persons released from prison or asylum seekers).

According to ESSPROS data for 2011, EUR 1.2 billion were spent on services related to unemployment, EUR 2.2 billion on services related to children and families, EUR 1.4 billion on extramural, intramural and day-care services for the elderly and those in need of nursing care, EUR 1.6 billion on facilities for people with disabilities and EUR 0.8 billion on other social services.

With the exception of labour market-related measures, responsibility for most of the social services is in the hands of *Laender*, local and municipal authorities.

Whereas individuals enjoy legal entitlements to most cash benefits and health care services, they enjoy no such entitlements to other social services.

With regard to services for which there is a legal entitlement, the social assistance authorities must advise and guide people seeking help in accordance with the situation to the extent as is necessary to achieve the goals of social assistance, so that any violation of such obligations can be reviewed in procedures involving services for which there is a legal entitlement within the scope of an appeal. There is no direct right of appeal with regard to general counselling and the provision of assistance within the frame of the private sector administration, and, moreover, such a right would be foreign to the Austrian system.

Regional differences exist in the quality and quantity of services and their organisational delivery. This is partly due to the fact that Austria has one *Land* (Vienna) that is fully urban in structure, whereas the other eight *Laender* only have a few smaller urban areas.

Territorial authorities run some of the social services themselves, while others are outsourced to non-profit organisations, associations or private providers. Overall, the public sector plays a dominant role in the areas of childcare, homes for the elderly and nursing homes.

Other providers are private and non-profit organisations, including large organisations with a long-standing tradition in this field (church-related associations, associations affiliated with political parties, other supra-regional welfare organisations) and numerous smaller entities.

Statistical information:

http://www.statistik.at/web_en/statistics/social_statistics/social_benefits_at_laender_level/index.html

Burgenland

(For further details see the reporting in the 1st national report on Article 14 § 1 of the Revised European Social Charter).

The following services provide - in particular - advice and personal help to persons without adequate resources or at risk of becoming so:

- general counselling services
- psychosocial services;
- care and support for the elderly and those in need of care in the framework of day-care facilities
- old-age and nursing homes
- women's shelters and shelters for persons and families in need (*Sozialhäuser*).

The *Land* of Burgenland, as an entity under private law, is responsible for providing social services; in general, there is no legal claim to these services, unless guaranteed under other statutory claims.

For the most part, social services are carried out by private institutions and welfare organisations, with the funding being provided by public sources. The *Land* and the municipalities, however, also offer social services.

The Social Assistance Act of Burgenland provides for equal treatment of nationals of States Parties to the European Social Charter with Austrians (*....."where equality results from state treaties."...*).

Carinthia

(For further details see the reporting in the 26th national report on Article 13 § 1 and 14 § 1 of the European Social Charter).

On 1 July 2007, the Kärntner Mindestsicherungsgesetz (Carinthian Minimum Social Protection Act; K-MSG), Provincial Law Gazette no. 15/2007, entered into force, which superseded the Carinthian Social Assistance Act.

With this, Carinthia was the first Austrian *Land* (state) to ensure comprehensive minimum social protection with the object to grant a legal title to securing subsistence level provision for all and to create the legislative preconditions for benefits bundling to the fullest possible extent and secure customer-friendly and equitable access to the benefits.

The law regulates, i.a. the obligations of the benefits providers:

- to provide detailed information and advice on benefits
- to inform citizens of the competent bodies
- to pass on applications to the competent bodies
- to cooperate closely with other benefits providers and facilities

- to adequately consider the wishes of beneficiaries within the scope of the statutory provisions, etc.

Eligible for the minimum scope of social protection (regardless of whether or not they are Austrian citizens) are persons who are entitled to stay in the federal territory for more than four months and whose principal residence or, in its absence, whose actual abode is in Carinthia.

Minimum social protection is granted in several ways:

- by way of money – both as on-going monthly payments and as one-off payments (subsistence help);
- as benefits in kind;
- as personal help, e.g. by counselling and care of the person seeking help.

