



# **ESPN Thematic Report on Social Investment Germany**

**2015**

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**EUROPEAN SOCIAL POLICY NETWORK (ESPN)**

**ESPN Thematic Report on  
Social Investment**

**Germany**

**2015**

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## Summary

- The social investment approach, which was highlighted by the European Commission in its SIP communication in 2013, is comparable to a paradigm shift implemented in labour market policies in Germany starting with the so-called Hartz reforms between 2003 and 2005, as well as to another paradigm shift in family policy implemented in Germany during the last decade. These reforms were accompanied by increased efforts on the part of education and training policy to improve the outcome of the education system and to expand the promotion of disadvantaged children and youngsters.
- Up to now, only few analyses of the extent and impact of the implementation of the social investment strategy in Germany have been published. These studies provide a rather mixed picture: while a cross-national comparative analysis of the development of expenditure came to the conclusion that between 1995 and 2007 Germany continued to give only comparatively low priority to social investment policies, another study has highlighted that the German social investment approach has had great success in reducing the unemployment rate, but at the same time has contributed to growing inequality and a dualisation process.
- Support for early childhood development:
  - With the massive expansion of early childhood education and care facilities for children between three and six years in the 1990s and for children under three in recent years, the traditional lack of early childhood education and care facilities in Western Germany's conservative welfare state model has been successfully remedied. Evaluations of the German school system agree that this system still shows a high degree of social selectivity. To this day, the school performance of pupils is greatly dependent on the economic, social and educational status of their parents.
  - The system of family benefits in Germany is determined by the primacy of cash benefits and tax breaks for families, as opposed to benefits in kind (i.e. education, social and health-care services). The existing complex system of marriage- and family-related benefits is not able to prevent child: Even if public spending on cash benefits and tax breaks is comparatively high in Germany, it is not effective in fulfilling this social policy objective.
  - In the context of the traditionally comprehensive system of parental services, a growing number of municipalities have started in recent years to develop and implement local action plans for the early promotion of the well-being of children and youngsters.
- Supporting parents' labour market participation:
  - The improvement of day care provision for children under three years of age has contributed to the reconciliation of work and family life and will further facilitate an increase in employment participation by families with children. But family policy in Germany remains contradictory to the present day, which is indicated by the recent introduction of a care payment.
  - Legal interventions towards a better reconciliation of work and long-term care have gradually been introduced since 2008, but the new schemes - care leave, temporary part-time work and the first elements of income compensation have been used only very little to date.
  - The introduction of the parental benefit has successfully increased the monetary incentives for well-educated and high-earning women and couples to combine family and professional life. On the other hand low-income families and families with many children have hardly benefited from this reform.
- Policy measures to address social and labour market exclusion

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- Social protection for the unemployed comprises an insurance-funded (Unemployment Benefit I) and a tax-funded system (Unemployment Benefit II). Both benefit schemes haven't changed the fact that Germany currently has the highest poverty rate among unemployed people in the EU.
  - During the first decade of the new millennium, minimum income schemes gained importance in the German Social Protection System. But the receipt of social minimum income benefits cannot prevent the occurrence of income poverty.
  - Active labour market integration programmes and services are offered in the context of the Social Code Book III and Social Code Book II. The implementation of activation policies in the labour market was neither accompanied by a rising activating rate, nor by a refocussing on those groups with the highest need for integration support.

## 1 Assessment of overall approach to social investment

According to the EC's communication "Towards Social Investment for Growth and Cohesion" from February 20, 2013, a well-designed welfare system combines a strong social investment dimension with the functions of social protection and stabilisation of the economy. Social investment is aimed at strengthening people's current and future capacities and, by this, helping to 'prepare' people to confront life's risks, rather than simply 'repairing' the consequences. The need for investment in human capital starts at a very early age and continues throughout a person's lifespan (European Commission 2013). The concept of 'social investment' appeared in the debates on welfare state reform towards the end of the 1990s (e.g. Giddens 1998; Esping-Andersen et al. 2002). The problem is that social investment is a multifaceted concept and it is hard to relate the different dimensions it entails to mutually exclusive policy areas. Moreover, some policies can have both a protection as well as an investment function (De Deken 2013; Nicaise and Schepers 2013).

