



***Italian strategies for social and labour-market inclusion
of disaffected groups***

ACTIVE INCLUSION LEARNING NETWORK

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Under the *Active Inclusion Transnational Learning Network* – promoted and implemented by the National Offender Management Service (United Kingdom) for fostering the social inclusion of disadvantaged groups – this document intends to illustrate the Italian scenario on some of the network areas of work to the Steering Group partners.

The brief overview shows the main strategies, regulations and interventions on social and labour-market inclusion, taking into account the last government documents. After an introduction on the main national labour policies and multi-level governance, the document particularly focuses on inclusion strategies for young NEETs, the disabled, drug-addicts and offenders.

INTRODUCTORY FRAMEWORK (Maria Laura Marini, Anna Tito)

In Italy in recent years there has been an intense legislative and regulatory activity on labour market front with the aim of fostering new and better employment and social inclusion, with a welfare-to-work approach. This action must necessarily be analysed within the framework of the great change that Constitutional Law 3/2001, has wrought in Title V of the Italian Constitution. The new Title gives equal powers to State, Regions, Provinces and Municipalities, in the interests of a multi-level governance, for formulating and managing policies with a general impact.

With this new division of competences, the matters in which the State has exclusive legislative powers and those in which State and Regions have a concurrent regulatory power are clearly spelt out. It is also specified that the Regions have legislative powers on every matter not expressly reserved for State legislation, therefore the reform gives them exclusive legislative competence in some essential matters such as safety, labour, health, education and vocational training, with the aim of fostering the “respect” of particular local situations.

The extensive autonomy which the Regions and the afore said Authorities enjoy – also making it difficult to reconstruct a national framework of measures implemented in Italy in matters for which the State is not responsible (or has “concurrent” responsibility) – has however induced the legislator to specify a series of tools for guaranteeing an essential national unity and the presence, nationwide, of services meeting citizens’ fundamental needs. This means protecting

the Essential Service Performance Levels (ESPL) and particularly in the area of civil and social rights¹. The aim is to ensure a quantitative and qualitative standard of services so that all can fully enjoy their constitutionally guaranteed rights.

The State is therefore responsible for defining the guidelines to follow in specifying the minimum level expected; the Region and other autonomous bodies (Provinces, Municipalities, educational establishments, etc.) are instead responsible for providing specific services for citizens.

The essential service performance levels regarding employment, education and vocational training are currently being worked out and are at various stages, whereas those for health services are now completely defined. It should also be considered that the financing of ESPL is fundamental for them to become effectively exercisable by citizens. It is therefore necessary to pursue an efficient distribution of resources nationwide to ensure the equality of social services.

Given the centrality of work and lifelong learning in the active inclusion process, it is considered helpful to refer to the main labour policies in Italy within which the more specific measures adopted by individual Regions and local authorities are inserted. Hence a brief note is proposed on the measures envisaged by the labour reform and the more recent provisions for fostering the labour market inclusion of citizens throughout the country.

Over the last two decades the legislator and Italian government's efforts have been focused on constructing a welfare-to-work model that will make citizens increasingly proactive. This has prompted a significant process of redefinition and rationalization of labour policies.

An initial important **labour reform in 2003** - carried out with the aim of modernizing the market and increasing employment by combining flexibility with security – introduced changes in labour relations, reviewing existing types of contract (such as apprenticeships, part-time work and collaborations), and creating new ones (job-on-call, job sharing, supplementary work), specifying new mechanisms when both entering and leaving the labour market. Subsequent implementing decrees, ministry notes and regional regulations have strengthened the reorganization of labour rules, flanked over the years by the reorganization of the pension scheme, completed with the recent pension reform (law 214/2011) – which led in **2012** to a **new reform** (law 92/2012) containing "*Provisions regarding the reform of the **labour market** with a view to growth*".

¹ESPL legislation is still inadequate albeit it was the subject of a specific bill in October 2008.

One of the most significant interventions of the pension reform is the extension and anticipation of the contributory – and no longer non-contributory - method for all workers and the changes in the way of accessing pensions.

Without doing away with the previous one, the new labour-market reform intends to encourage an **inclusive and dynamic labour market** in view of increasing employment, especially **for women and the young**; reducing **the times when moving** from school to work and from unemployment to employment; fostering the growth of productivity also by **supporting employability**; defining a more universalist system of protections.

It innovates and renews the various institutions of subordinate and semi-subordinate employment, maintaining the aspects considered most favorable for workers and employers; indicates permanent subordinate employment as the labour relation to privilege; promotes apprenticeships as the main channel for entering businesses; intervenes in protecting workers from unlawful dismissals; defines links between different dimensions of the labour system such as income support, training and retraining of staff and recruitment incentives, at the same time reviewing the system of social buffers and income support tools.

The reform highlights the need for an intervention aimed at **strengthening the participation of women in the labour market** still too limited compared to that of men, especially in the south and among the less educated groups. In this sense, the reform introduces measures for combating the so-called “*dimissioni in bianco*”² and for strengthening procedures for sanctioning resignations made by working mothers. Another aim is that of fostering a mentality for greater sharing in looking after children and reconciling work and family life.

The need to renew active policies – by joint agreement between State and Regions - is reiterated, strengthening their role in increasing citizens’ employability, and thus of the rate of employment. It is planned to introduce ESLPs also in public employment services. Without prejudice to the Region’s concurrent and, in some cases exclusive, competence the authorization already granted to the government with regards to employment services is broadened, extending it to active policies and defining principles and guidelines. With the aim of reducing long-term unemployment and non-employment, the times for activating the positive actions aimed at job placement are also reduced.