The following services provide - in particular - advice and personal help to persons without adequate resources or at risk of becoming so:

- increased family-oriented financial support to cover subsistence, with due regard to the needs of elderly persons and families with disabled children;
- housing allowance (financial grant for housing, including operating costs and electricity);
- heating allowance, socially graduated;
- work projects to facilitate the reintegration of, especially, long-term unemployed (e.g. after a long spell of care obligations);
- help for debtors;
- help for the shelterless and in other extraordinary social problem situations:
 - temporary shelter,
 - counselling to develop new life perspectives;
 - non-refundable aid, etc.;
- in-depth counselling and development of a customised need and help plan.

Lower Austria

(For further details see the reporting in the 1st national report on Article 14 § 1 of the Revised European Social Charter).

The following services provide - in particular - advice and personal help to persons without adequate resources or at risk of becoming so:

- help to secure necessities of life (subsistence)
- help for families and elderly persons

In 2011 2,091,826.98 € were spent for 2,406 applications for grants or loans.

- help for the homeless and persons in extraordinary emergency situations

In 2011 751,560.35 € were spent for housing protection.

- help in case of domestic violence
- debt counselling

This help is granted within the framework of private sector administration (no legal entitlement) by means of grants and loans (financial support), accommodation or assistance/counselling. It may be subject to certain requirements (e.g. direct payment to the landlord) or adequate contributions to the costs.

Services granted under the means tested minimum income scheme and the social assistance scheme comprise counselling by qualified social workers.

The Social Assistance Act of Lower Austria provides for equal treatment of nationals of States Parties to the European Social Charter with Austrians (....."where equality results from state treaties."...).

Upper Austria

(For further details see the reporting in the 1st national report on Article 14 § 1 of the Revised European Social Charter).

The social services offered are outlined in the Upper Austria Social Assistance Act 1998 (Oö. SHG 1998; Section 12 Personal assistance), in the Upper Austria Minimum Income Act (Oö. BMSG; Section 12: Means-tested minimum income benefits) and the Upper Austria Equal Opportunities Act (Oö. Chancengleichheitsgesetz).

The following aspects of social assistance are specifically mentioned in the context of providing - in particular - advice and personal help to persons without adequate resources or at risk of becoming so:

- help to continue with household duties
- specific accommodation types with adequate and professional care, especially for women and children exposed to violence; homeless persons; persons with psychological/mental disabilities; and chronically ill persons in need of care
- family assistance, family care and family counselling
- work assistance and training

Pursuant to Sections 30 and 31 Oö. SHG 1998 as well as Sections 43 and 44 Oö. BMSG, the institutions in charge of social assistance and/or means-tested minimum income are responsible for promoting and funding those services.

In order to be able to provide the required counselling, the regional social assistance institutions have to establish decentralised social counselling points pursuant to Section 31 Oö. SHG 1998. Such centres were set up all over Upper Austria taking into account the regional requirements, especially with regard to the age structure of the population and the relevant situation of the neighbourhoods, living conditions and transport infrastructure.

The social services offered are independent of the beneficiaries' nationality and can be used by anybody residing in Upper Austria. There is no legal claim to any of the services described. The services can be used only to the extent as sufficient resources are available.

Nationals of other Contracting Parties to the Charter therefore have access to the social services at the same terms as Austrian nationals.

Salzburg

(For further details see the reporting in the 1st national report on Article 14 § 1 of the Revised European Social Charter).

Advice and personal help for persons without adequate resource are in particular counselling services for persons with low incomes or persons who have debts, for the homeless or persons released from prison.

More generally, social services have been massively expanded since 1991, resulting in an area-wide network of institutions providing social services in the field of home care, household support and family assistance. These services are rendered by private welfare organisations. Their activities and services are laid down in more detail in the guidelines issued by the *Land* Salzburg.

The Social Assistance Act of Salzburg provides for equal treatment of nationals of States Parties to the European Social Charter with Austrians (....."where equality results from state treaties."...)

Styria

(For further details see the reporting in the 1st national report on Article 13 § 1 of the Revised European Social Charter).

