



ImPRovE Milestone 18: Two page documents operationalizing governance challenges

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Challenge #1: Mainstreaming social innovation

Summary of challenge

Socially innovative actions and policies often start as small and localized initiatives. Many initiatives are innovative exactly because they offer solutions that are new for a specific context, are close to people and their needs and mobilize a localized network of actors and instruments. The concept of mainstreaming is adopted to capture the evolution from a localized, particular solution to unmet social needs in a specific context to a more broadly accepted and applied idea and/or instrument that represents and enables a 'better, alternative way of doing things'. Mainstreaming a socially innovative initiative entails that it discovers new unmet needs, offers a legitimate blueprint for the alleviation of similar social needs and/or the implementation of similar models of participatory governance and co-production of welfare provision in different contexts. Mainstreaming may or may not be part of a deliberate strategy, but not all elements for success are necessarily related to strategic action. We expect mainstreaming to entail at least one of the following social learning and reorganization processes: gaining political recognition and popular support, institutionalization in (local or regional) policy and legal frameworks, professionalization [of specific parts of the organization behind the initiative(s)], the implementation of coordination and feedback mechanism at a larger spatial scale, (institutional) learning between partners and/or increasing the number of people involved, sales volume and 'market' share of the service or idea. Mainstreaming social innovation is a challenge because socially innovative actions and policies need to be disembedded from the institutional context in which they originated and re-embedded in a new institutional context in order to allow wider applicability, while maintaining their innovative and participatory character. This challenge has been described in the literature in terms of the development of bottom-linked strategies.

Research questions

What does mainstreaming mean for you from the perspective of the SI initiative in which you are involved? Do you think it is useful or harmful to mainstream this SI initiative?

What are the main reasons for mainstreaming or not mainstreaming this social innovation initiative?

Is mainstreaming essential or optional for the continued viability of this SI initiative? What are the stakes of mainstreaming in terms of continued support and sustainability of the initiative?

What is the degree of consensus and contestation on the necessity and desirability of mainstreaming among those involved in this SI initiative (e.g. different type of organizations, different levels in involved organizations, etc.)? Did the strategy and the actors responsible for mainstreaming the SI initiative shift over time? If so, why? How did this happen?

Which forms of collective mobilization and/or political action (if any) contributed to the mainstreaming?

Did the mainstreaming of this SI initiative happen without being planned (e.g. by responding to opportunities that emerged unexpectedly) or is it a strategy planned over the long term?

Which coordination and steering mechanisms and agencies are involved in the mainstreaming of this SI initiative (if any)? Which agreements, engagements and/or obligations emerge from these coordinated strategies and how loose or strict are these? By whom and through which mechanisms can the organization be held accountable for its efforts to mainstream (subsidizing governments, rules and regulations, followers, financial stakeholders, etc.)? Can certain strategies of mainstreaming be imposed on local initiatives?

Which local factors are essential for the success of the SI initiative? Are there local factors of success that may be jeopardized by mainstreaming? Which strategies do you develop to transfer local success factors to other institutional contexts?

What are the main factors that are responsible for the innovative nature of the initiative? Are these factors threatened by its mainstreaming? Is the innovative nature of the initiative threatened by its mainstreaming? Are there any measures taken to maintain the initiatives' innovation potential while being mainstreamed, or are these clearly distinct processes/strategies?

To what extent is the viability of this SI initiative dependent on the involvement of actors and instruments on various spatial scales (neighbourhood, city, regional, national, European, etc.)? Does mainstreaming involve the intensification of linkages to supra-local actors and instruments?

Does mainstreaming involve a change in the mix of actors and instruments implied in this SI initiative? Which actors and instruments prove difficult to transfer to other institutional contexts? How are these being replaced by new actors and instruments? How do these new instruments and actors differ from the ones discarded or reduced in importance?

How does mainstreaming transform the relations of power within the SI initiative and between the SI initiative and the different actors in its institutional environment?