With the reorientation of the German welfare state model towards the activating paradigm since the beginning of the 2000s, the social protection dimension has been weakened and the social investment dimension has been strengthened. The weakening of the social protection dimension resulted from the partial dismantling of the social insurance systems – especially of statutory pension insurance and statutory unemployment insurance in favour of a gradual increase in the importance of the last safety net. The social investment approach, which was highlighted by the EC's SIP communication, corresponds to a paradigm shift, which was implemented in labour market policies in Germany starting with the so-called Hartz reforms between 2003 and 2005 (a) and to a paradigm shift in family policy, which was implemented in Germany during the last decade (b). These reforms were accompanied by increased efforts on the part of education policy to improve the outcome of the education system and to expand the promotion of disadvantaged children and youngsters (c).

Ad (a): This reform package of the first so-called Red-Green Governing Coalition at the federal level was aimed at improving the integration of the unemployed into the labour market and at increasing labour participation among those capable of work. It included, besides the deregulation of labour law, reforms of the institutional setting of labour market agencies, of the social protection schemes for the unemployed, the counselling and placement services as well as the integration measures in the context of labour market policies. Above all, the introduction of the new "basic income support for job-seekers" was intended to provide not only minimum income protection for those capable of work without claims on unemployment insurance, but to primarily provide integration services and measures for benefit claimants based on a restrictive, workfare oriented activating approach. Up to now, not all aims and objectives of this reform package have become reality. On the one hand, the number and proportion of the employed have almost continuously increased and have currently reached a post-German-unification record. At the same time, the number and proportion of the unemployed have decreased and reached the lowest level since unification. On the other hand, qualitative aspects of employment have deteriorated (increasing numbers of the employed are working in precarious and low-paid forms of employment), the number of working poor has increased and the number and proportion of registered long-term unemployed have remained at a worryingly high level. Not only is the poverty rate among the unemployed the highest in the EU, but also the integration chances and perspectives for the most vulnerable groups in the labour market have hardly improved, despite favourable labour market development (Hanesch 2012).

Ad (b): With the accession to power of the Grand Coalition in 2005, family policy became an area of high public interest, which gave priority to demographic and employment oriented objectives and programmes. The focus of this "new family policy" was mainly on improving the reconciliation of work and family life. It included a partial restructuring of the family benefits system (replacement of the former education benefit ("*Erziehungsgeld*") with the new parental benefit ("*Elterngeld*") in the year 2007 (STEHT OBEN SCHON). But the core element of this strategic orientation was to expand early childhood education and care facilities for children under three

years of age. The transition from the former education benefit to the new parental benefit was intended to increase the incentive for families with higher education and income to have children and to get parents on leave back to the labour market faster. The expansion of day care was intended to fill the gap, which had resulted from a traditionally low supply of day care facilities for children under three years, especially in Western Germany (Hanesch 2013; Olk, Hübenthal 2009).

Also in this policy area, not all the aims and objectives of the new paradigm shift have become reality as yet. In 2011, Germany spent around €200 billion on marriage and family-related benefits, in absolute and in relative terms more than most other EU member states (see also Bouget et al. (2015), Annex 3, Table A2). If we take a closer look at the structure of public expenditure on family policy, it can be seen that expenditure on benefits in kind has gained in importance, but is still of minor quantitative relevance. In 2011, only €27 billion or 13.7% of total expenditure was spent on benefits in kind. Even if the rise in spending on benefits in kind was higher than on any other spending area, the intended policy shift has so far remained limited in extent. Public spending on family and marriage-related tax measures, on cash benefits, social insurance measures and marriage-related measures have also increased, but these developments in output did not follow a single logic, but even contradicted each other in their objectives and impacts. Critical reviews of German family policy have come to the conclusion that the current policy in Germany does not have distinct objectives and does not pursue a clear strategy. Instead, recent policy changes are assessed as being inconsistent (Bonin et al. 2013; Hanesch 2013).

Ad (c): At the education summit in autumn 2008, the federal state and the states agreed on specific, measurable education and training goals for the following seven years. In an interim assessment, Klemm (2014) has come to the conclusion that none of these aims have been fulfilled, even if there have been considerable improvements: The intended halving of the number of school-leavers without an educational degree from 8% to 4% will not be reached in 2015, with the current rate at 5.7%. The halving of the number of young adults without a professional degree from 17% to 8.5% is also not within reach, with a current rate of 13.8%. The aim of providing child day care places for 35% of all children under 3 years by 1<sup>st</sup> August 2013 was fulfilled. However, it has been shown that the parents' need for day care is higher than expected. Also, the aims in higher and adult education have been fulfilled, even if social inequality is still high regarding participation in these education institutions – a problem, which also characterizes the utilisation of the newly expanded day care opportunities.

