

# Impact of the new legislation on state social support on target groups and street-level bureaucrats

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## Abstract

The last amendment of the Act No. 117/1995 Coll., On state social support, in 2020 brought changes in the Czech system of benefits that are often referred to in society as "family benefits", as most of them target social events of families with dependent children. The amendment changed mainly two out of five benefits, concretely parental and housing allowance.

Our paper aims at the amendment effect on the work of street-level bureaucrats. The amendment led to the authoritative implementation of changes. Street-level bureaucrats could not interfere in it in any way at the level of direct contact with the clients of the Labour Office of the Czech Republic, and they faced increasing administrative burden and ambiguity of conditions. They had to also react to insufficient resources that the street-level bureaucrats mainly referred to as information and time. Furthermore, they couldn't face these new working conditions through so-called coping mechanisms, primarily routine activities.

The second aspect that we touched in our paper is the different impacts on the target groups. The policy mirrored the framing of the groups in public and political discourse. While families drawing parental allowance are framed positively by media, politics, and street-level bureaucrats, the families drawing housing allowance are framed negatively by all groups. They are perceived as those who abuse the system. The implemented policy reflected such framing, and while parental allowance became more benevolent, the housing allowance became stricter and more subject to control.

We based our research on a qualitative approach. We obtained data through document analysis (legislative documents, stenographic records, internal materials of Czech Labour Office), media analysis using Newton Media Search), and semi-structured interviews with street-level bureaucrats working at Labour Office.

## Points for practitioners

In case of the change in the legislation influencing the street-level bureaucrats' work, it is necessary to provide good methodical support. The need for such materials is even more indispensable if the change affects the benefits when beneficiaries have to give evidence of their actual situation and the target group is not homogenous. In our case, the target group is made by families, which may differ quite a lot. This target group covers nuclear families as well as single families or extended families. The methodical support was designed mainly for nuclear families. It caused problems not just for street-level bureaucrats but also for the beneficiaries.

It is also necessary to keep in mind that the legislative changes may influence the target group differently by particular instruments. Generally, the state social support aims at families, but there were different goals in the amendment. In our case, parent allowance was characterised by an increase for all families and expressed support. On the contrary, housing allowance was the object of stricter conditions and reacted to misuse the benefits.

## Keywords

state social support; benefits; social security in the Czech republic; street-level bureaucrats

## Introduction

Recently in Europe, we have been facing the problem of ageing together with decreasing natality. Families choose to raise only one child or stay childless, mainly due to the economic situation. That is why the state needs to give more support to families with children, and state support for parenthood became a significant part of the state's social policy (Rindfuss, Choe 2016, Stastna, Kocourkova. Sprocha 2020).

One of the three pillars of the Czech social security system targets primarily the family, concretely the state social support (SSS), which Act No. 117/1995 Coll defines., On state social support. The benefits provided

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within this pillar are often referred to in society as "family benefits". Most of them target families with dependent children, which is the topic we deal with in our paper.

A legislative change led to the choice of this topic in 2020, when Act No. 117/1995 Coll. was amended and significantly affected the status of SSS benefits. Except that, the motivation for choosing this topic was the professional experience of one of the authors, who has been working in the state social support department for several years.

To better understand the changes, we briefly describe SSS benefits and the impact of the amendment on the benefits and the street-level bureaucrats. Follow the theory of social construction of target populations and the theory of street-level bureaucrats made us use a qualitative approach to the research. We based our research partly on interviews and partly on media analysis and analysis of stenographic records of the Chamber of Deputies and the Senate of the Parliament of the Czech Republic and an explanatory memorandum to the amendment to the Act.

## **1. Czech state social support system**

Until 1995, various pillars of the social security system covered the benefits that are now part of the SSS system. The necessity of the reform was a result of the new social and economic conditions after November 1989. The change in the basic principles and construction of benefits led to the unification of benefits designated to support citizens and families with children. The new system included both benefits that were part of other schemes (some of them adjusted, so their concept better corresponds to the principles of the system, e.g. the definition of the child allowance according to the child's age) and the new benefits responding to unresolved social situations (e.g. housing allowance).

The SSS builds on a basic principle of vertical (from high-income to low-income families) and horizontal solidarity organised by the state (e.g. from childless to families with children). The main legislative regulation for SSS benefits follows Act no. 117/1995 Coll., on State Social Support[3].

The authorities provide state social support in two stages. The regional branches of the Labour Office of the Czech Republic, with their contact workplace, make the first level. They decide on benefits and are competent according to the permanent residence of the entitled person. The second level is the Ministry of Labour and Social Affairs which acts as an appellate body.

The term state social support benefit refers to income-tested benefits like child allowance, housing allowance, a birth grant, and universal benefits like parental allowance or a funeral grant.