²The expression “*dimissioni in bianco*” refers to the illegal practice of making new employees sign an undated letter of resignation when entering into a labour contract. The aim is to permit the employer arbitrarily to sack the employee without paying any compensation. This practice has mainly regarded women, and in particular during pregnancy or during the child’s early years.

In line with the European Union's indications and with the intention of **fostering active citizenship**, the reform also aims to strengthen a subsidiarity system, both vertically (between State and citizen) and horizontally (between public and private institutions, private individuals, enterprises and active citizenship networks), for promoting **lifelong learning pathways and the certification of acquired competences**. Hence Legislative Decree 13³ of 16 January 2013, with precisely the aim to encourage the growth and enhancement of the cultural and professional capital acquired by individuals during their education and work life, guaranteeing its recognition, transparency and marketability.

With regards to **vocational training**, and in particular its content and access mechanisms, the role of continuing training is being consolidated, also thanks to the popularity of the National Joint Multi-Sectoral Funds⁴, whose contribution is being increasingly valued for underpinning the social partners' responsibility, with the active involvement of the workers and, overall, for disseminating the lifelong learning culture.

A growing attention is also being paid to the **guidance** function, prompting an agreement between the Government, the Regions and Local Authorities on the definition of a national lifelong guidance system⁵, considered an important means for promoting a lifelong learning strategy, an intervention for preventing and combating drop-outs from education, supporting individuals in making aware choices, and an action for better matching the demand and supply of competences with the aim of improving training success and employability.

For matters more closely linked to labour-market inclusion, it is pointed out that, again in implementation of Law 92/2012, on 24 January 2013 the agreement between Government, Regions and Autonomous Provinces was signed on the "*Guidelines for Apprenticeships*" aimed at establishing uniform minimum standards throughout Italy and to prevent a distorted and unlawful use of the institution. Once the legislative procedure that will enact this document is concluded,

³ Legislative Decree 13 of 16 January 2013, n. 13 "Definition of general regulations and essential service performance levels for identifying and validating non formal and informal learning and the minimum service standards for the national competence certification system, according to article 4, par. 58 and 68, of Law 92 of 28 June 2012"

⁴ The National Joint Multi-Sectoral Funds for continuing training are promoted by organizations representing the Social Partners through specific cross-industry agreements signed between the trade unions and employers' associations most representative on the national level. There are currently 21 Funds in existence, including three devoted to managers. Enterprises can allocate 0.30% of contributions paid to the *Istituto Nazionale della Previdenza Sociale* (the so-called "compulsory contribution for involuntary unemployment") to one of the Joint Multi-Sectoral Funds. They finance training plans at corporate, sectorial or geographical level, that enterprises, individually or jointly, decide to implement for their employees. They can also finance individual training plans, as well as preparatory activities or anyway linked to training initiatives. Since 2011 (Law 148 of 14/09/2011) training plans can also involve workers with apprenticeship and project-based contracts (*Source: ISFOL*)

⁵ Agreement in conformity with article 9, para 2, lett. c) of Legislative Decree 281 of 28 August 1997. Repertory acts 152/CU of 20 December 2012

the Regions and Autonomous Provinces have six months from the agreement date to adjust their regulations to the minimum standards.

Traineeships are defined as an active policy measure that – albeit they do not come under labour relations – consists of guidance for work and training aimed at enriching knowledge, acquiring professional competences and for access to and re-entry in the labour market. The types of traineeships specified in the guidelines are: *training and guidance* for the career choices and the employability of young people in the transition from school to work; for *entry or e-entry in the labour market* to help the unemployed and non-employed find work on the basis of specific agreements; *training and guidance or entry/re-entry* for the disabled, *disadvantaged people* and political asylum applicants or those with international protection. The duration varies from 6 to 24 months according to the typology.

Entering into force in April 2012, Legislative Decree 167/2011 reformed discipline of the **apprenticeship contract** and introduced new provisions for its correct execution, that the labour reform of June 2012 “perfected”: the apprenticeship is given a **central role as a tool for promoting youth employment**, a preferential channel for access to the labour market, a “bridge between school and work”, managed mainly by the enterprises.

The apprenticeship – in which training alternates with work periods – has a variable duration (usually three years), established by the company according to the type of contract activated, based on the relevant National Collective Labour Contract and the young person’s competences. At the end of the apprenticeship period, the labour relation can either stop or continue: in this latter case it becomes a permanent contract.

There are three different types of apprenticeship:

- *apprenticeship for gaining a vocational qualification or diploma*, for individuals from 15 to 25 years, hired with a contract, who can obtain a qualification with certificate attesting to fulfilment of the right-duty to education and training
- *occupation-oriented apprenticeship*, for individuals from 18 to 29 years, hired with a contract, for gaining a professional qualification in a work based environment
- *higher education apprenticeship*, for individuals from 18 to 29 years, hired with a contract, for attaining:
 - secondary school certificate
 - university or higher training qualification (also research doctorate)
 - technical specialization

- or for entering a regulated profession through a work-based experience.

The company defines the worker's training plan and attaches it to the employment contract. The training is carried out both inside the company, with the support of an expert worker who acts as tutor/company contact, and outside in specialised training facilities. The contract conforms with the provisions of each Region on the basis of the National Collective Labour Contracts.

The new government expects (June 2013) to make targeted amendments to the reform law very soon.