Have you drawn on external expertise for the mainstreaming of this SI initiative? How did you source this external expertise (e.g. through consultancy, umbrella organizations, informal networks of likeminded people or initiatives, etc.)? Are you part of a formal or informal platform or network where knowledge on mainstreaming is jointly developed and circulated?

Does mainstreaming imply the abolishment of established practices or approaches in civil society, in public organizations or in the market or does it imply creating a new 'niche' next to established practices and approaches, which may or may not be in competition with existing practices and approaches? To what extent and how does competition, incompatibility and overlap with existing practices and approaches work against the mainstreaming of this initiative?



Are there socio-economic factors with regard to the target population that work against the capacity for mainstreaming (i.e. issues of stigma, status or limited material resources)? How do this SI initiative cope with this, bearing in mind the importance of participation of the target population in SI initiatives?

Challenge #2: Governing welfare mix: avoiding fragmentation

Summary

A growing complexity in social needs and welfare mix is emerging, amongst others driven by the increasing marketization of services, the professionalization of the third or voluntary sector and the financial constraints in the provision of public services. In such a situation, the general rationality of the system may decrease substantially or the system of welfare provision may even become unmanageable. Increasing complexity of the welfare mix reduces the possibility to share policy strategies and aims among the stakeholders, limits the possibilities for social innovation actors to influence the broader system of welfare provision and may allow stronger and better organized and represented groups to acquire privileges, leading to unfair treatment of different excluded groups.

In order to avoid the disintegration of the welfare mix into a fragmented and disarranged puzzle of interests, aims and visions, new ways of dealing with the plurality of actors and methods of intervention in welfare provision need to be found. Additionally, social and economic strategy and policy aims need to be made compatible, since the effectiveness of the former may be undermined by the latter.

All this implies exploring new roles for state, market actors and civil society/volunteers in service and welfare provision. The governance style needs to enable **coordination** and lead to a clear definition of roles, accountability and autonomy in order to guarantee effectiveness of actions and policies and avoid policy implosion. Criteria for the implementation of centralized elements for '**accountable autonomy**' are primarily concerned with the administrative provision of resources for mobilization, training and facilitation to maintain the integrity of participatory practices and collective deliberations. This is especially crucial under unfavourable initial conditions.

Research questions

Are the social needs the social innovation initiative is addressing becoming more complex? If so, does the growing complexity of needs act as a stimulus or a limit to social innovation in the field of poverty and social exclusion?

Describe the welfare mix in your area of operation, both in terms of actors, instruments and goals. Has its complexity increased or decreased? What are the main factors driving this increase or decrease?

What are the spatial dimensions of the welfare mix? Are there actors, instruments and goals that are situated on different spatial scales? How does this challenge the spatial coherence of the welfare mix?

From the perspective of the social innovation actors, is the welfare mix in the area in which they are active fragmented? Are the goals pursued between similar organisations/actors coherent or are they (partially) contradictory? Are the instruments used compatible? Is there co-operation or competition between the different actors involved in the provision of welfare to a particular target population or serving a particular need?

Do the social innovators feel there are sufficient possibilities to share policy strategies and aims with other actors in the same geographical and/or thematical area of intervention? Do they feel they can influence the broader system of welfare provision? How open is the system of welfare provision for a particular target population or serving a particular need to social innovations (from perspective of social innovators)?

To what extent is the welfare mix (instruments, goals and actors) open to the social needs of socially excluded groups? Are there instruments privileging certain (excluded) groups over others? Are the goals of welfare provision formulated in an inclusive way? Are there any excluded groups that are better organized and represented and thus able to get privileged treatment?

Which strategies are developed (by social innovators or other involved actors) to address and govern the complexity of the welfare mix? Do these strategies support or work against the diffusion of social innovation?

How does social innovation contribute to exploring new roles of volunteers, civil society actors and social entrepreneurs in the welfare mix? How is the role of state and public institutions in the welfare mix defined and re-defined through social innovation? Are (local or supra-local) governments able to combine their role as regulator, coordinator and welfare provider in new models of welfare provision? What can be the risks and what the opportunities in playing at the same time all these different roles? How to balance them (by agreements, engagements and/or obligations) to stimulate social innovation?