Even if the social investment approach has become the main paradigmatic orientation of the "activating social welfare state" in Germany during the last one and a half decades, the notion of "social investment" is only used in the academic discourse (e.g. Mezger, West 2000; Blanke 2009; Busemeyer 2014; Nullmeier 2014). Up to now, only few analyses of the extent and impact of the implementation of the social investment strategy in Germany have been published. On the basis of a cross-national comparative analysis of the development of (gross and net) expenditure, De Deken (2013) came to the conclusion that between 1995 and 2007 Germany continued to give only comparatively low priority to social investment policies. At the same time, Morel, Palier and Palme (2013) have highlighted the ambivalent character of the German social investment strategy: The German socio-economic model for social investment is based on increasing economic competitiveness by reducing the cost and social protection of labour, and on fiscal discipline. Germany's success in considerably reducing unemployment levels and the country's position as the main engine of growth in the Eurozone make the German model a credible competitor for the social investment perspective. Yet this economic success hides growing inequalities and a dualisation process, which protects insiders in 'good jobs' and an increasing mass of outsiders in atypical jobs with low income and poor social protection (Palier and Thelen 2010). Also the OECD Economic Outlook for Germany came to the conclusion that there is a need to make economic growth more socially inclusive (OECD 2014b).

## **2 Assessment of specific policy areas and measures / instruments**

### **2.1 Support in early childhood development**

In recent years, Germany has strengthened its efforts to improve support in early childhood development. The enormous expansion of childcare facilities is undermined by a low take-up rate among disadvantaged families with children. Despite modest reforms in the German school system, evaluations agree that this system still shows a high degree of social selectivity. In the context of the traditionally comprehensive system of parental services, a growing number of municipalities have developed local action plans for the early promotion of children.

#### **2.1.1 Early childhood education and care**

In Germany, the proportion of children who grow up in families characterised by at least one social risk (unemployment, poverty and/or parents with low educational attainment) has decreased in recent years from 32.4% in 2005 to 29.1% in 2012. This positive development resulted mainly from the improvement of the educational status of the population, as well as from the decline in unemployment in Germany. At the same time, the proportion of children with a migration background has increased, especially among younger age groups, which are affected to a considerably higher degree by social risks (Autorengruppe Bildungsberichterstattung 2014).

The provision of day care facilities is the policy field where the greatest improvements have been made during the last decade (Bouget et al. (2015), Annex 3, Table A3.1): Since 2005, the federal state, the states and the municipalities have pursued the common goal of expanding the supply of early childhood education and care facilities for children under three years of age. It was decided to create 750,000 places in day care centres and day care for children under three years of age so as to provide early childhood education and care opportunities for 35% of children in this age group until mid-2013. Because the municipalities would not have been able to finance this enormous task, the federal state and the states agreed to financially support the municipalities in funding the expansion of day care facilities (BMFSFJ 2014) (Bouget et al. (2015), Annex 3, Table A/B1). According to the newly established monitoring system, the supply situation has continuously improved since 2006 (Bouget et al. (2015), Annex 3, Table A3). Even if the target ratio of 35% was almost reached in 2013, evaluation research has shown that, especially in cities, the demand on the part of parents is higher than expected: In March 2014, 41.5 % of the parents of children under three years were in need of childcare. The actual care ratio was 32.3 %. Therefore, at that time there was a need for around 185,000 additional childcare places. In general, parents' satisfaction with the childcare situation was high. But at the same time, many of them were looking for a larger scope of childcare than what is available. It is therefore necessary to further expand the offer of day care facilities for children of this age group (BMFSFJ 2015). Because the expansion was at least partly being paid for through deterioration in the quality of the service, the federal state, the states and the municipalities have recently agreed to improve the quality standards in day care (Bouget et al. (2015), Annex 3, Table A4). Another problem results from municipalities' policy to shift part of the fiscal burden to the parents by raising the day care charges, a policy which mainly affects low-income and low educational attainment groups (Bouget et al. (2015), Annex 3, Table B7). Even if reductions exist for these groups, normally provided under Social Code Book VIII, the corresponding families often do not know about or take advantage of them.

With the massive expansion of early childhood education and care facilities for children between three and six years in the 1990s and for children under three in recent years, the traditional lack of early childhood education and care facilities in (Western) Germany's conservative welfare state model has been successfully remedied (Bouget et al. (2015), Annex 3, Tables A3.1 and A3.2). The results in the German school system have also improved in recent years. The proportion of early school leavers without an educational or professional degree has decreased slightly. According to

EUROSTAT data, the share of early leavers in 2014 was 9.9% compared to 11.1% in 2009. At the same time, however, this share continued to be considerably higher among migrant school-leavers.