CONSIDERATIONS

The European Commission⁶ points out that in Italy the attempts to tackle the problems of disadvantaged groups have had modest outcomes to date, mainly because of the lack of an overall strategy (different political visions), no integration between intervention sectors and inability to combine the three pillars of active inclusion, that is suitable income support, inclusive labour markets and access to quality services. The coordination between the national and local authorities (Regions, Provinces, Municipalities) has proved difficult with a limited participation of the actors involved. For many years, employment flexibility has reduced the strength and positive impact of inclusive labour policies.

The austerity measures adopted to tackle the economic crisis have cut the resources destined for sectors such as human capital and economic development. Because of the reduction in expenditure on welfare and public services, local authorities are less able to provide essential services to citizens and regional imbalances have increased on the availability of and access to quality services front. A significant cut in national funding for social policies has compromised local welfare systems.

Italy as a whole does not seem able to respond adequately to the geopolitical, technological and demographic changes of the last twenty-five years. This is confirmed by the Banca d'Italia⁷, which blames a redundant regulatory framework, as well as the complexity and costs of administrative performances. In many cases, even when the reforms have been launched the implementing provisions are slow to arrive, if ever. Unfortunately, this is a constant in Italy's history; the main difficulties do not reside so much in the content of the norms but rather in their

⁶ European Commission, *Assessment of the implementation of the European Commission recommendation on active inclusion: A Study of National Policies. Italy*, Bruxelles, 2012

⁷ Banca d'Italia, *Considerazioni finali. Assemblea ordinaria dei partecipanti*. [Final Considerations. Ordinary Meeting of Participants], Rome, 31 May 2013

concrete application. Tax evasion, moreover, fed by undeclared work representing 21.6% of the GDP⁸, as well as by a widespread culture of illegality⁹, distorts the allocation of productive factors, causes unfair competition, hinders the growth of enterprises and increases the fiscal burden for the honest taxpayer.

⁸ Eurofound, *Tackling undeclared work in 27 European Union Member States and Norway. Approaches and measures since 2008*, Dublin 2013

⁹ Censis, *Il condizionamento delle mafia sull'economia, sulla società e sulle istituzioni del Mezzogiorno*. [The Mafia's influence on the economy, on society and on the Mezzogiorno institutions], Milano, 2009

THE SCOPE OF THE PHENOMENON

In Italy, some 2,250,000 individuals aged between 15 and 29 years and over 3 million young people, if one includes the age group up to 34 years, are inactive; this phenomenon is also affected by variables such as *geographical area and gender*, as well as *educational qualification*. In 2012, in particular, almost 60% of NEETs lived in the southern regions, almost as if indicating the close connection between the dimensions of the phenomenon and the economic and employment potential offered by this area. For gender imbalances, it was seen that, again in 2012, some 60% of NEETs aged between 25 and 29 were women, a quota that almost touches 71% in the age group from 30 to 34 years. For many of them it is a voluntary choice, dictated by family care and assistance needs, for other only a temporary decision.

Finally, another important risk factor is represented by the low educational standards: the majority of NEETs have at most a first-grade secondary school certificate and/or a so-called "weak" educational qualification.

INTERVENTION STRATEGIES IN ITALY

Specific measures for NEETs have recently been launched in Italy, in agreement with the European Commission, with the **"Plan of Action and Cohesion"** (PAC), the structural funds spending review initiated in 2011 and periodically updated. The provision proposes implementing programmes co-financed by the 2007-2013 structural funds by concentrating financial resources on "*projects of strategic importance*" in four Regions (Calabria, Campania, Puglia and Sicilia) of the Convergence Area.

The PAC interventions are focussed on three main sectors: citizens' services, youth, enterprises and employment. The resources earmarked for the project amount to 2,3 billion euro, of which some 400 million are destined for the Youth measure. Specific actions are planned within this intervention, aimed at promoting apprenticeship and at encouraging individuals to leave the NEET condition. A total of 50 million euro has been allocated to finance the following lines of action:

- *interventions for promoting occupationally-oriented experiences* for individuals over 18 years who are not in education, employment or training (10 million euro)
- *interventions promoting apprenticeships and craft trades* through incentives for hiring and tools fostering on-the-job training (40 million euro).

The expected outcomes of the Plan of Action and Cohesion have been incorporated in the **Partnership Agreement**, the European Commission's instrument for designing the strategy (expected results, priorities, intervention methods) for using the EU funds allocated for the 2014-2020 period¹⁰.

The NEET issue is tackled with two of the ten thematic objectives of the Agreement:

- **thematic objective 8:** *"Promotion of the employment and mobility of workers by activating tools able to support the occupational difficulties of some groups"*. The measure aims at increasing youth employment and fostering the transition of the young to the labour market, with particular emphasis on the NEETs.

The specific objectives are indicated below, with particular emphasis on gender aspects:

- to strengthen the employability of young people through active and preventive measures on the labour market
 - to combat the NEET phenomenon following the European recommendation on the "Youth guarantee"
 - to strengthen apprenticeships and other youth employment measures
 - To promote youth self-employment and self-entrepreneurship
 - to increase the participation and employment of women
- **thematic Objective 10:** *"Support for education and training (investing in competences, in education and in lifelong learning)"*. The measure specifically proposes support for education and training, partly by making investments in quality, especially of the technical-vocational type, and partly through measures to combat the drop-out phenomenon. Many of the activities under this objective, albeit consistent with developing lifelong training, are focused on preventing young people from dropping out of the educational system and/or being poorly qualified. Multiple interventions are involved, including individualized solutions and innovative teaching methodologies.

The specific objectives include:

- reducing early training failure and dropouts from school and training
- improving students' key competences

¹⁰ In other words, it is a tool that, at Member State level, implements the thematic objectives and development needs on which it is agreed to concentrate resources, prompting the list of operational programmes and the relative financial allocation for each of the Common Strategic Framework funds.