Are there specific fields where particular actors (civil society, volunteers, state, social entrepreneurs, etc.) can be better involved and others where their presence can be dysfunctional?

What kind of mixed-networks can guarantee better possibilities for social innovation development in the field of poverty: horizontal, vertical, both of them, political-technical, public-private, public-third sector ... ? Which kind of relationships and coordination mechanisms (hierarchic, deregulated, participative...), can guarantee an innovative welfare system?

Challenge #3: Governing welfare mix: developing a participatory governance style

Summary

Finding effective mechanisms to translate social needs and issues of poor and socially excluded groups in a political language is difficult because, on the one hand, they often do not find representation through the conventional mechanisms of representative democracy (e.g. voting in elections, membership of political parties, lobbying, etc.) and, on the other hand, the many poor are excluded from (some) citizenship rights. Social innovation hence brings a participatory governance style to the existing welfare mix.

The challenge here is to design a framework for localized forms of welfare provision that includes decentralized participatory (deliberative) institutions in a way that the social needs and interests of excluded groups are represented and recognized and makes centralized institutions more responsive to them. This participatory style of governance requires a clear definition of roles of the 'participating' actors and their respective accountability and autonomy. Important criteria for the evaluation of localized participatory institutions are the inclusiveness of governance, the legitimacy of civil society and a clear mandate and transparent regulations on the role of the private (profit and non-profit) sector. Criteria for the implementation of centralized elements for 'accountable autonomy' are primarily concerned with the administrative provision of resources for mobilization, training and facilitation to maintain the integrity of participatory practices and collective deliberations.

Research questions

To what extent and in what ways are the poor represented and recognized in this social innovation initiative? What are the specific design features of the social innovation initiatives pertaining to participation of poor and excluded groups?

To what extent does this contribute to the representation and recognition of poor and excluded groups in the overall welfare mix? What are the specific design features of the governance of the overall welfare mix pertaining to participation of poor and excluded groups? What specific tools and techniques are used here?

Does it adequately correct their lack of representation and recognition in the conventional political sphere? How effective is their representation and recognition from the perspective of the actual satisfaction of their needs?



Which roles do local public institutions, civil society actors and social entrepreneurs play in the participatory governance of the welfare mix? Do they support or work against it? In what ways?

Is there enough autonomy for social innovators and the poor and excluded groups they work with and for within the welfare mix? Are enough resources provided for the mobilization, training and facilitation of these groups in participatory practices and collective deliberations?

How to balance different interests in participatory processes? Are there experimented tools or methods to better do it?

How to maximize the interests of stakeholders in the welfare mix in a participatory system, to guarantee inclusiveness, equality and fairness to less-participative and weaker people? How is it possible to avoid that innovative solutions become consolidated interests with time, close access to new excluded groups and curb new proposals and solutions to new needs?

Challenge #4: Equality and diversity

Summary of challenge

During the heydays of Fordism in Western Europe, North America and the Antipodes, the welfare state was predicated on strong economic growth, the male breadwinner model and, from a cultural perspective, a relatively homogeneous national community with shared norms and values. It resulted in a unique level of internal socio-economic equality. In the last decades, this context has changed: First, neoliberal policies privilege individual freedom and the right to choose over equality and social inclusion. Second, with an increasing number of migrant workers, asylum seekers, refugees and people living abroad, the cultural diversity of European societies has significantly increased. Third, European societies have also become more diversified as a consequence of women's and queer liberation movements, changing family models (singles and single parents, patchwork families, same-sex couples) and ageing societies (creating tensions in the allocation of resources and social risks between generations). Last but not least, economic liberalization and a new international division of labor have resulted in an increasing number of flexible and precarious jobs as well as long-term unemployment which created a new distribution of risk.