To this day, the school performance of pupils is greatly dependent on the economic, social and educational status of their parents. In Germany, children from families with low educational attainment, with low income and/or with a migration background, are generally at high risk of poverty and social exclusion. One main reason for this is the fact that these children perform poorly in the school system, and a significantly higher percentage of them, compared to other groups, leave school without an educational degree. As a consequence, they are confronted with greater problems in finding training opportunities and entering the labour market as qualified workers (Autorengruppe Bildungsberichterstattung 2014).

As a modest element in the reform of the German school system, the states have agreed to further expand the number of all-day schools with the aim of improving the reconciliation of work and family life, as well as promoting pupils with a disadvantaged social background. However, the implementation of all-day schools still lags far behind the political promises. And in many states, these programmes show qualitative deficits with regard to the promotion of children and youngsters from disadvantaged social backgrounds. As a result, the care function has dominated so far, while the knowledge conveying function plays only a minor role. The impact of socio-economic background on education attainment could be lowered by further expanding high quality early childhood education and by reducing stratification of the school system. There is also scope to provide more financial resources to schools with a comparatively high share of pupils with a weak socio-economic background (OECD 2014a). Despite increased efforts by the states to improve the promotion of socially disadvantaged pupils, the German school system has only been able to introduce the necessary reforms to a limited degree that could help to sustainably improve the performance of these groups.

### **2.1.2 Family benefits (cash and in-kind)**

The system of family benefits in Germany is determined by the primacy of cash benefits and tax breaks for families, as opposed to benefits in kind (i.e. education, social and healthcare services). The most important elements are child benefit and child tax credit, social benefits for children under Social Code Book II and XII, supplementary child benefit and parental benefit:

(a) Child benefit and child tax credit: Parents are entitled to child benefit ("*Kindergeld*") payable until the child's 18th birthday, if the child lives in Germany. If a child takes a place in a vocational training course or is studying, this entitlement extends, at a maximum, to the child's 25th birthday. The government pays child benefit of €184 per month for each of the first two children, €190 per month for the third child, and €215 per month for every additional child. The payments function as an advance child credit. When the parents file their German income tax return at year-end, the tax authorities compare the amount of the child-related cash payment to the tax benefit that the taxpayers would receive through the application of the child exemption ("*Kinderfreibetrag*"). If the tax benefit of the exemption is higher than the cash payment received, the tax authorities will add back the child payment (child benefit) to the taxpayers' income tax assessment and apply the exemption instead. If the child payment is more favourable, no child credit is given on the tax return.

(b) Social benefit in social assistance / basic income support for job-seekers: Children have an entitlement to social benefits under Social Code Book II (basic income support for job-seekers), if at least one person capable of work but in need of assistance lives in their benefit community. If one lives with persons not capable of working, but in need of assistance, one has, at the same level, an entitlement to social assistance under Social Code Book XII. Currently, the standard benefit amount under SGB II or XII for an adult is €399. Children under 6 years receive €234, children between 6 and 13 years receive €267; young people between 14 and 17 years receive €302, and young adults between 18 and 24 years in a benefit community receive €320.

(c) Supplementary child benefit: The German state supports families with a low income by means of the supplementary child benefit ("*Kinderzuschlag*") which is paid subject to the following conditions: children under 25 living with their parents in the same household; income and assets are sufficient for the parents to live on, but not enough to support the children as well. The level of the supplementary child benefit depends on the parents' income and assets and is a maximum of €140 per child per month.

(d) Parental benefit: See chapter 2.3 (3).

The existing complex system of marriage- and family-related benefits is not actually able to prevent or reduce poverty or the social exclusion of children in Germany (Bouget et al. (2015), Annex 3, Tables A5-A8). The percentage of children in persistent poverty has even risen in recent years (Bouget et al. (2015), Annex 3, Table A9). Even if public spending on cash benefits and tax breaks is comparatively high in Germany (Bouget et al. (2015), Annex 3, Table A2), it is not effective in fulfilling this social policy objective. This is the result of a benefit system, which was, and still is, targeted primarily at family and demographic objectives and mainly supports middle-class families. This effect is further enhanced by a taxation system which is still oriented around a traditional male bread-winner family model, especially in the joint taxation of married couples and the possibility of reducing their tax burden through what is called "tax splitting".