- raising the educational level of the adult population with particular emphasis on groups with lower educational standards
- improving the training and education supply to facilitate mobility and labour market entry/re-entry as well as increasing the labour force's competences.

The policies adopted by Italy fall within the framework of the European Commission's *Youth Employment Package*, intended to be a concrete response to the worsening situation of youth employment in Europe.

These measures specify:

- a recommendation to the Member States to implement national "*Youth Guarantee*" systems and to ease the transition from education and training to work, to foster the placement of young people in the labour market and to help them remain there. Member States are invited to adopt, by 2014, measures for offering work to unemployed individuals under 25 years four months after they having finished their studies or their last job, or an apprenticeship, traineeship or the possibility of continuing their studies.
- a Quality Framework for work experience to be implemented after consultation with the social partners, to facilitate the school-work transition.
- the creation of a European Apprenticeship Alliance aimed at improving the quality and quantity of apprenticeship jobs by promoting models already existing in some national contexts which have produced particularly significant results.

INITIATIVES AT LOCAL LEVEL

There are various initiatives promoted at local level, calibrated to specific local needs and mainly dependent on resources made available by the administrations. These are projects and initiatives that aim mostly at tackling the topic of youth unemployment, of the transition from school to the labour market and of the creation of opportunities for creating businesses. The experiences of the Liguria and Tuscany regions are given as examples.

In 2013 the **Liguria Region** launched a bid for tenders to combat the phenomenon of social exclusion and school failure for 1,7 million euro of the European Social Fund. Bidding is open to vocational institutes either in partnership or through temporary associations for the purpose or temporary association of enterprises, third-sector organizations, of the business world and recreational sports-leisure time sector. Among the most significant lines of action are those

addressed to young people still in education but at risk of dropout and social exclusion; young people who have left school early without finishing compulsory schooling or obtained a certificate; and young NEETs and students of higher educational establishments with learning disabilities or motivational issues.

The **Tuscany Region** has launched an integrated regional programme entitled *GiovaniSi*, with the aim of offering young people the chance to develop their individual capacities as well as job quality and stability, emancipation and social participation. The *GiovaniSi* project has various lines of intervention for 2013, including:

- guidance, tutoring and scholarships
- contributions for mobility
- vouchers for attending post-graduate higher training courses, vocational training courses (IeFP system) and higher technical education and training (IFTS)
- waged traineeships
- contributions for hiring young graduates and PhDs
- service vouchers for helping women with children reconcile paid work with family responsibilities
- facilitating the start-up of businesses and entrepreneurial activity.

There are also some interesting initiatives coming **from the business world**, such as the *Meet No Neet* project, with a partnership between the Fondazione Mondo Digitale, Microsoft and local schools for creating alliances between companies, training and the third sector. The training is flexible, so that students can benefit whether they are in school, at home, alone or in groups, thanks to new technologies and social networks. The project involves 1,000 individuals from 18 to 24 years in Lazio and Campania.

THE MAIN LAWS

The main regulatory provisions regarding the inclusion of the disabled are Law 104 of 1992 “Framework Law for the Assistance, Social Inclusion and Rights of People with Disabilities” and Law 68/99 for compulsory employment.

The main actions promoted by **Law 104/92** are:

- social-education inclusion: projects for inclusion in mainstream classes and extension beyond school hours with social-pedagogical laboratories or other initiatives fostering the improvement of primary social skills
- support for the family, social and labour-market inclusion: projects of a social-pedagogical nature for family support, organization of job placement opportunities through individualized pathways including guidance, education consultancy and tutoring
- permanent and temporary accommodation: projects for setting up residential communities providing relations similar to the family model and nocturnal or seasonal accommodation opportunities understood as aid to families in particular conditions
- launch of Regional Observatory on disabilities: projects for developing the computerization, documentation, analysis, access to, consultancy on and dissemination of the information collected.

With **Law 68/99** the legislator introduced the targeted placement method that inserts individuals in the most suitable jobs, supporting them with incentives and concessions.

This Law specifies establishing services for the labour-market inclusion of disabled workers at regional and provision level, cooperating with the local social, health, education and training services, according to their specific responsibilities, in the planning, implementation and verification of interventions for the job placement of beneficiaries.

EMPLOYMENT SITUATION

The VI Report to Parliament on the state of progress of Law 68/99 by the Ministry of Labour and Social Policies¹¹, shows a high ratio of the number of registrations in the unemployment lists

¹¹ The Sixth Report to Parliament (2010-2011), by the Directorate General for Labour Service Policies of the Ministry of Labour and Social Policies was based on the data transmitted by the Regions to the Ministry, according to article 21 of Law 68/99, and from ISFOL's surveys, according to the convention between ISFOL and the Ministry on the state of implementation of this Law.

to number of job placements in 2011: 65,795 new entries against 22,023 placements (the rate of unemployment for the disabled is not provided in the current national statistic and administrative sources). There is a high number of registrations in the provincial lists (644,029 in 2011, 51.2% in the south).

In the private sector, there were 48,375 jobs available in 2010 out of the quota of 228,709 reserved for the disabled whereas in 2011 there were 28,784 jobs out of a quota of 143,532.

In the public sector, 74,741 places were reserved in 2010, falling to 34,165 in 2011. A drop in the reserved quota of 40,576 places, (caused by less information from the southern regions for 2011), corresponds to a proportional number of unfilled places: 13,863 available in 2010 and 8,591 in 2011.

Over the last year considered the number of jobs reserved (in the private and public sector) but not occupied by people with disabilities came to over 37,375, equal to an unfilled rate of 21%.