These developments require an adaptation of the welfare systems to address the rearrangement of unmet needs. Without neglecting issues of material redistribution, the welfare state needs to become more sensitive to the recognition of and respect for diversity in terms of ethnic background, gender, age, family form and the cultural aspects of class. As socially innovative actions and policies against poverty and social exclusion have a focus on the participation and representation of excluded groups, they should be particularly receptive for new claims and also uncover the imperfections, defects or gaps of existing policies. In contrast, the national institutions of the welfare state may not be very attentive to cultural, gender, age and other differences. To this end, however, it has to be made sure that a balance between responsiveness to difference and universality is found and that the strongest civil society organizations do not rule out the weaker ones.

Research questions

To what extent is diversity of identities an issue within the socially innovative initiative (e.g. as an explicit objective to recognize and work with diversity, as a factor generating internal conflict, as a critique leveled at the organization such as not being diverse enough etc.)? Are the recognition and representation of certain identities/ marginalized social groups issues at all? If not, why is diversity not regarded important in the field in which the initiative is active?

How does the socially innovative initiative deal with diversity? Is it reflected in the governance of the initiative or in the set of actors that support it?

Is there a tension between recognizing and working with diversity within the initiative and the quest for more equality? In what way does the socially innovative initiative strike the balance between equality and diversity? How does it react to the double movement of increasing inequality and increasing diversity?

Is the initiative targeted at providing services and welfare to one particular group or is it aimed at integrating excluded groups in the 'normal' systems of service and welfare provision? What are the advantages and disadvantages you experience in your initiatives with the adopted approach?

Which personal characteristics are considered crucial with regard to poverty and social exclusion in the case study context? In which policy areas (like employment, health, education, care, housing,...) is exclusion due to personal characteristics the most serious problem in the national and/ or local context under consideration?

Do disadvantage and exclusion also derive from discrimination? Is discrimination an important factor in the case study context? What is being done in the institutional framework to fight discrimination?

Was the detection of unmet needs of underrepresented or marginalized social groups a driving force behind the development of the initiative? Who took the initiative?

How are social groups that are normally underrepresented in democratic processes encouraged to participate, to give themselves a voice, to make themselves heard?

Are there dominant organizations in your field of operation? If so, do these groups work with or for particular groups and ignore others? Do you believe this is problematic? Do you regard them as coalition partners or as political enemies in the competition for resources?

Does your initiative entertain relationships with the welfare state and its agencies (e.g. financial or logistical support, referring clients to you or other way around, outsourcing of tasks, etc.)? Is the way the initiative deals with diversity positively or negatively valued by welfare state agencies? Do welfare state agencies learn from the way this social innovation initiative deals with diversity or vice versa?

How is the problem of raising awareness not just among target groups but also the majority of the population tackled? Which channels of communication prove most effective in reaching a diverse audience?

Discrimination and disadvantage often affect different aspects of personal identity such as ethnicity, class and gender. Are these aspects problematized together or separately by the social innovation initiative? Are alliances built to link the different aspects of identity and discriminatory practices?



Aspects of identity that are discriminated against are not necessarily concentrated in certain localities and neighborhoods. How important are networks/alliances that transcend particular places and how are they established?

Are diversity aspects represented in the (local and national) party system? Are there coalitions within parties or governments that take up issues of disadvantage due to class, gender, ethnicity and age (and also of intersectionality as multiple factors of disadvantage)? How do these features of the broader institutional context impact on the SI initiative?

Are there clauses in the legal system that limit the acceptance of diversity/ work against the recognition of certain identities? On which level are those clauses limiting the room for innovative action and what can be done against it? Have special interest groups already taken up this issue?

Challenge #5: Uneven access

Summary of challenge

The proliferation of local initiatives and the marketization of services come along with the danger that access to social services becomes more and more unequal. The more welfare systems are based on bottom-up initiatives and the discretionary power of local governments, the more likely it is that services are not available for everybody in the same quality or quantity and, therefore, that access to social services becomes ever more disorganized. This challenge hints at the tensions between guaranteeing universal social rights and subsidiarity, equal opportunity and free choice and developing common standards and respecting diversity. A possible way out may be that universal social rights are guaranteed on a higher level such as the nation state or the EU, but that may undermine the discretionary power of initiatives that is essential for social innovation.