The last amendment to Act No. 117/1995 Coll., coming to effect in 2020, primarily affected the parental and housing allowance (MPSV 2019). There was a difference in the shift that occurred in benefits adjustment. In the case of the parental allowance, the amendment changed three conditions - an overall increase in the amount of the benefit, an increase in the maximum possible monthly amount of the benefit for neither parents without documented daily assessment basis, and an increase in the time capacity for visiting preschool facilities for children. The shift mirrors a greater appreciation of childcare and parenthood and reflects the positive construction of the recipients of parental allowance.

On the contrary, in the housing allowance case, this shift is characterised primarily by the changes in the institute of social investigation and in entitlement, which is no longer based on permanent residence but based on actual use of the apartment and family ties of individual household members. Other benefits (i.e. maternity, funeral and child allowances) were not affected by this amendment.

## **2. Methodology**

Concerning the nature of the researched area, we adopted a qualitative design that provided a comprehensive picture of the studied phenomena based on in-depth knowledge.

We combined qualitative methods of data collection. We selected seven respondents for semi-structured in-depth interviews in compliance with the theory of street-level bureaucrats (Horák, Horáková 2009) who are directly contacting the recipients of state social support (SSS) benefits. We based the selection of concrete respondents on the author's professional experience and knowledge of the field, and we supplemented it by the snowball method. The interviews took place at the respondents' workplaces in their offices in February 2021.

We complemented the method of semi-structured interviews by document analysis. The data set contained legislative documents (e.g. Act No. 117/1995 Coll., On state social support and Act No. 110/2006 Coll., On the living and subsistence minimum and other legislative regulations related to SSS benefits) as well as internal materials of the Labour Office of the Czech Republic, which related to the amendment to Act No. 117/1995 Coll.

Following the theory of social construction of target groups (Schneider and Ingram 1993), we chose the document analysis method with data sources made of legislation, the media and stenographic records of the Parliament of the Czech Republic. For social construction in media, we obtained articles in the Newton Media Search electronic archive. We analysed six long-term most widely read national dailies and four websites. To capture the situation before and after the amendment, we chose the period from 1st January 2019 to 31st December 2020.

The search was built on core search terms "state social support benefits" (with a result of 529 articles), "social support benefits Labour Office" (207 articles) and individual benefits "parental allowance" (60 articles), "housing allowance" (12 articles), "child allowance" (35 articles), "maternity allowance" (72 articles), "funeral allowance" (27 articles). The data set was narrowed to 220 articles. We eliminated articles with neutral characters and ended up with 67 articles for detailed analysis.

For defining political discourse, we used mainly stenographic records of the Chamber of Deputies and the Senate of the Parliament of the Czech Republic, and we completed them by the explanatory memorandum to the draft Act No. 117/1995 Coll.

We saw a limit of the research connected to an effect pandemic situation (due to the spread of COVID-19) on media. The number of articles on the researched topic showed a declining trend in their frequency. On the contrary, the number of articles focusing on the financial assistance provided in the form of benefits in times of crisis experienced a growing trend. However, these articles were neutral and did not frame the recipients of SSS benefits.

### **3. Social construction of beneficiaries**

We compared the framing of beneficiaries in both media and political discourse. Within the media discourse, we identified two different frames of SSS beneficiaries. The first frame reflects the necessity and merit of parenthood. The second frame demonstrates the manipulation of problem beneficiaries and so-called traders with poverty.

Its positive construction characterises the first frame, and it is connected with the increase of the parental allowance, which came into force on 1st January 2020. Discussions about the increase in the benefit began to appear in the media as early as March 2019. Mainly they commented on various variants of the increase and its entitlement, especially that not all families with children under the age of four will be entitled to a higher parental allowance. The media framed it as "unjust" and "unhappy" and described family care as "underappreciated" and with very low prestige in society, which was mainly related to low parental leave and the financial demands of child care. Even the support for increasing parental allowance in the first reading of the Chamber of Deputies was still referred to as "discriminatory" as it did not suit all parents. According to this proposal, parents who will be actively receiving a parental allowance when the amendment enters into force should be entitled to a parental allowance. There was the difference between entitlement of parents drawing the allowance before 1st January 2020 or after this date, as well as in the conditions to provide benefit only for the youngest child in the family (i.e. parents may lose the right to the part of parental allowance for the older sibling). Similarly, the media positively framed the beneficiaries of the child allowance.

The second frame in the media frames SSS beneficiaries very negatively. However, this construction is not associated with all recipients of SSS benefits, but above all with people receiving housing allowance and the so-called "poverty traders".