For women with disabilities, the gender discrimination remains since only 4 out of 10 workers were employed.

In concomitance with the economic crisis, in 2011 there was a high number of temporary interruptions of compulsory employment (3,789 cases, involving 7,232 people with disabilities); alongside this, in recent years there has been an increase in fixed-term contracts with respect to permanent ones.

The rate of inactivity of workers with disabilities is very high, especially among women (figure confirmed by European researches). People with disabilities spend a long time in the targeted employment lists, while the few jobs on offer dissuade many from registering as unemployed.

NATIONAL LINES OF ACTION

“Proposed Biennial Action Programme for promoting the rights and insertion of people with disabilities in implementation of the national and international legislation according to art. 5, par. 3, of Law 18 of 3 March 2009”¹²

In the programme proposed by the Ministry of Labour, the following lines of action are established:

¹²Consolidated text approved by the National Observatory on the condition of people with disabilities dated 12 February 2013 and bearing the amendments agreed on therein and introduced by the Observatory Technical Secretariat.

- line of intervention 1: *Review of the system for access, recognition/certification of the condition of disability and intervention model of the national health system* with the aim of reforming the system for assessing/ascertaining the condition of disability and the system for accessing the policies, interventions, services and supplies so as to create real conditions for combating discriminations, promoting equal opportunities, social inclusion and a better quality of life for people with disabilities
- line of intervention 2: *Work and employment* with the aim of encouraging the mainstreaming of disability in general labour policies and in databases. Updating the current legislation, making it more efficient in offering jobs, especially through a better functioning of targeted employment lists in accordance with Law 68/99
- line of intervention 3: *Policies, services and models for organizing an independent life and inclusion in society* with the aim of defining shared lines for the application of article 19 of the UN Convention (independent life and inclusion in society), fixing the guidelines for granting contributions, for programming interventions and services and for drawing up individualized plans
- line of intervention 4: *Promotion and implementation of accessibility and mobility principles* aimed at the rationalization, updating and adaptation of the overall Italian regulatory scheme to the cultural and operational aspects of the UN Convention on accessibility
- line of intervention 5: *Training and educational inclusion processes* aimed at supporting access to schooling for pupils with SEN (Special Educational Needs) by systematically providing for the involvement of all education professionals. Activating support, training and consultancy networks utilizing the professional competences available, including those with masters and specialization courses
- line of intervention 6: *Health, right to life, habilitation and rehabilitation* with the aim of encouraging children with disabilities and protecting their needs from the earliest possible stage. Guaranteeing that women with disabilities can have equal access to gynaecological and reproductive services
- line of intervention 7: *International cooperation* for formulating a Plan of Action for persons with disabilities by the Italian Cooperation for Development, under the Ministry of Foreign Affairs.

Programme Pro.P. has the objective of implementing system actions for supporting training courses and social and labour-market inclusion for persons with mental disturbances and is based on cooperation with national institutions directly involved in the subject.

The Ministry of Labour, Ministry of Health and Higher Health Institute, National Confederations of employers, of the Mental Health Commission in the Interregional Conference and Italia Lavoro were all involved in setting up the Programme.

In each of the ten regions (Lazio, Piedmont, Puglia, Tuscany, Umbria, Sardinia, Campania, Veneto, Marche and Molise) involved in the six years of the Programme implementation, the methods used to identify the specific lines of action and projects that were later promoted and financed were based on a participatory approach in which regional and local actors and professionals cooperated in defining the executive projects and carrying them out.

Numerous working groups were set up:

1. interregional working groups on cross-cutting topics
2. planning tables for drafting executive projects and disseminating the results
3. intraregional working groups on specific lines of action

The priority interventions in which the ten regions were involved in various ways during the Programme Pro.P implementation concern:

- the competences of actors in the services and in the local area
- the definition and formalization of institutional networks for supporting social and labour-market inclusion
- the job placement pathways and good practices

In 2013 the following activities were launched:

Activity 1: Training pathways for strengthening competences of people specialised in the inclusion of persons with mental disorders

The Activity has the aim of designing and testing programmes for local actors, and *in primis* public- service actors, who take care of persons with mental disturbances and accompany them to the labour market.

Activity 2: Tools and procedures for implementing inter-institutional agreements and for consolidating the integrated mental health services network

This Activity has the object of helping to implement prototypes for agreements between city councils and between institutions set up by the Regions for facilitating institutional and local networks supporting the social and labour-market inclusion of persons with mental disturbances, also providing local actors with tools for monitoring and evaluating the interventions.

Activity 3: National Table "Companies and Mental Disorder"

This Activity is aimed at the joint design, by a working group with employers' representatives, of pathways and tools for the information/training/awareness raising of employers on the themes of mental disorders and the inclusion/stability in the labour market of people suffering from them.

Activity 4: Information system for the organization of data and documentation on the inclusion of people with mental disturbances in the labour market

This activity has the aim of helping to fill the information gap characterising the area of labour-market inclusion of people with mental disturbances.

Activity 5: Analysis of the extent to which the training supply and accompanying measures for young people between 14 and 18 years affected by mental disorders are inclusive

This Activity, in line with the EU objectives, is aimed at launching an analysis of measures for social inclusion, starting with a survey of the training activities and accompanying measures provided by training agencies in the various territories included in the Convergence objective, with particular focus on young people affected by mental disorders. The aim of the survey is to highlight good practices in the sector of training and other educational actions, to support the participation of individuals at risk of social exclusion. A further aim of the research is to discover possible protective factors to identify, propose and test models of preventive intervention to prevent young people with mental illness being excluded from the labour market.

