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Overcoming institutional barriers for Roma Social Entrepreneurship *National Report*

Romania



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Executive Summary

Creating and developing a business is a challenge for many of us, but the challenge is even greater when it comes to a social enterprise.

The social enterprise is a business that:

- main purpose is not economic or obtain a higher profit, but a social one;
- profits or returns to the community is limited distributed among the members;
- members participate actively in decision making.

For Romania is a new type and at the same time, an old type of business that is encouraged to develop. It is a business that is favored use of local resources (human and material) which aims to develop community as a whole.

Ensuring the sustainability work of an organization is a major objective of its management. Under conditions of decreasing public resources, increasingly more civil society organizations aim to develop social enterprises for:

- Improving the quality of services and programs;
- Ensuring continuity in providing services to the Beneficiary;
- Increasing the number of beneficiaries;
- Obtaining new resources to foster financial stability of their business.

Regardless of the type of organization that wants to be initiated or developed - governmental organization cooperative, house unions, agricultural associations, rural communities / owners, etc. - There are several steps that should be followed to ensure success of such an approach.

The report aims to present the main stages of planning a social enterprise from the initiation of such an approach to presentation and legal frameworks. The report will include legislative elements underlying foundation of each type of social enterprise and the documents required in such an endeavor.

The social economy is a new concept in Romania last year, a tool used to find solutions to the problem of social exclusion. Coupled with other policies and measures for inclusion of disadvantaged communities, the social economy can become one of the long term solutions for the integration of Roma communities in the fight against poverty, retraining, employment etc. The social economy as well as approach allows the government to achieve social inclusion of vulnerable groups through work integration, and can provide a solution to the economic problems of society.

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Introduction - Social enterprises

Defining social enterprise and associated conceptual framework

The social economy is the concept used to group different types of organizations were initiated by citizen groups in response to a series of problems they faced in terms socio-economic transformation: Co-operatives (handicraft, consumer credit), mutual societies, NGOs, defined as "the kind of economy that effectively blends the individual with the collective responsibility to produce goods and / or providing services, which seeks economic and social development of a community and whose main purpose is social benefit. The social economy is based on private initiative, voluntary and solidarity, with a high degree of autonomy and responsibility, assume a financial risk and limited distribution of profits. "

The social economy comprises all economic activities of enterprises, primarily cooperatives, associations and mutual societies, whose ethics convey the following principles:

1. providing services to its members or the community before profit;
2. autonomy of management;
3. democratic decision-making process.

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Social enterprise is an organization whose main purpose ensuring / providing welfare for the community, created by a group of citizens and where the material interests of those who have invested capital are limited. Is an independent organization taking economic risks deriving from economic activity conducted and involves various stakeholders from the community in the management bodies.

The social entrepreneur is an agent of change who propose creative solutions to solve social problems. It is a term used to describe individuals who initiate new economic activities that have social mission (for new ways to respond to social problems), while behaving as entrepreneurs in the economic dynamism, personal involvement and innovative practices. The social entrepreneur has the ability:

- to identify the problem;
- to develop ways of solving them;
- to find ways to disseminate these to others so as to mobilize them to participate.

The main goal of social entrepreneurs is not getting the money, but ethical business building, sustainable, that have a positive social impact. Through social benefits, rural, farming or



networks of small farmers and craftsmen are on the border between classical and social entrepreneurship.

Main features

The main differences between social enterprises and other economic.

	social enterprises	private companies
Scope	Production of goods and / or services to the common needs of members or the community. Providing welfare to the community.	Make profits for shareholders.
leadership	Making decisions (of the policy) is slower because it requires consultation with all those involved.	It's a quick process, decisions are made by the manager.
The right to vote	Based on the principle of "one man, one vote" regardless of the number of shareholders. Control is divided equally among members.	Based on the number of shareholders and shares held by them. Shareholder with most shares has the power to control decisions.
investment return	Members invest not payback, but because they are beneficiaries of products or services. On leaving the social enterprise members receive just as invested.	The initial investment is paid by its commercial value at the time of withdrawal. The initial investment is cushioned dividends prevails.
profit distribution	Distributed according to social enterprise activity, not by capital held.	Distributed through dividends according to the share capital held.
beneficiaries	Focus on community needs or customers.	Focus on customer

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Types of Social Enterprises

1. Non-governmental organizations

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Activity governmental organizations (NGOs) is regulated by Government Ordinance 26/2000, supplemented and amended by Government Ordinance 37/2003 and Law No. 246/2005. Associations and foundations are private entities, formally organized, with autonomy in decision making and freedom of association, producing Services toll-free for the beneficiaries and whose surplus, if any, can not be appropriated by those who create, control or them finances.