Research questions

By which means can local innovation and universality be accommodated? Is it an objective of the initiative that the social innovation becomes available to social groups in comparable situations? What is being done in this regard (such as horizontal and vertical networking, political lobbying,...)?

Despite the principle of universality, there may be good reasons for an asymmetric resource allocation in favor of disadvantaged groups or places (e.g. school children with lacking language skills or disadvantaged neighbourhoods)? Is there a discussion within and around the initiative about these issues?

How important is the context of the initiative? Is the social need that should be met only relevant in the case of the genius loci or is it shared by comparable social groups in other localities? Does the initiative pursue context-sensitive strategies and, if yes, how can they be universalized?

Is it desirable at all to have this initiative mainstreamed or would this mean a struggle for scarce resources? Which advice could be given to other initiatives facing similar problems?

How does the initiative find its clients? Is it only open for social groups that share special personal features (like the same religion) or is it accessible for everybody?

How are resources used by the initiative? Who takes the decision on which clients/ which projects to support and in which quantity? What is the role of financiers and clients in this process?

How is funding for the initiative organized within the welfare system? Are funds distributed mainly by objective criteria and on a needs basis? Are they subject to a tender procedure or negotiations?

Who is responsible for deciding on the quality of services? Is it the central state or some subordinate level of government? Or is solely the initiative itself who is responsible for defining standards?

Priorities of needs fulfillment and, thus, of welfare services may vary due to the spatial context, individual characteristics of clients etc. and therefore require different standards and quantities. How can be validated that differentiation is just and follows objective and comprehensible criteria?

Are there ideas on how the tension between special requirements and universal social rights can be resolved? What is the role of politics in this? How important are enforceable social rights?

What is the relation between special social needs (e.g. of citizens living in certain neighborhoods) and universality within national politics in general? Is this tension being discussed by official politics, single parties, special interest groups etc.?

By which means of coordination/ governance models do local and national governments try to accommodate the tensions between special needs and universality?

What is the position on universality and equality in the national legal system? Is there a clause on positive discrimination in the constitution or administrative law? How is it implemented in government actions and practiced by administrative and constitutional courts?

What is the role of vertical and horizontal subsidiarity in the national constitution and how is it implemented in the welfare system by government actions? Are some spheres (such as self-government on local level or the autonomy of religious communities) particularly protected?

What could be the role of the European Union in guaranteeing universal social rights? By which policies, processes, methods or legal instruments could universal social rights be promoted?

Challenge #6: Avoiding responsibility

Summary of challenge

It seems that the interest of policy makers in social innovation has risen not least because of the consequences of the financial crisis. On the one hand, this indicates that there is growing awareness that new (or forgotten) solutions are required to tackle current challenges of social and territorial cohesion. On the other hand, stressing the importance of social innovations by civil society may also serve as a justification for simply cutting public spending by reducing the provision of public services, resources, support and commitment. The challenge for socially innovative initiatives is hence not to work in support of the dismantling of the welfare state and the abandoning of universal social rights and enlarged human rights (such as housing, health, education, mobility). Therefore, the transfer of responsibility must go hand in hand with a transfer of resources.

Research questions

What is the history of the policy field under scrutiny (in the specific context)? Have there been public policies in place before the initiative entered the field? Is a substitution process observable?

What would be in place if the socially innovative initiative would not have been established? Would there be a void or are there indications that this void may have been filled by public action?

Is there pressure on the initiative in terms of shrinking public funds and if so, what are the consequences? Are lacking resources compensated by private funds or is service delivery restricted?

In case the initiative is predominantly financed by private funds, is there a rationale behind that other than that public resources are not available (such as larger autonomy, less administrative effort, more potential for innovation,...)? What is the ideological rationale behind private funding (Corporate Social Responsibility, paternalism, religious or ideological motivations, possibility of tax reductions, generosity...)?

Which governance mix of private and public actors constitutes the initiative? Are solely non-profit organizations (including public actors) involved or are also profit-driven enterprises participating? Does the initiative even intentionally exclude certain organizations from getting involved?