From this perspective the project, to guarantee training and social inclusion, includes the design and testing in the field of innovative proposals for young people attending education and vocational training courses who are at risk of social exclusion (14-18 years).

Activity 6: The social and labour-market integration of juvenile offenders placed in Communities/Foster Homes and young adults aged between 18 and 26 years in detention facilities

The aim of the project is to identify and analyse good rehabilitation practices for minors and young people submitted to precautionary measures and placed in Communities/Foster Homes in Rome, Lazio and Tuscany; the aim is to design typical rehabilitation pathways that can be used nationwide by analysing and collecting experiences for the reintegration and rehabilitation of young people and minors, selecting cases of excellence and constructing typical pathways.

DRUG USE AMONG THE GENERAL POPULATION AND YOUNG PEOPLE

18–64 y.o., in 2012: a general population survey on drug use indicates about 21.7 % of the respondents reported having used cannabis at least once in their lives. The lifetime prevalence rate of cocaine is 4.2 %, while for both amphetamines and ecstasy it is 1.8 %. In 2011 prevalence of cannabis use was 35 % and of cocaine use was 6 %. An overall decrease in the use of all illicit drugs.

15–16 y.o., in 2011: the last study conducted by the European School Survey Project on Alcohol and Other Drugs (ESPAD) indicates an overall decrease in the use of all illicit drugs over time. 15–19 y.o., in 2012: a survey conducted using an ESPAD protocol indicates 13 % of 15-16 year-olds had used cannabis, while the prevalence rates for other illicit substances were much lower. The lifetime prevalence of cannabis use among 17-18 year-olds was 27%, while 16 % of 17-18 year-olds reported using cannabis in the past 30 days.

NATIONAL DRUG LAWS

The Consolidated Law, adopted by Presidential decree 309 on 9 October 1990 and further amended, provides the legal framework for licit trade, treatment and prevention, prohibition and punishment of illicit activities in the field of drugs and psychoactive substances. The offence of possession for personal use is punishable by administrative sanctions (not applied the first time a person is found in possession of illegal drugs). A maximum quantity determines the threshold between personal possession and trafficking. The penalty for production, sale, transport, distribution or acquisition is six to 20 years' imprisonment.

COORDINATION MECHANISM IN THE FIELD OF DRUGS

The *National Anti-drug Coordination Committee* is responsible for the coordination of Italian policy at inter-ministerial level. It is chaired by the appointed Minister and made up by all the relevant Ministers.

The *Department for Anti-drug Policies* (DPA) is tasked with the day-to-day operational coordination of Italian drug policy and is under the competency of the Minister for International Cooperation and Integration. Its responsibilities include ensuring coordination among the different ministries, as well as functioning as a link between central, regional and local authorities through

the mechanism of the State-Regions Committee and the State-Regions-Municipalities Unified Committee.

Coordination at the regional level is undertaken through the regional office for drugs and drug addiction within either the Health or Social Policy Department. The *Health Local Units* (ASL) are responsible for SerT public services (see “Treatment responses”), and NGOs’ activities.

Prevention and reintegration activities are assigned to Regions, Provinces and municipalities.

NATIONAL DRUG STRATEGY

The Italian National Action Plan on Drugs 2010–13 was adopted by the Council of Ministers on 29 October 2010 and refers to the EU Drugs Action Plan. Taking a comprehensive approach, 89 objectives are set out in two pillars, demand and supply reduction, across five cross-cutting areas of intervention.

Demand reduction activities include:

- prevention
- treatment
- rehabilitation and reintegration

While supply reduction covers:

- evaluation and monitoring
- legislation, combating drugs and youth justice.

Within each of the five cross-cutting interventions a series of initiatives are envisaged. These cover the themes of coordination, cooperation, raising public awareness, assessing results and costs, scientific research and data collection, training and organisation.

The main Action Plan is accompanied by three other elements designed to support overall strategy implementation:

1. individual regional plans can be drawn up by the Regions and Autonomous Provinces, following the approach of the National Action Plan on Drugs, as well as their own planning priorities
2. technical and scientific guidelines are designed to provide methodological support in implementing the drugs strategy

3. the Projects Plan sets out the different national projects being carried out under the five cross-cutting areas of intervention in the National Action Plan on Drugs. It is renewed and implemented on the basis of annually defined financial resources.

PUBLIC EXPENDITURE 2011

In 2011 in the prevention sector, there was an increase in regional investments of some 60%. Around 28,125,000 euro was spent in universal prevention and 19,873,000 euro in selective prevention for a total of 47,998,000 euro.

The Department for Anti-drug Policies has allocated 1,497,000 euro for universal prevention (national campaign) and selective prevention projects (for parents, schools, work posts, road accidents) equal to 21% of its annual budget.

75% of the Regions have given priority to the activation of re-entry in the labour market programmes with high accessibility to employment services. Therefore, these programmes are present in all the regional plans with a global investment of some 9,4 million euro (2.5 million less than 2010). At the same time, 50% of the regions have activated interventions for completing schooling.

The Ministry of Labour and Social Policies annually finances three-yearly projects for preventing, treating, rehabilitating and re-inserting drug addicts through the national fund for combating drug addiction. This fund is divided into two parts: 75% is destined for the regions, while the remaining 25% goes to the State's central administrations for national projects.

PREVENTION

Universal prevention activities targeted at the community focus on young people through peer groups in out-of-school settings, counselling and clubs for young people, prevention at recreational and cultural activities, together with local prevention projects delivered via the media and the Internet.