Advice and personal help for persons without adequate resources are provided by social workers of the municipal authorities – these services are only provided in the cities Graz and Kapfenberg. Furthermore the provincial government gives financial support to NGOs which provide services like "social advice" or "debt handling advice". Other social services focus on specific target groups (like women, people with disabilities, migrants, unemployed people...). The rising number of recipients of the means tested minimum income suggests the extension of further supports.

Persons whose actual abode is in Styria and who are entitled to stay for more than three months are eligible (regardless of whether or not they are Austrian citizens).

Tyrol

(For further details see the reporting in the 26th national report on Article 13 § 1).

Basic protection pursuant to the Tyrolean Basic Protection Act covers help to ensure subsistence, help in special life situations, the cost of a simple burial and help to get work.

Needy persons are legally entitled to receive help to ensure subsistence (which includes the expenditure necessary for the basic general needs such as housing, food, clothing, personal hygiene and household goods plus expenses for special personal needs).

Under Section 7 (1) of the Tyrolean Basic Protection Act, help in special life situations comprises help in case of illness, help for pregnant women and women in confinement, help for education and to enable a person to get a gainful employment, help for persons in need of nursing care, preventive health care, help to bridge extraordinary emergencies, help for the old, family assistance, development of an assistance schedule and personal help.

The granting of - in particular - personal help, development of an assistance schedule and bridging of extraordinary emergencies is the responsibility of the *Land* Tyrol as an entity under private law.

The granting of help for the old and family assistance is incumbent upon the respective local government as an entity under private law.

Social services are provided by public authorities or by private institutions, partially subsidised by the public (e.g. for the homeless, for persons released from prison, family counselling, crisis intervention etc.).

Every person irrespective of nationality is entitled to make use of the social services.

Vienna

(For further details see the reporting in the 1st national report on Article 14 § 1 of the Revised European Social Charter).

In their capacity as private law organisations, the Vienna *Land* Government and the municipality of Vienna are responsible for the provision of social services.

Apart from providing for subsistence, the social assistance scheme focuses on integration, prevention and social security for all. Ten regional social centres in Vienna are open to all persons with social problems. Care services are based on a holistic approach. Social workers offer initial and orientation talks and develop a help and support plan jointly with the person seeking help.

The target group are recipients of minimum income benefits from the age of 18 to 49 for whom it is difficult to get into employment, in particular if they have a migratory background. Concurrently with the introduction of the means-tested income scheme the counselling and support facilities of Step2Job were established. These facilities provide direct access to the projects to those in need of support. From 1 November 2007 to 31 December 2011 more than 1,100 individuals were supported to (re-)enter the labour market in the framework of the LEA projects (Lernen – Erfahren – Arbeiten

- learn, experience, work) and more than 50% of them succeeded in (re)commencing work.

Reintegration of the homeless:

The Viennese scheme to help the homeless provides counselling and support and makes available night and longer-term shelters. Its services aim to stabilise users in their social and health situation. The *Fonds Soziales Wien* is responsible for operative planning, management and funding of 21 organisations offering services. In 2012 4,621 temporary or permanent domiciles (an increase of 7.8 % compared to 2011) and about 400 places in night shelters were provided. In addition, day care centres, information centres, medical help and street work is/are available. The yearly budget is EUR 50 million.

The Vienna Social Assistance Act provides for equal treatment of nationals of States Parties to the European Social Charter with Austrians (....."where equality results from state treaties."...)

Vorarlberg

(For further details see the reporting in the 1st national report on Article 13 § 1 and in the 23rd report on Article 13 § 1).

In addition to the public institutions responsible for providing advice and personal help to persons without adequate resources or at risk of becoming so (*Land* government, district administration authority, municipal authority, public employment service, federal social welfare office), there is a variety of specific social services pursuant to the Minimum Income Act and mainly provided by private and non-profit organisations, in particular debt handling advice, legal advice, preventive and therapeutic services etc.). As the case may be emphasis is placed on counselling, assistance, financial, psychological or therapeutic help. Prevention is of prime importance.