What is the rationale behind choosing the concrete organizational form of the initiative itself? Are there advantages with regard to tax treatment, ...? Are certain organizational forms privileged by the policy framework in place?

What would be an adequate distribution of responsibilities between private action and the public sector from the initiative's point of view? In which way could sufficient private autonomy (to allow



for innovation, group-specific needs,...) and public supervision be accommodated? Is pure public funding an alternative or are there arguments against that option?

Is self-help an option in the policy field under consideration? Could it even have advantages in terms of autonomy and emancipation of target groups and clients? What would be the required support of the state in this case to make sure that no dependency on private actors is established?

Was the initiative funded with the hope that the welfare services they are providing would once be delivered by the public agencies or at least be considered a public service (as they should be regarded as universal social rights or enlarged human rights)?

Has there been campaigning or even pressure towards politics on behalf of the initiative that they are in fact providing a public good that needs to be funded by public resources? Does the initiative assume a lobbying and awareness raising role?

How could public awareness be raised that the services provided by the initiative concern universal social rights/ human rights? Who would be effective coalition partners (media, academia, NGOs working on different levels,...)? What could be done by local/ national politics and other actors in the field? What could be the role of European institutions in this regard?

Challenge #7: Managing intra-organizational tensions

Summary of challenge

The organizations or partnerships carrying forward social innovation are drivers of social change, promoting alternative practices and organizational models for social need alleviation. Their socially innovative mission needs to be reflected in their internal operation. They must be structured and organized in such a way that they put the social needs of people living in poverty central, the target population is involved in the organization or partnership and its decision-making procedures and processes of social learning, collective mobilization and awareness raising are stimulated. Having to live up to these social innovation requirements generates intra-organizational tensions that at certain points need to be addressed in order to make the social innovation sustainable. Although a shared mission is to be expected, one should not assume that 'making the social innovation sustainable' is always and everywhere the overarching concern of all the people involved in the initiative, particularly those living in poverty that have pressing personal needs and concerns to be addressed. The different positions, background and interests within the organization or partnership is thus likely to produce tensions. The management of these intra-organizational tensions is specifically relevant to the study of social innovation as it often implies new combinations of actors and instruments.

Besides the importance of the institutional context and the nature and focus of the innovative project, the challenge of managing intra-organizational tensions is likely to change over time, depending on the stage of development of the social innovation initiative. In that regard, the challenge of managing intra-organizational tensions is clearly related to governance challenge # 1 'Mainstreaming social innovation'. However, challenge #7 is less about the kinds of strategic actions needed for mainstreaming, but more about how the changing internal structure, strategic mission and composition of involved people impact on the decision-making procedures and social relations within the organization and how the tensions emerging from these changes are governed.

Two related intra-organizational tensions are particularly relevant to social innovation in the field of poverty and social exclusion. The first tension emerges from the relation between the personal motivation of the individuals involved (target population, volunteers, employees and/or social entrepreneurs) and the interests of the organization itself. Social innovations in the field of poverty often emerge as coping strategies for individuals and households, but most of these initiatives are to a significant extent 'mediated' through formal institutions, professionals and other actors that do not consist of people living in poverty. These mediating actors and institutions are often involved from the start and usually have coordinating and controlling functions. This makes these social innovation initiatives vulnerable for tensions between on the one hand the personal interests of those in poverty aiming for the satisfaction of their individual needs and on the other hand the interests of organization(s) carrying the social innovation initiative for their stable and sustainable operation. This danger is augmented when situations of poverty stimulate an individualist or survivalist mindset, as is often the case. The second tension has to do with the relationship between people occupying strategic, management and/or political roles and the social workers and

professionals engaging directly with the target population. This is about the tension between long term strategies and visions and a more pragmatic perspective on the daily activities, reacting on immediate concerns. This also involves questions of discretionary power and how this is related to matters of efficient organization on the one hand and specific social character of the activities on the other.

Research questions

How did the social innovation initiative evolve in terms of the structure of the organization, its different goals and functions and the position of different type of people (volunteers, social entrepreneurs, management and admin staff, target population, etc.) within the organization?