Selective prevention activities are mainly aimed at socially and academically marginalised young people, and families with problem drug use and/or with mental health problems. Involvement of the family is considered central to all prevention efforts and more than half of the regions have universal prevention projects targeting family, guardians, teachers and peers, and individuals working with parents.

Prevention targeted at families is largely distinguished by three types of initiatives: mutual assistance between families, meetings with families and training for families. For the

implementation of the Strengthening Families Programme (SFP), an originally selective prevention approach, several centres throughout Italy have been created, where family, school and the local area act together, both in reducing risk factors in children (bullying, dependency, unrest) and in improving the family situation and parents' educational skills.

Mass media campaigns continue to be an essential part of the prevention strategy.

With special reference to ex-offenders, alternative measures are available as defined in the law. For drug-using offenders, the focus is specifically on treatment and rehabilitation measures which address both criminal behaviour and, as importantly, drug-using behaviour which may have been an important factor in offending. SerT and the socio-rehabilitative services are involved within the prison system.

TREATMENT DEMAND

According to data from the Ministry of Health referred to 90% of service units (there are over 500 across Italy), in 2011 a total of 186,073 clients entered treatment: 66.4% entered pharmacological treatment while 33.4 % followed a psycho-social and rehabilitative treatment without medical care. Clients entering treatment reported heroin as the primary drug (69.3%), followed by 15.3 % for cocaine and 9.2% for cannabis. With reference to distribution in age, the average age of new users is 31.6 years, arriving increasingly later to the services compared to previous years. This Italian record, if compared with the European average for users in treatment aged over 39 years, indicates the tendency to become chronic.

TREATMENT RESPONSES

The Regional Government establishes the treatment delivery services, manages accreditation of private community treatment centres and records the number of treatment centres. Both the public and private sectors provide treatment, and both are funded through the Regional Health Fund. Funds are allocated on a yearly basis to the regions by the Government.

The Italian drug treatment system includes two complementary sub-systems: SerTs and therapeutic communities. SerTs are public drug treatment units which mainly carry out outpatient treatment and are part of the national health system. Within the SerT, integrated treatment is provided and reintegration programmes are also implemented. The majority of therapeutic communities are private and non-profit organisations. Interventions carried out in both the public and the private services include psychosocial support, psychotherapy and social service

interventions, and also detoxification in residential settings and vocational training in semi-residential settings.

To promote the **reintegration of drug using workers** the following are also specified:

- particular forms of protection, such as the right to keep the job for the duration of the rehabilitation treatment (up to a maximum of three years) and the right for leave of absence (of not more than three months) for family members of drug addicts who want to participate in the therapy
- tax relief for social cooperatives carrying out activities for the integration of drug addicts (in prison or subject to alternative measures) in the labour market and of the other categories of disadvantaged persons.

RECOMMENDATIONS

To strengthen **coordination** at all inter-ministerial, regional, national, European and international levels.

The Italian national strategy aims at improving coordination among the various organizations (central administrations, regions and autonomous provinces, private social agencies and voluntary associations) to create an efficient organization. It was thus considered necessary to develop and propose a new model of relations which not only takes into account the different levels of actions requested on the basis of the problem to be tackled, but which is more focussed on an operational plan. This means a joint design and planning of interventions regarding prevention, treatment, rehabilitation and reintegration as well as relations able to guarantee prompt and effective responses to a continuously modernizing drug trafficking system and the appearance of new drugs.

It is also necessary to improve the coordination of information by setting up a single and shared management of flows (collection and monitoring and analysis of reliable data and information) and creating and maintaining a single integrated database in the DPA fed by all the central and regional administrations.

In general, to improve the real effectiveness of interventions, **it is necessary**:

- to steer the system of services for treating drug addiction more towards rehabilitation and social and labour-market inclusion, fostering the integration of treatment, rehabilitation and re-insertion aspects
- to foster an early and impartial access to treatment

- to promote voluntary and professional early diagnosis and early drug testing with short family support interventions, if necessary also sending the individual to treatment programmes
- to provide drug testing in the work place for persons in jobs at risk.

THE SCOPE OF THE PHENOMENON

The offenders present at 31 May 2013 in the 206 Italian prisons are 65,886 – including 23,265 foreign nationals - against a prescribed capacity of 46,995 places¹³.

The data confirm the emergency situation for which in recent years the government has also appointed a special commissioner responsible for a specific Plan for Prisons. In 2006, with Law 241 Parliament had already adopted a provision “granting pardon” for all offences committed until 2 May 2006, but after a brief period the system returned to the worrying numbers of the previous emergency, invalidating many of the measures set up for the reinsertion of offenders. The prison overcrowding situation puts a strain on the internal organization of penitentiaries and makes it impossible effectively to carry out either remedial social and psychological measures or employment and training activities.

From a regulatory perspective, it is widely recognised that the present prison situation is caused by the recent introduction of two kinds of punishable offences - the use of illegal substances and illegal immigration – that could instead be decriminalized and become administrative offences.

The European Court of Human Rights, with a judgement of 8 January 2013 in the *Torreggiani and others* case, recently condemned Italy for violating article 3 of the European Convention on Human Rights, in the wake of similar rulings.

Parliament is currently examining a “Delegated Law to the Government for custodial sentences and prison rules on suspension of proceedings with probation and in respect of untraceable subjects”. A wider use of alternative measures to detention and measures for probation would not only help to reduce the current prison population but would also make the social and labour-market inclusion strategy for offenders more effective, as national and European statistics have been confirming for years.

MAIN REGULATIONS

The Italian Constitution asserts – *art. 27, p. 3* - the principle that the punishment must have rehabilitation and social inclusion aims¹⁴.