### 2.1.3 Parenting services

In the federalist system of the German welfare state, the local authorities have the legal duty to provide youth and family-related services to their citizens. At the same time, they have considerable scope for action with regard to this self-governing task. Therefore, we can find great heterogeneity between the different regions and municipalities. In the debate on combating child poverty at local level, youth and family services, which are normally the responsibility of the youth office play an important role, because these services are aimed at supporting children and youngsters in their well-being and supporting families in their educational and social tasks and problems. According to Social Code Book VIII (Act on Youth Welfare: "*Jugendhilfegesetz*"), their legal task is above all to support children and families in precarious living conditions. According to the principle of subsidiarity, the service provision is to a large extent delegated to welfare associations or private agencies. This division of labour requires close coordination and cooperation between the different actor groups at local level, which is the responsibility of the municipalities. The same administrative units are challenged to develop and implement local strategies against child poverty and social exclusion.

In recent years, a growing number of municipalities have started to develop and implement local action plans for the early promotion of the well-being of children and youngsters (Holz 2010). While some municipalities have developed comprehensive action plans, others have drawn up complex action plans for certain policy areas such as "education poverty". The city of Monheim has become well known in the German social policy debate as an example of comprehensive action plans (see e.g. Holz et al. 2005; Stadt Monheim 2009). Examples like the city of Monheim have proved that integrated strategies are possible, at least at local level, and can be successful if there is a joint and sustainable effort made by all the local actors. However, the city of Monheim still needs support from federal and state level.

### 2.1.4 Supporting parents' labour market participation

In recent years, Germany was successful in improving the labour market integration of parents, above all, of mothers. This is the result of the massive expansion of childcare facilities. This process is also supported by reforms of the existing parental leave and parental benefit schemes. Contrary to this, the introduction of care leave schemes in long-term care has had no measurable effects on the reconciliation of family, care and work up to now.

### 2.1.5 Childcare

The recent improvement of day care provision for children under three years of age has contributed to the reconciliation of work and family life and will further facilitate an increase in employment participation by families with children (see chapter 2.1). The continual increase in the employment rate of women and the decline of involuntary part-time employment in recent years are promising indicators (Bouget et al. (2015), Annex 3, Table B4; Hanesch, Bäcker Trabert 2015). Nevertheless, the great difference in part-time work between men and women and the continued increase in part-time work among women indicate that the reconciliation of family and work life has remained primarily a challenge for women (Bundesagentur für Arbeit 2014). The proportion of women in Germany working part-time is still greater than in any other EU Member State, and they often cite family commitments as the main reason for this (Statistisches Bundesamt 2012).

Family policy in Germany, however, remains contradictory to the present day: Parallel to the introduction of the legal right to early childhood education and care for every child between one and three years of age, in the last legislative period the legislator introduced a so-called "care payment" ("*Betreuungsgeld*") for those parents who renounce this claim to day care. First evaluations have shown that, as expected, mainly low-education and low-income parents, or parents with a migration background tend to opt for this payment to improve their precarious income situation and so refrain from using the opportunities to adequately promote their children's early education (Fuchs-Rechlin et al. 2014). At the same time, evaluation of day care has shown that low-income and low-education families as well as families with a migration background participate to a lower degree than other families in day care facilities and in non-formal education opportunities. It is therefore necessary to facilitate access to these services for these groups (Wirth, Lichtenberg 2012).

### 2.1.6 Long-term care

The number of people in need of long-term care has increased significantly in Germany, and the demographic model calculations indicate that this trend will continue. The majority of these, mostly very old people, are still attended to and cared for by their family members, mostly spouses, daughters and daughters-in-law. This care model is based on the traditional role of a non-working housewife, mother or daughter: The period of child rearing is followed some years later by a period of caring for close relatives, in which gainful employment is given up again. But it has turned out that this model, which was typical for Germany for a long time, is becoming unsustainable and has many negative effects. It is especially incompatible with the objective of increasing the rate of employment among women, in particular women aged between 55 and 65 years. Empirical findings indicate that the younger cohorts of women are not willing to give up work. Therefore, measures are required to ensure a better reconciliation of work and care obligations - not only rearing children but also caring for older relatives. Employers must take into account that workers have personal responsibilities and obligations that require flexible organisation of their working time, including paid time off. This understanding only emerged in Germany about 10 years ago. A better reconciliation of work and long-term care is therefore a key element in a social investment approach; the cost increase in long-term care insurance, especially in the sector of inpatient nursing homes, can be limited and the objective of extending people's working life is promoted (Bäcker, Kümmerling 2013).

For the first time in 2008, a legal entitlement to leave one's employment to care for a relative for a maximum period of six months came into force (Home Care Leave Act; "*Pflegezeitgesetz*"). However, there was no income compensation, and the legal entitlement was limited to companies with more than 15 employees. Therefore, the response to this regulation was very poor. The Family Care Leave Act ("*Familienpflegezeitgesetz*") of 2011 extended the conditions of care leave. It became possible to reduce the weekly working hours to at least 15 hours for a maximum period of 24 months (after the use of the six-month care-leave for another 18 months). But again, the acceptance of this scheme remained low because there was

no legal entitlement to the temporary part-time work and no reliable income compensation.