To what extent does the organization in its internal operation live up to the principles of social innovation, namely the empowerment of people in poverty (i.e. improving their individual and collective capacity to act), participatory decision-making, putting the needs of people in poverty central, stimulating social learning and awareness raising? What does this mean for how the organization carrying the social innovation initiative is structured and how it operates?

What are the main tensions *within* the organization carrying the social innovation initiative? What are the main factors generating these tensions? Do you think these tensions are inbuilt in this type of social innovation initiative or do they have to do with contingent factors?

To what extent are these tensions due to external factors (e.g. changes in funding, rules and regulations, uncertainty, etc.) or internal factors (e.g. specific profile of employees, organizational structure, characters of leading people)? Are the intra-organizational tensions related typical for a particular country and the spatial and institutional characteristics of its welfare regime?

Are these tensions related to the socially innovative features of the initiative, e.g. target population of people in poverty, deliberative and participatory ways of working, the involvement of civil society, local government or social entrepreneurs?

Are these tensions typical for your social innovation initiative and practices or are they common amongst similar organizations?

Are there tensions within the organization or partnership that threaten the innovative nature of the initiative? Are there tensions within the organization or partnerships that have a positive effect, in the sense that they stimulate the transformation of social relations within the organization, empower the involved people and enhance the potential for innovation and creativity?



Are there discussions within the organization about the long term vision and mission of the social innovative initiative that give rise to intra-organizational tensions? How does the management or leading persons of the initiative deal with this?

To what extent are there tensions between the goals of the organization (e.g. stable operation, long term sustainability, maintaining good relations with other organisations, etc.) and those of individual members, particularly those living in poverty? Which specific forms do these tensions take? How does the organization as a whole deal with these tensions?

Are there tensions between the different type of people (volunteers, social entrepreneurs, management and admin staff, target population, etc.) within the organization? Is there a tension between users (people in poverty) and the professionals? Which actors and instruments monitor the intra-organizational tensions? Are these tensions handled formally or informally? Are some of these matters outsourced? Which platforms, meetings or other opportunities are used (or specifically created) to discuss intra-organizational tensions.

Did the tensions within the organization evolve or change over time? How does this relate to different phases of the social innovation (emergence, implementation, diffusion, mainstreaming)? Did intra-organizational tensions arise or disappear with the involvement of new actors or new rules and regulations or funding? Did the tensions change with the scale of the organization? Did they change as the innovation became increasingly institutionalized?

Challenge #8: Enabling legal framework

Summary of challenge

Since social innovation aims to transform power structures and societal institutions that allocate goods and services unfairly and unequally, it tends to go against and challenge existing legal frameworks and policy strategies, especially since the latter are usually tailor-made for existing practices and institutions. It follows that social innovators are often confronted with legal rules, regulation and policy strategies that hinder and discourage social innovation. Furthermore, innovative practices tend to use and create opportunities that are not yet formally institutionalized, i.e. they operate in the shadow of existing structures and regulatory frameworks.

The development of a more favourable legal and policy framework for social innovation is hence an important challenge for social innovation. The legal and policy framework, especially as related to various types of welfare regime, strongly shapes the social innovations' chances to be mainstreamed and upscaled in a sustainable and financially secure way. This already starts in earlier phases of implementing and diffusing innovative ideas and models. Social innovators are often dependent on enlightened administrators and experts to navigate through the complex landscape of legal rules and regulations and learn how to negotiate with officials and politicians for their support. Umbrella organisations could also play an important role in this regard.

In fact, the development and implementation of a new legal framework is a social innovation in its own right. A legal framework is understood here in a broad sense including laws and decrees, official decisions on policy implementation, tendering procedures and systems of taxation and social contribution. The idea of an enabling legal framework for social innovation is a challenge both from the perspective of the welfare state and from the perspective of the social innovators in civil society and local government and social entrepreneurs.