The media describe housing allowances beneficiaries as "inadaptable", "problematic", "nomads", who live in localities with an increased incidence of socially undesirable phenomena, make debts and change addresses, are "chronic slackers and loafers" or also as "the poor who have become accustomed to benefits". They also pay attention to situations when poverty traders buy real estate and then set high rents paid by the socially disadvantaged, even though they live in unsatisfactory conditions. In addition to these situations, the media also paid more attention to specific "tricks" of claimants or their inappropriate behaviour.

In response to the amendment to Act No. 117/1995 Coll., which changed the conditions for entitlement to housing allowance, only the situation of single women to whom the amendment complicated access to the allowance was positively described in the media. But generally, the second frame of SSS benefit recipients describes them very negatively in the media and constructs them as undeserving, dishonest, lazy and stupid.

The difference between political and media discourse is evident mainly in the frequency of particular topics. In stenographic records and explanatory amendments, the first frame prevails while the second one stays relatively marginal. In terms of content, the frame in both discourses is very similar.

Specific policy instruments are typical for each frame. In the first frame, there was an agreement in the Chamber of Deputies and the Senate on the parental allowance increase. It is the characteristic instrument for a positive frame. However, various options have been proposed and discussed. For the second frame, the amendment is characterised by a stricter providing of the housing allowance and changes in the jointly assessed persons according to actual cohabitation.

Using a social construction of target groups perspective (Schneider, Ingram 2019, Pierce 2014), the difference between the defined frames is very clear. The first frame is mainly associated with benefits, namely an increase in parental allowance. The beneficiaries of parental allowance became the group of dependents. On the contrary, the second frame of SSS beneficiaries base on burdens. In the amendment to Act No. 117/1995 Coll., it is primarily the introduction of control investigations in the place of residence. Using social construction of target groups terminology, they become a cluster of deviants.

Even though it wasn't our primary goal, those two frames also appeared during the interviews with the street-level bureaucrats. The street-level bureaucrats defined them spontaneously when they should reflect the amendment.

#### **4. Impact on the street-level bureaucrats**

The research of the amendment impact on the street-level bureaucrat's work was based on interviews and supplemented by an analysis of documents, including internal documents of the Labour Office.

The first topic concerns the area of the amendment to the conditions for entitlement of housing allowance. It is now assessed based on actual residence and family ties (Act No. 117/1995 Coll.). Here, the respondents perceive limitations in various situations and describe that establishing jointly assessed members based on the actual stay is not sufficient. Similarly, another debatable question arose regarding the non-inclusion of foster care benefits in the decisive income of jointly assessed persons.

The last area, including the barriers, confirmed the theory of street-level bureaucrats. One of the most acute problems here was the growing administrative burden. It put a strain and stress on the street-level bureaucrats and the SSS beneficiaries, to whom the system became difficult to understand. The administrative burden leads to the lack of time for work with clients like consulting etc. Furthermore, the respondents described unclear conditions and chaos, which accompanied the implementation of the amendment to Act No. 117/1995 Coll. These unclear conditions were mainly associated with changes in the requirements for entitlement to housing allowance. The respondents pointed out, for example, that the theoretical background provided to them by the General Directorate of the Labour Office of the Czech Republic was insufficient for the practical level. The model situations for the housing allowance covered mostly ideal families, but the common practice was much more complicated. Respondents described the need for a relatively frequent discussion with the head of the SSS benefits department and other street-level bureaucrats when they solved various specific cases together, especially the definition of jointly assessed persons. Furthermore, the methodical recommendations changed during the implementation of the amendment. The complications could result from the authoritative model of implementation (Potůček 2016) when street-level bureaucrats couldn't influence the implementation process.

Respondents identified information and time as the crucial barriers. It follows Lipsky's (1980) theory. Street-level bureaucrats respond to those barriers with so-called coping strategies which increase their autonomy. These strategies include, for example, routine procedures. We also identified them among the respondents. They create them to manage a stressful environment better. All respondents referred to change the procedures only for a short time and then changed and included new information in the former routine procedures.

#### **Conclusion**

The goal of our paper was to identify the impact of the last amendment of Act No. 117/1995 Col., On state social support, on the street-level bureaucrats and the beneficiaries. The amendment affected the work of street-level bureaucrats with the increase in administrative burden and ambiguity of conditions which led to the lack of time for the real contact work with beneficiaries.

In our paper, the second aspect that we touched on was the link between social construction and the implemented policy. It showed up in the difference in the impact on the target groups. The changes in the policy corresponded to the framing of the groups in public and political discourse. Families drawing parental allowance are framed

positively by media, politics and street-level bureaucrats. It mirrored the changes in the significant increase of parental allowance and relaxation of its conditions.

Families drawing housing allowance are framed negatively by all groups and are perceived as those who abuse the system. The implemented policy reflected such framing and housing allowance became stricter and more subject to control.

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