The Minimum Income Act of Vorarlberg provides for equal treatment of nationals of States Parties to the European Social Charter with Austrians (....."where equality results from state treaties."...)

Article 14§2 (Right to benefit from social services - Public participation in the establishment and maintenance of social services)

The Committee asks for additional information on the public participation in the establishment and maintenance of social services. In particular, it wishes to know whether and how the Government:

- *provides support for voluntary associations seeking to establish social welfare services;*
- *ensures that services managed by the private sector are accessible on an equal footing to all and are effective; and*
- *encourages individuals and organisations to play a part in maintaining services, for example by taking action to strengthen the dialogue with civil society in areas of welfare policy which affect the social welfare services.*

Participation of private welfare organisations in the establishment and performance of social services is supported chiefly by the granting of subsidies from public funds.

A number of social services can be efficiently implemented only by the interplay of private welfare organisations and the social assistance scheme. One example of this would be the meals-on-wheels service in several of the Austrian *Laender*. To organise this service, private welfare organisations and the social assistance bodies entered into agreements to regulate their cooperation in that the social assistance scheme, i.e. the welfare office, provides the funding, while the private organisation supplies the staff and is responsible for performing the service subject to predefined principles.

In the same manner, private organisations are used to perform other necessary services. The collaboration between the social assistance bodies and private organisations based on private agreements has produced good results.

Similar working groups are formed in the field of welfare services for the disabled, bringing together private welfare organisations, the public welfare office and the Public Employment Service.

Under the *Laender* Acts private welfare facilities are to be used by the social assistance bodies to contribute to the extent they are suitable and willing and provided that their use appears conducive to achieving the purpose. The state and local governments, in their capacity of private law organisations, can fund private welfare facilities used regularly for cooperation to the extent allowed by their budget.

Some *Laender* are making efforts to activate neighbourly help by financial grants within the scope of social assistance. In this way, the homecare workers service is run in Burgenland, and visiting services are organised in Vienna. For family members contributing to nursing care, a course was set up jointly with the Vienna Red Cross to instruct them on "nursing at home". This course teaches practical knowledge of use for nursing care.

Another incentive for individuals to participate in the establishment and maintenance of social services is the prospect of an award or distinction. Thus the Social Assistance Act of Vorarlberg provides for the creation of badges and occupational

designations for people working in private welfare services. The right to wear such a badge and use such an occupational designation is awarded when a person shows his/her special qualification for service in such a facility by an appropriate training and long practical work.

On 30 July 2011 the Federal Long-Term Care Fund Act (Pflegefondsgesetz, PFG) entered into force. This federal act provides the legal foundation for setting up a long-term care fund and an earmarked supplement to the *Laender* for safeguarding the establishment and expansion of support and care-giving service offers from 2011-2014 in the long-term care system.

The long-term care fund is to pay earmarked supplements in a total amount of EUR 685 million to the *Laender* and in this way provide partial funding for safeguarding, establishing and expanding, as appropriate, the support and long-term care service offers for the years from 2011 to 2014.

Additional *Laender*-specific information:

Burgenland

The social services offered in Burgenland include mobile care services and partly and fully institutional care services as well as women's shelters and shelters for persons and families in need (Sozialhäuser).

Among the mobile services (help to continue with household duties, personal assistance, care-related services, therapeutic services, general counselling and psychosocial services) only care-related services require the approval of the Burgenland Government; partly institutional services (care and support in the framework of day-care facilities for the elderly and those in need of care as well as persons with disabilities) and institutional services (old-age and nursing homes, accommodation for persons with disabilities) require a foundation and operation permit from the Burgenland Government.

These facilities providing social assistance are subject to supervision by the Burgenland Government; in individual cases the Government authorities may transfer their supervisory responsibilities to the competent District Administration Authority.

Carinthia

The state of Carinthia enters into an agreement with the providers of social services which clearly states the design of the respective social services (content, type and scope of services, quality standards, cost refunding, etc.) and stipulates that only qualified persons employed by the relevant provider may render such services.