A prime example of how existing regulation counters social innovation is to be found on the European level, where the competition law is often an obstacle for the expansion and development of new activities in the social economy sector. Another example are the tendering procedure, which are mostly based on price competition and do not consider the social and territorial logic that is central to social innovation (e.g. building of relationships, personalization of intervention, long time intervention, etc.). Other aspects of the legal framework that may hinder social innovation have to do with the hybrid structure of many social innovation initiatives and social service organizations and the nature of the assessment processes often applied to social innovation initiatives. As for the former, many organizations and partnerships that pursue social innovation often transcend the boundaries of the public, private for profit and private non-profit and informal sectors. This calls for new legal frameworks and vocabulary to grasp and facilitate the unconventional mix of actors and instruments involved in social innovation. As for the latter, formal assessments of socially innovative policies and actions are often exclusively quantitative, making it difficult to include aspects that are less easily measured (e.g. the creation of new relationships of trust and co-operation). Moreover,

assessment procedures tend to privilege efficiency and are targeted at cutting costs, rather than stressing effectiveness. Assessment criteria tend to be standardized while social innovation per definition aims at discovering new needs, mechanisms and potentialities for long-term transformations. Such a process needs room for experimentation and failure. However, assessment procedures are predominantly oriented towards controlling social innovation initiatives and actors, rather than on mutual learning, that may also have an impact on the central agencies and their operation.

Research questions

What are the main legal frameworks and policy documents that have been or are now relevant to this social innovation initiative? In which policy sectors and on which geographical scale (international, European, national, regional, urban, etc.) are these legal frameworks or policy documents situated? Which policy instruments (e.g. subsidies, fiscal, etc.) are provided in these documents and frameworks that are relevant to the social innovation initiatives

Did the importance of certain rules, regulations, legal statutes or policy documents change throughout different phases of social innovation (early phases, implementation and diffusion, mainstreaming...)?

Which rules and regulations are crucial to the initiatives' sustainability, growth and financial security, particularly those related to the provision of welfare? Which rules and regulation impede or threaten the initiatives' sustainability, growth and financial security? Why?

Are there any problems of coordination and compatibility between various legal frameworks or policy documents on which this social innovation initiative draws? If so, how does the social innovation initiative deal with this?

Are these legal problems typical or unique to your organisation or common to similar organisations or even to all other social innovation initiatives? In your experience, do they vary between different countries and welfare regimes (i.e. do you know of similar problems with foreign initiatives similar to yours)?

Does your organisation participate in tendering or public procurement procedures? What is your experience with these procedures? Does it encourage or discourage social innovation? Has your organisation been confronted with complaints about violations of market competition?

Did this organisation or initiative try to have impact upon the legislation and/or public funding? How did they do that (lobbying, being present in councils, writing public statements, mobilising political support)?

Has your social innovation initiative (had) contacts with law makers and legal experts? When and why? How supportive have they been? Which solutions have they offered to your initiative?



Does the fact that the initiative focuses on a social group that is rather weak in socio-economic and political terms has an impact on the degree of support and attention received from policy- and law makers? Is there a need for expertise on legal affairs to secure the sustainability of the social innovation and its daily operation? How is this expertise attained? Is it present in the organization (or the umbrella)? Is it provided by public officials?

Are there important legal issues and problems that have not been solved over a long time? What are the reasons?

What is the legal structure for the organization of your social innovative initiative (eg. not-for profit association, social enterprise, social workplace...)? Is this structure adequate for your activities and purposes? Why (not)? Is there a tailor-made statute for the initiative and its activities? How did this come about (or why didn't it)? What are the (dis)advantages of this statute from the perspective of social innovation?

Describe the process of institutionalization of the initiative and the social innovation in terms of legal framework, rules and regulations.

Could the initiative be classified in the private, public, non-profit or informal sector? Are interfaces or cooperation between these sectors part of the social innovation initiative? Which ones? How are these interactions organized and managed?

Is there an assessment or control procedure related to the legal status or recognition of the organization or for the funding received? Which one(s)? To what extent does this assessment pay attention to and adequately grasp the socially innovative features of the initiative and organisation? To what extent do assessment procedures applied to the social innovation initiative allow for mutual learning and reflection on what central agencies can learn from local social innovations?