There are three areas of activity of NGOs sorted by beneficiaries organization activities ("The social economy and the third age issues. The role of mutual associations and mutual aid"

- a) activities of general interest;
- b) activities in the interests of communities;
- c) non-economic activities in the personal interest of the organization members (mutual organizations).

NGOs are included in the category, according to the legislation in force, and agricultural associations, communities concerning / compossessorates and mutuality, even if they benefit from secondary legislation. NGOs economic activities in accordance with the primary goal of the organization. Carrying out activities outside the scope is possible only by companies that have the sole NGOs. The profit made (except reinvested) shall be used for the purpose of the NGO. The reinvested profit is used for business development and share of profit is invested in the production and / or acquisition of capital goods (machinery and installation work) used to derive taxable income. If NGOs remainder of profit after deducting that part reinvested development can only be used to achieve the organization's mission.

The main tax incentive for NGOs carrying out economic activities is exempt from corporation tax on income from economic activities carried out up to the level of EUR 15,000 in a fiscal year, but not more than 10% of total revenue exempt from corporation tax.

2. Mutual Societies

Mutual societies are the second largest trader of economy social. They are divided into two main categories:

- mutual providing services that focus on the coverage of social entrepreneurship.
- Mutual insurance companies whose main activity is usually focused on the provision of goods (vehicles, etc.), but can also cover life insurance of certain areas.

Mutual society is run on the principle of solidarity between members, participating in the governing structures of business and adheres to the following principles:

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a. The absence of ownership. The shareholding is composed of members of the mutual association. Mutual funds are not joint stock companies which can eventually produce a profit for the owners. These companies operate on the basis of an initial capital (or equity) obtained from contributed or loan. The initial capital is collectively being indivisible property of the organization.

b. Freedom of association. Mutuals are open to anyone who meets the conditions set out in the Articles of Association.

Independence. Mutual societies are independent entities that are not under the authority of public institutions. Based on the definitions and conceptual clarifications above can identify mutual organizations as corporations people (hence the name commonly used by "mutuals") which provides protection members solidarity for profit without considering the various risk areas. In Europe the main types of risks covered by such organizations in the area of health, but not exclusively. ("The social economy and the problems of elderly. The role of mutual associations and mutual aid." In Romania they are embodied in the form of credit unions of employees (CARS) or retired (CARP), which provides for the most part, financial services members.

3. Cooperative Societies

Cooperatives is the first large trader's business social economy. The cooperative is defined as "an autonomous association of persons united voluntarily to meet the needs of economic, social, cultural and their common aspirations through a jointly owned enterprise and democratically controlled."

1. cooperative activity must be directed towards the mutual benefit of its members so that each member to benefit from cooperative activities in proportion to its participation.

2. Members must also be and customers, employees or suppliers or to be involved in cooperative activities.

3. Scrutiny should be granted equal members, according to the principle "one man - one vote". The right to vote is granted and assume that individual members can not exercise any rights over the assets of the cooperative. Although weighted voting may be allowed in order to reflect each member's contribution to the activities of the entity, a limit is set to prevent a member to take control of the cooperative.

4. Interest on loans and share capital must be limited. In some circumstances cooperatives may have among their members a specified proportion of investors who do not use the services or third parties who benefit by their activities or carry out activities on their behalf.



5. The voting rights of investor members, if allowed, must be limited so that the control for user members.

6. profit should be distributed according to the transactions with the cooperative or retained to meet the needs of members.

7. There should be no artificial restrictions on membership (principle of voluntary association); There are specific rules on membership, resignation and exclusion.

Start-up procedure

Law no. 219/2015 on social economy defines the social economy as a whole independent activities organized by the public sector, whose purpose is to serve the general interest, the interests of a corporate or personal non interests by increasing the fence employment of persons belonging to the vulnerable group or producing and supplying goods, services or works.

This law is to regulate social economy, establish measures to promote and support the social economy and regulating the conditions and criteria for certification by public authorities, social enterprises and social enterprises insertion.

Social enterprises permitted by law can be cooperative societies degree, credit cooperatives, associations and foundations, unions of employees, unions of pensioners, agricultural societies, all other categories of legal persons complying, according to legal documents establishing and organizing cumulatively social economy definition and principles stipulated in this law.

The conditions under which a social enterprise insertion achieve certification, that mark is granted social obligations insertion social enterprises, suspension and withdrawal of social brand.

At the same time, defined the categories of persons belonging to vulnerable groups who may fall into social enterprises insertion (people who are in the system of child protection or derived from this system, people in families receiving allocation family support, people in families receiving social assistance, etc.) and the documentary evidence that they must submit to prove their group membership.