The provider must keep client-based performance records and care/nursing documentation which must be opened to inspection by bodies of the Carinthian Social Department at any time.

The agreements also stipulate that if the provider of a social service fails to perform it in the agreed manner or by qualified staff, the state of Carinthia must send a written request to the provider to remedy such faults within a reasonable period. If the provider fails to do so at all or in good time, the state of Carinthia is entitled to terminate the agreement with immediate effect.

Lower Austria

The Land subsidises private welfare organisations when this is economically more efficient, e.g. mobile services (socio-medical and social support services, meals-on-wheels, counselling, emergency telephone, day care structures and therapeutical services).

The private organisations are bound by legal provisions and they are supervised by the administration. The Land also concludes agreements with the organisations, stipulating in particular access criteria and service standards to be met as well as appropriate evaluation and controlling measures. The Land also monitors adherence to the agreement.

Upper Austria

Social services are usually rendered by private welfare organisations, with corresponding agreements being made according to Section 60 Oö. SHG 1998 in the case of regular assignments.

These agreements lay down the following terms:

- object, type and scope of the services to be rendered;
- the applicable service standards to be met;
- the required qualification of the staff employed by the service provider as well as measures to ensure further training and supervision;
- the remuneration due for the services agreed;
- the duties of the service provider to contribute to the required coordination activities, in particular within the area of a social district (*Sozialsprengel*);
- appropriate measures to safeguard and develop quality standards;
- the required documentation and reporting system as well as appropriate evaluation and controlling measures;
- the obligation to provide appropriate information on the services offered and the applicable terms to those who seek help and want to make use of a service.

The Oö. SHG 1998 contains provisions on the funding and promotion of some of these services. For other spheres, the authority to provide guidelines has been defined.

Measures to ensure sufficient availability and plans for extending such services are discussed and agreed within the scope of periodic social planning.

Within the organisation of associations providing social assistance (regional bodies) representatives of local governments are members in their respective meetings and therefore able to influence at community level the strategies and plans of regional organisations.

The bodies of the regional organisations are also supported in their social planning work by the Expert Conference. This Expert Conference assembles representatives of social service providers and social counselling points as well as representatives of organisations advocating the interests of the elderly and the disabled, which is another way to allow considering the needs of the population.

Social councils are established at Land level which advise the government in all matters of essence to social policy. This council includes politicians, representatives of social service providers, experts and, again, representatives of organisations advocating the interests of the elderly.

Salzburg

As the *Land* Salzburg considers itself having a priori obligations to its clients and not necessarily to voluntary associations or any other non-governmental entity, the Land is offering a reliable planning environment that helps both: the clients and the voluntary associations. This is ensured by two types of agreement with voluntary associations, NGOs, firms and other entities: There are either law-backed tariffs for standardised services (calculated on a person by person basis) or several-year-long contracts (specifying e.g. number of people taken care of etc.). In case of the latter, the entity is entitled to at least 80% of earlier year's funding if a new agreement for the next one cannot be reached.

The *Land* Salzburg ensures that all quality standards are met by making this part of the legal framework surrounding the social and welfare services (e.g. long term care). Additionally, there are *Land* personnel exclusively dedicated to control those quality standards. Besides that, all services provided, whether administered by the district authorities or not, carried out by specialised organisations, need to be documented and shown to the public officials.

The *Land* Salzburg has launched so called "networking events" that allow all stakeholders to participate in the conversation: social workers, experts, representatives of clients etc. There is for example a yearly meeting of all those

organisations in the city of Salzburg that provide help on the basis of the Salzburg Minimum Income Act.

Styria

The provincial government gives financial support to NGOs/projects to strengthen the dialogue with civil society concerning the development of social services (e.g. ForumTheater –“Kein Kies zum Kurven kratzen” und “jung.pleite.abgestempelt ... sucht: das gute Leben!”) and to support voluntary associations.