The third step towards a better reconciliation of work and long-term care responsibilities came into force at the beginning of 2015. The Grand Coalition passed the "Act for a Better Reconciliation of Family, Care and Work (*"Gesetz zur besseren Vereinbarkeit von Familie, Pflege und Beruf"*)". Core elements are the introduction of a legal entitlement to reduced working hours and flexible working hours up to 24 months (with a guaranteed right to return from temporary part-time to full-time work) and a compensation of income loss during part-time work or care-leave. Employees who reduce their weekly working hours to at least 15 hours for a maximum of two years can apply for a credit-financed benefit (interest free loan), which must be paid back gradually. Employees with care responsibilities, who take leave from work for up to six months also receive this benefit. However, the obligation to repay the loan is a major barrier to reducing working hours or claiming care leave. And, as a result of pressure from the representatives of small and medium-sized business, the limitation of the legal entitlement to part-time work care-leave (24 months) was raised to companies with more than 25 employees. The empirical data show that most employees are therefore not included. Significant improvements have been made to the conditions for short-term care-leave, which can be claimed for up to ten working days in a year. The loss of income is compensated by an earnings replacement benefit amounting to 90% of the last net monthly salary (comparable to sickness benefit in the case of children's illness). The legal entitlement to this measure is unlimited; all employees are included, irrespective of the size of the company.

To achieve the objective of a better reconciliation of work and long-term care it is indispensable to expand the range of outpatient and semi-inpatient services and facilities. The available data show that 1.8 million people in need of care are looked after at home by close relatives, one third of them are supported by professional non-residential care services. The official statistics do not indicate the proportion of family carers who are employed. But it is obvious that in these cases a continuous need for support by professional outpatient services is particularly important. These benefits in kind, financed by the LTCl, have been strongly expanded in recent years. The number of beneficiaries, including day or night care, holiday care and respite care, has increased by about 87% between 2000 and 2013. In 2011, there were 12,300 non-residential care services with about 291,000 employees. The Act on Care Strengthening (*"Pflegestärkungsgesetz"*), which came into force in 2015, has improved the conditions of home care (expansion of day care or night-care, short-term residential care, holiday care and respite care, promotion of out-patient flat-sharing communities, subsidies for measures to suitably equip a house or flat, financing of care-giving tools/nursing tools).

### **2.1.7 Maternal/paternal/parental leave schemes**

Parental leave and parental benefit schemes have been reformed in recent years: Employees can now claim parental leave from the child's birth up until he or she reach the age of three. Their job is kept for them and their contract cannot be terminated by their employer. Since parental leave is considered separately for each parent, the child's mother or father may take their share alone, or both parents may take parental leave simultaneously. Both parents can claim their entitlement at the same time, but the parents must ensure that they can provide for themselves during the period of joint parental leave.

The parental benefit (*"Elterngeld"*) is a federal state benefit for parents who would like to look after their child themselves after the birth and therefore are not in full-time employment or not working at all. Since 2007, parents can file for parental leave and receive 67% of their net income as a parental benefit from the government for a duration of up to 14 months – subject to a minimum amount of €300 and a maximum of €1,800. The minimum amount of €300 is paid to all entitled parents, even if they were not in employment prior to the child's birth. The introduction of the parental benefit was aimed at increasing the monetary incentives for well-educated and high-

earning women and couples to combine work and family life. According to the new "parent's benefit plus", which came into force in January 2015, the duration of benefit receipt is prolonged when parents are working part-time.

Evaluation has shown that medium-term effects on mothers' employment probability are positive, significant and large; the effects are driven by gains in part-time employment. Second, the probability of job continuity rises significantly, i.e. mothers return to their pre-childbirth employer at higher rates. Third, employers reward this return to work by raising job quality significantly and substantially. Kluve and Schmitz (2014) conclude that with this reform the policy has generated a profound change in social norms. Low-income families and families with many children, however, have hardly profited from it (Schutter, Zerle-Elsäßer 2012).

## **2.2 Policy measures to address social and labour market exclusion**

Fundamental reforms of German labour market policy at the beginning of the last decade have strengthened the social investment orientation in this policy area. Despite positive indicators, like a rising employment rate and a declining unemployment rate, the policy results show characteristic deficits: Both benefit schemes in the area of reformed social protection for the unemployed cannot hide the fact that currently Germany has the highest poverty rate among unemployed people in the EU. Furthermore, active labour market integration programmes and services are not focused enough on those groups with the highest need for integration support.