¹³ Source: Prison Administration Department - Office for the development and management of the statistical automated information system and automation of departmental support – Statistics Section

¹⁴ “Punishment must not consist of measures contrary to respect for the human person and shall aim at rehabilitating the sentenced”, Constitution of the Republic of Italy, art. 27, par 3

In the prison regulations of 1975¹⁵ work becomes a central element of the execution of the punishment, as long as it is aimed at promoting the social inclusion of the offender. The prisoner can thus work both inside and outside the prison. In the first case the offender can be employed by the Penitential Administration to carry out ordinary activities and services for managing the prison; in the second case the offender works for outside firms operating inside the walls, and art. 21 of the Prison Regulations states that the penitentiary director can grant a permit for outside work.

In 2000 Law 193/2000 was approved containing measures for encouraging prisoners to work by applying tax relief and grants for public and private actors such as enterprises or social cooperatives.

The transnational network ExOCOP¹⁶, financed by the European Commission from 2009 to 2012, has promoted a broad European debate on the topic of prison economy. This is an important topic in inclusion strategies for offenders since it enables them to be involved in training and work activities that can provide them with viable competences for the labour market and society. The Italian Ministry of Labour, through ISFOL and in cooperation with the Piedmont Region, in May 2012 organized an international workshop and seminar entitled "Constraints and Opportunities for Doing Business within the Walls. The role of ESF in the launch of experiences in facilitation of intervention approaches and transferability of good practices". The documents and recommendations produced can be consulted on the ISFOL website¹⁷.

THE ROLE OF LOCAL AUTHORITIES

On the basis of Law 328 of 8 November 2000 – *Framework law for the implementation of an integrated system of interventions and social services* – local authorities are asked to organize services and interventions addressed to offenders, ex-offenders or anyway persons subjected to measures restricting their freedom.

The main services the Municipalities offer with regards to adults sentenced to imprisonment:

- cultural intermediation counters in the technical institutes (accompaniment in the relation between immigrants and reference context, translation of material regarding the court cases, services, interviews with the new city councils, guidance and legal information)

¹⁵ Law. 354 of 1975, "Rules regarding prison regulations and the execution of measures depriving and limiting freedom"

¹⁶ ESF Transnational Learning Network – Ex Offenders Community of Practice - <http://www.exocop.eu/sixcms/detail.php?gsid=bremen02.c.730.de>

¹⁷ <http://www.isfol.it/isfol-europa/reti/reti-transnazionali-del-fse/reti-per-linclusion-2008-2012/rete-ex-detenuiti/seminario-torino-11-maggio-2012>

- residential accommodation of a family nature with interventions for offenders who can make use of alternative measures to detention or for offenders leaving prison after serving their sentence
- work bursary¹⁸
- individual projects for reintegrating persons in society with the aim of preventing and limiting the risk of recidivism and for strengthening prisoners' links with the outside community.

REGIONAL ESF INTERVENTIONS

The following are some examples of interventions recently initiated at regional level under the ESF programme. They are all distinguished by a strong case management approach and a focus on strengthening governance and local network systems. These two experiences represent an important opportunity of cooperation with Active Inclusion Network.

Global management of the individual is an institutionalized intervention method in **Emilia - Romagna**. The "ACERO project¹⁹ – Reception and Work" is one of the most recent examples. The initiative is financed by the ESF and Ministry of Justice, involves all the local authorities, the private and voluntary social sector together with the prison administration. It proposes to implement competences and skills for acquiring and/or consolidating the level of autonomy for those leaving prison for alternative measures, with the aim of reducing or containing the risk of recidivism. ACERO finances 45 accommodation projects in three collective residences present in the regional territory and 90 traineeships.

Since 2008 the **Lombardy Region** has been using an ESF resource programming model for offenders based on close cooperation with the prison authorities. Each project financed by the Region is concentrated on improving human capital on the basis of centrality of the person and freedom of choice. The system adopted at regional level - not only for prisons but more in general for all interventions of a social, training and support of employment nature – is called "Dote" for vulnerable individuals²⁰.

Dote is a set of economic resources that the individual can use in services linked to his or her training/employment within a Personalised Action Plan (PAP). The offender can access – through

¹⁸ The term 'work bursary' is used in various Italian municipalities to indicate the different kinds of traineeships without costs for the enterprises accepting them, promoted by the institutional services and addressed to the weaker groups

¹⁹ <http://www.regione.emilia-romagna.it/notizie/2013/febbraio/carcere-al-via-il-progetto-acero>

²⁰ <http://www.lavoro.regione.lombardia.it>

the prison director or specific external office – either a personalised training plan, thanks to the services of trainers accredited by the Lombardy Region, or accompaniment and job placement services such as tutoring, guidance and consultancy and work experience – for a maximum of 5 months with wage subsidies.

REGIONAL PROJECTS IN PROGRESS

The following are two Italian projects financed under Axis V – Transnationality and inter-regionality of ESF National Operational Programmes regarding offenders.

- **the DIESIS Project – Development and Innovation in Europe of a Social Inclusion System** - coordinated by the Italian Ministry of Labour, represents a capacity building intervention addressed to public bodies for exchanging practices and transnational models on topics linked to social inclusion. Among these is the labour-market inclusion of persons serving their sentences outside prison
- ESF interregional project **Interventions for Improving Social and Labour-Market Inclusion Services for Offenders**. The main objective is to strengthen the organization and institutional capacity of the various government levels involved in implementing social inclusion initiatives, fostering the shared planning of projects aimed at people serving their sentences and systematizing those good practices that have already been implemented in a sporadic fashion at local level with the single projects.