Tyrol

Social services are provided in Tyrol by the public sector and by private sector bodies partly subsidised out of public funds. For example, there are special social welfare institutions for the care of the elderly in Tyrol (such as old people’s residential and nursing homes, day-care facilities, and extramural services), social welfare institutions for the disabled (such as assistance institutions for disabled children, preparatory vocational courses for the disabled, workshops, residential homes, extramural services), social welfare facilities for women (such as counselling for expectant mothers, dwellings and residential homes for women, centres for general counselling on questions affecting women) as well as facilities for men, the homeless, discharged prisoners, the sick, counselling facilities for mothers and parents, family counselling, educational counselling, crisis intervention centres, streetwork and facilities for homeless youth.

The social and health district authorities form a complex social care network at local authority level in Tyrol.

Quality standards are laid down in guidelines and each district authority is required to provide its own staff for home nursing as well as care for the elderly and home help. The purpose is to ensure that the patient/client receives coordinated essential services from a single point. In addition to home nursing – which accounts for about 60% of the total services rendered by these authorities in Tyrol – and home help, family help, meals-on-wheels, and services for relatives providing care and the hiring out of therapeutic aids are available.

Vienna

Social services are provided within the scope of private sector management of the *Land* Vienna. The *Fonds Soziales Wien*, an organisation operating on behalf of the *Land* Government and the municipality, is a key player in this field.

In its activities, the *Fonds Soziales Wien* pursues the following development goals:

- collaboration with private organisations in the healthcare and social services sector;
- transparency in the social services sector;
- cost-effective structures;
- continuous improvement of service offers and customer orientation.

On 1 January 2006 the General and Specific Funding Guidelines of the *Fonds Soziales Wien* entered into force, fundamentally changing the structure of social services.

Direct funding of the services of private welfare organisations, which had been common practice up to that time, was replaced by targeted and direct subsidies of subjects, projects and objects.

This new funding model places the persons needing help in the centre of attention (subject funding). Persons seeking help can select one of a number of recognised institutions that provides services tailored to their specific individual needs. Funding is provided to persons in need of nursing and care, who are Austrian citizens or equivalent to Austrian citizens according to the Vienna Social Assistance Act, and who have their principal residence or, in the absence of one, their actual abode in Vienna. The funding granted to the client consists of grants towards the cost for nursing and care, with due regard to the client's financial situation. Operators of facilities for nursing, care, rehabilitation, prevention and health promotion can apply for recognition ("quality seal") under the General and Specific Funding Guidelines of the *Fonds Soziales Wien*. The quality criteria set out in these Guidelines ensure that social dumping by any cheap, low-quality providers is prevented.

In 2010 the *Fonds Soziales Wien* and the *Kuratorium Wiener Pensionisten-Wohnhäuser (KWP)*, one of Austria's largest service providers in the field of nursing and care for senior citizens, jointly founded the *Wiener Schule für Sozialberufe* (Vienna School for Social Professions). The aim of this new education and training institution is to provide high-quality education with a high level of hands-on training to young people who want to become skilled social service workers specialising in working with persons with disabilities, the elderly and families and in accompanying persons with disabilities.

Effective access is granted by the following measures:

- enshrinement in the law, in particular defining the group of eligible persons, personal and factual prerequisites;
- publishing funding guidelines;
- public information campaigns;
- individual counselling for customers;
- staff training;
- setting up case management systems with the goal of planning measures in line with the needs, and putting them into practice;

- continuous evaluation and review of the effectiveness and efficiency of the offers and their implementation in practice;
- establishing supervision by the authorities if tasks are outsourced to private-sector providers.

Vorarlberg

The local social model works principally on the basis of the maxim of “as much as possible by private organisations, as much as necessary by public organisations”. In Vorarlberg the public sector supports and promotes private organisations and initiatives rather than operating as a service provider itself.

Supervision of the service providers is laid down in several laws and is carried out by the *Land* Government. Section 18 Para. 4 of the Minimum Income Act (MSG) e.g. sets forth that the *Land* Government has to verify whether professional and appropriate services are rendered in the institutions.