### **2.2.1 Unemployment benefits**

Social protection for the unemployed comprises an insurance-funded (Unemployment Benefit I) and a tax-funded system (Unemployment Benefit II). Unemployment benefit I according to Social Code Book III is provided for formerly insured employees and is managed and implemented by the Federal Employment Agency. This benefit, whose level is 60% (with children: 67%) of the last net wage, is paid, if the jobless person has contributed to the unemployment insurance fund for a minimum of one year within the last three years. The regular maximum period for benefit receipt of 12 months is prolonged for older unemployed people, with benefit payments of 15 months for people over 50 years, 18 months for people over 55 years and 24 months for people over 58 years. The shortening of the period of benefit receipt for elderly unemployed and the replacement of the former unemployment assistance with the basic income support for job-seekers in the Hartz reforms have contributed to the fact that only a minority of, mainly short-term unemployed people, are currently protected by this insurance-funded benefit (2014: 32%). The majority of unemployed people without (or with insufficient) social insurance protection have to claim for the means-tested "basic income support for job-seekers" according to Social Code Book II (68%), which is an element of the last safety net in Germany. Both benefit schemes haven't changed the fact that Germany has currently the highest poverty rate among the unemployed in the EU (Hanesch, Bäcker, Trabert 2014).

### **2.2.2 Minimum income**

In Germany, the minimum income benefit schemes of the last safety net play a major role in the Social Protection System. Social minimum income benefits are intended as the main instrument for preventing income poverty. They supplement the primary safety net of the social insurance system and provide means-tested financial support for those whose needs are not covered by other resources. Since the beginning of the 1990s, the last safety net, which had previously consisted solely of a social assistance scheme (in addition to the war-victim assistance), has gradually been expanded and differentiated into several minimum income schemes, which are currently five in number: unemployment benefit II and social benefit, (according to Social Code Book II ("basic income support for job-seekers")), current assistance towards living expenses outside of institutions (according to Social Code Book XII), needs-based pension supplement in old age and in the event of reduced earning capacity (according to Social Code Book XII), basic support for asylum seekers (according to the Act on

Asylum Seekers), and war victim assistance, (according to the Federal War Victims Relief Act (*Bundesversorgungsgesetz-BVG*)). The level of these minimum income benefits is aimed at guaranteeing a socio-economic subsistence level which enables the recipients to participate in normal social life; at the same time, the benefit level should provide a financial incentive to seek gainful employment, which is only of relevance, however, for those recipients of basic income support for job-seekers capable of working.

During the first decade of the new millennium, these minimum income schemes gained importance in the German Social Protection System, due not least to a dramatic increase in the number of recipients, above all, as a consequence of the introduction of the "basic income support for job seekers" in 2005. Even if the number of recipients has declined slightly since then, it has remained at a considerably higher level than in the previous decades. Recent data show that at the end of 2013, 7.4 million people or 9.1% of the total population received minimum income benefits (Statistisches Bundesamt 2014c). The assessment system for fixing the benefit level of the basic income support for job-seekers was reformed in the year 2011 as a consequence of a judgement by the Federal Constitutional Court. Nevertheless, the receipt of unemployment benefit II (for those capable of work) and/or of social benefit (for members of the needs community not capable of work) cannot prevent the occurrence of income poverty, because the benefit level for all household types is considerably lower than the corresponding poverty threshold. Furthermore, around one in three of those eligible waive their entitlement to basic income support for job-seekers for different reasons (Becker, Schüssler 2014).

EU-SILC- data show that in the year 2013 almost one in six were living at risk at poverty in Germany, exactly 16.1% of the population, or around 13 million people. The number and rate of people at risk of poverty has remained unchanged compared to the previous year and has therefore interrupted the continuous increase in the poverty rate for the first time in recent years. The people affected to an above average degree by the risk of income poverty were unemployed people (69.3%), single parent households (35.2%) and people with lower education (25.7%) (Statistisches Bundesamt 2014a and 2014b; Bouget et al. (2015), Annex 3, Tables C13-C15). Analyses of data of the Socio-Economic Panel show that the dynamics of income poverty have decreased in recent years. As a consequence of this solidification of poverty, the chances of escaping income poverty have deteriorated (Goebel, Krause and Habich 2013).

### **2.2.3 Active labour market policies**

Active labour-market integration programmes and services are offered in the context of the Social Code Book III (employment promotion) and Social Code Book II (basic income support for job-seekers). While the former covers those labour market participants who are within the field of competence of the first safety net of unemployment insurance, the latter covers those who are in the field of competence of the last safety net.