New regulations will contribute to:

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- qualitative and quantitative increase employment by creating jobs in the long term insertion into social enterprises and social enterprises;
- development of social insertion enterprises that provide accompanying measures for vulnerable groups of people in the short or medium term, gradual integration into the labor market in the real economy;
- development and promotion of effective types of social services and products that we can provide social insertion enterprises, recognizable thanks to social brand;
- supporting and developing social entrepreneurship through simple procedures of certification of social enterprises;
- encouraging increase in the number of people who are not only consumers but also producers of goods and providers with a strong social impact, contributing to GDP growth and poverty reduction;
- increasing the capacity of identifying new opportunities and public financing from European funds dedicated to the social economy sector, for those who employ persons belonging to vulnerable groups.

Enterprise Family - established stages:

1. Documents necessary to set up the family business
2. Identity card or passport of each member –copies ;
3. The marriage certificate (if the name change occurred) - copy;
4. Documents on preparing or certifying professional experience, where appropriate, with: - diploma, certificate or certificate proving the successful completion of an educational institution; - Certificate of professional qualification or graduation of a form of vocational training, organized under the law in force at the date of its issuance; - Certificate of professional competence (craftsman book, work book of the applicant, declaration of notoriety look at the ability to pursue the activities for which the authorization issued by the mayor of that for free, where handmade traditional crafts); - Certificate of recognition and / or equivalence for individuals who have acquired qualifications abroad; - Any other evidence of professional experience.
5. Act certifying proof of ownership of the building where the headquarters will be established - will be issued bailment or lease contract;
6. Association Agreement owners / tenants (if applicable);
7. The power of attorney appointing Representative;
8. specimen signature of the representative of the family business (original, notary);
9. Agreement establishing the family ended legal regime of the family business family business consists of two or more members of a family. Members of a family business can be both PFA and holders of individual businesses. They also can aggregate and quality of employee of a third party that works both in the same field, and in another

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area of economic activity than they have organized family business. Members of family businesses are insured in the public system of pensions and other social insurance rights and are entitled to be insured in the health insurance and unemployment insurance, according to the family businesses constitutes an agreement establishing concluded family members in writing as a condition of validity. Foundation Agreement will stipulate the names and surnames of members, the date of preparation, participation of each member in enterprise, conditions of participation, percentage shares in which will share net revenues of the enterprise, the relationship between members of the family business and conditions for withdrawal, under penalty of nullity. The representative designated by the Agreement establishing manage the family business interests under a special prosecutor in the form of a document under private signature. The power of attorney shall be signed by all members of staff who have legal capacity and legal representatives of those with limited legal capacity.

Family business has its own assets and shall not acquire legal personality by registration in the trade register. In certain cases provided by law, an agreement establishing a family business, its members may stipulate the establishment of a heritage affectation. By the founding agreement or an addendum shall establish rates of participation for members of affectation to the constitution heritage. If members agree unanimously enterprise, the ownership stakes may be different from those required for participation in the company's net income or losses. Members of the family business are merchants individuals from its registration in the commercial register and jointly and severally liable for debts incurred representative in exploiting enterprise with assets affectation, if it was established, and in addition, the entire patrimony corresponding quotas participation. Decisions on the current management of the family business are taken by the designated representative. Acts of disposition of property affected family business activity shall be taken by simple majority of members' consent, provided that such majority includes the good and the owner's consent shall be subject to the act. Documents that acquire goods for the family business ends representative without prior approval of members if the asset value on ending document does not exceed 50% of the value of goods that have been allocated to the business and the amount of money available to company at the time of the act. The assets acquired are members in co-ownership rates provided. Outgoing family business and is removed from the commercial register in the following cases: a) more than half of its members died; b) more than half the members of the company require its termination or retire from the company. The request for removal, accompanied by a certified copy of the original papers proving, as appropriate, shall be deposited with the commercial registry of the Court in which it is established professionally, by any interested person. If the family business members constituted a patrimony of



affectation or acquired goods, the goods are divided rates laid down. If that was not constituted a patrimony of affectation, acquired assets are divided rates laid down.

The easiest way an entrepreneur can start a business is starting a business type PFA (authorized person), which can be obtained in three days and for which capital is required just 200 lei. However, a disadvantage is that the income tax payable quarterly in four equal installments. Affectation was established heritage, acquired assets are divided rates laid down. PFA establishment are eligible for all people over 18 who have committed financial crimes in the past and who have professional training in the field they want to endorse.

2016 Expenditure on the establishment of an authorized individuals or businesses are about 350-400 lei.

The amount of fees can vary county to county because each registry office has a policy of its own charging.