Since the beginning of the millennium, expenditure on active labour market policies has been almost constantly declining – with a short-term exception during the economic crisis in 2008 and 2009. In all these years, this expenditure was considerably lower than those for income protection according to Social Code Book III and II (Kluve 2013; see also Bouget et al. (2015), Annex 3, Table C3). With the shifting of registered unemployed people from the jurisdiction of SGB III to SGB II, expenditure on activation was respectively shifted to the means-tested "basic income support for job-seekers". The decreasing cost and participation in active labour market policy reflected, on the one hand, the decline in the number of registered unemployed. On the other hand, it reflected a conceptual reorientation of active labour market policy from sustainable training and integration programmes towards short-term oriented workfare and budget consolidation measures. The implementing of activation policies in the labour market was accompanied neither by a rising activating rate nor a refocussing on those groups with the highest need for integration support. As a

consequence, the number and rate of registered long-term unemployed has remained high and the average period of benefit receipt in "basic income support for job-seekers" has continued to be extended; most of the benefit recipients are permanent beneficiaries (Bundesagentur für Arbeit 2013).

The implementation of the Hartz reforms and the uninterrupted series of follow-up reforms have been evaluated comprehensively on behalf of the Federal Ministry of Labour and Social Affairs. In particular, the Federal Institute for Employment Research (Institut für Arbeitsmarkt- und Berufsforschung – IAB) is mandated by the Federal Government to continuously evaluate and monitor the labour market development and labour market policy in Germany and has repeatedly provided assessments of the integration instruments (e.g. Bernhard et al. 2008; Koch et al. 2011; Heyer et al. 2011). Nevertheless, repeated reforms of these instruments have not been able to reduce or abolish the above mentioned deficits in integration success. The newly elected federal governing coalition has given high priority to active labour-market policy with a special focus on integrating long-term unemployed (Bundesministerium für Arbeit und Soziales 2014).

No policy area has been more intensively evaluated than labour market policy. Nevertheless, labour market policy in Germany cannot be understood as a learning system. Between July 2004 and December 2008 alone, 32 legislative changes to Social Code Book II, and between 2003 and 2008, 59 legislative changes to Social Code Book III have been introduced. These changes were not the result of labour market research, but were policy driven in an extreme way, because the reforms did not show the expected results from the perspective of the respective governing coalition. Evaluation research was therefore confronted with an extremely unstable research objective as a consequence of repeated political and administrative interventions (Baethge-Kinsky et al. 2010). In fact, evaluation results show a differentiated picture of the reform impacts, and up to now the extent to which the labour market reforms or the changing macro-economic framework conditions have contributed to the positive labour market performance in the last decade has been controversially assessed (see e.g., Möller et al. 2009; Akyol, Neugart and Pichler 2013; Launov, Wäldle 2013; Krebs, Scheffel 2013).

#### **2.2.4 Social services**

According to federal and state laws it is mainly up to the municipalities to guarantee, coordinate and fund the provision of social services. In addition to the municipalities, private welfare associations, churches or for-profit agencies also play an important role as service providers. Because the provision of these services is a self-government task of the municipalities, there is a great heterogeneity in the volume and structure of services between the municipalities. This is a result of differing social policy concepts, as well as of the great regional differences in economic strength and financial power between the municipalities.

In recent years, municipalities in Germany were under pressure to expand their services according to the growing social problems. At the same time, the municipalities' continuing lack of fiscal resources has caused cutbacks in the provision of affordable high-quality services. The introduction by Constitutional Law of a debt cap, which will come into force from 2016, will further restrict the fiscal framework for political action. There is the risk that the most vulnerable groups will be most affected by this development (Hanesch 2013).

According to Social Code Book II, the labour market integration services of the job centres can be complemented by social integration services, which are in the competence of the municipalities. Actually, the success of the integration service of the job centres with regard to e.g. young job-seekers or long-term unemployed is to a great extent dependent on these social integration services, because services like childcare, long-term care, debt counselling, addiction counselling, psychosocial care etc. are suitable for responding individually and accurately to the different integration barriers and to the specific needs of the job-seekers. Unfortunately, even nine years after the implementation of Hartz IV, hardly any data on the service provision of the

municipalities are available. Not only are there deficits in the scope and availability of these services in many municipalities, but also the cooperation between job centres and municipalities (or other service providers) is not well developed. The objective to interlink professional and social services and to provide integrated support from a single source ("one-stop shop") has, up to now, not become a reality in Germany (Adamy, Zavlaris 2014).

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