Fee Name Value

1 Checking and booking name PFA / II / IF	72.00
2 Certificate of fiscal role mayor - for professional office	5.00
March trade registration and authorization.....	90.00
0.00 4 Model declaration	
Law No. 5 Fund liquidation. 169/2010	55.00
6 Fund bulletin as H. G. 460/2005 (10%).....	9.00
7 Tax obtaining tax record	0.00
8 Copy application for registration, Annex (s) and statement (s)	6.00
9 September stamp (a stamp) approximately	65.00
10 Open a bank account, according to the bank	25,00
11 5.00 Inventory Register	
12 Register receipts and payments	12 5.00
13Single register control 13	31.00
14 Register of tax (not published rules) 0.00	

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15 Children documents, folders, cardboard, prints, etc	10.00
16 Total charges foundation PFA - roughly	378,00 lei

In Romania, according to current legislation (Law 1/2005), cooperatives are:

Grade 1 cooperatives which can constitute one of the following forms:

- cooperative handicraft;
- consumer cooperatives;
- cooperative recovery;
- agricultural cooperatives;
- cooperative housing;
- fishery cooperatives;
- transport cooperatives;
- forestry cooperatives;
- other forms of cooperative societies, which will be lawfully
- In case of liquidation, the net assets and reserves should be distributed according to the principle of disinterested distribution, in other words they must be assigned to any other cooperatives seeking similar objectives, or for general interest.

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Other legal entities

In the category of social enterprises can be classified and other legal entities in category SMEs complying with the principles of social economy: priority individual and social objective to increase profits, free association and voluntary equal voting members, decisional autonomy, limited distribution of profits, independence from public.

Advantages of social enterprises compared

Social enterprises in Roma communities

The report comprises the steps of setting up a social enterprise, regardless of the community in this process to take place, and addresses, as I said, all those who are interested in such an approach. Why Roma communities? Because face serious social problems that such enterprises can address. Founded social enterprise stages are the same for all stakeholders, differ only in their social goals and problems / needs they aim to solve. Roma communities are facing various social problems, among which we can mention employment, education,

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poverty, health, housing. Are just some of the important social issues of the Roma population which lead to a reduced quality of life. According to the EU in 2009 (EU-MIDIS, 2009) Roma in Romania have a low education level (10% are illiterate), low employment (only 17% had paid employment) are territorially segregated (66% of Roma communities living in well defined spatial). A major issue in Roma communities is the low level of employment. This is caused by both factors at the individual level - such as level of education, level of aspiration, health, housing quality, family models - but also factors at institutional level - negative stereotypes, non-recognition of qualifications acquired at work, informal employment, discrimination, low rate of formal employment; increased rate of employment in the informal economy or in subsistence agriculture; low level of qualification (except traditional trades).

There are also Roma who practice traditional trades (coppersmiths Rudari, blacksmiths, musicians etc.) that income from them, sometimes quite large, but without contracts or authorization. Informal employment is unwilling to authorize thanks in large part, too large bureaucracy and lack skills needed to cope with its rules. But surely an important beginning for the development of social enterprises, which have already been entrepreneurial initiatives that can be stimulated.

Given all of the population of Roma communities, it is difficult to increase the employment rate through measures current (caravans, training, job fairs etc.), imposing identify new solutions. Social enterprises can be a solution to Roma issues as:

- Allow hiring those at risk;
- Help solve some needs in the community;
- Facilitates qualification at work;
- Use local resources (labor, raw materials) and enables the development and other contractors;
- Revives traditional crafts;
- increase the level of skill and education;
- Stimulate solidarity and lead to improved relationships between community members;
- They are a form of self-help.

Impact on communities of social enterprises Social enterprises are considered to be key actors in sustainable community development process due to the effects they have on the welfare of members. Positive impact on the community development is due to the following:

- stimulates local economic development - are employers locally and use any resources in the community, mainly;



- Reduce poverty - social enterprises creates jobs locally reducing unemployment; in them can be employed people with disabilities, ex-offenders, single mothers, young post-institutionalized, long-term unemployed, people with lower levels of education etc; It provides training for people who have low levels of qualification;
- Provides social and medical services - in rural communities and poor services socio - health care is offered with difficulty by the public due to lack of staff and infrastructure and to a small extent by the private sector due to lack of ability to make a profit;
- Makes social inclusion of vulnerable groups;
- Develop social and cultural capital of the community;
- Addresses environmental issues - recycling, eco-tourism, environmental education etc.

The impact of social enterprises on the entity that initiates and develops these organizational capacity Creating a social enterprise is an experience that can help build the capacity of an organization because:

- Team acquires new skills and new ways of thinking and acting or have the opportunity to use the ones you already possess in this process;
- There are changes in the operational and financial management in order to ensure the necessary effectiveness;
- are identified and new relationships are established resource for work carried out. Improve the organization's image in the community initiation or development of a social enterprise is an opportunity for the organization to make itself known in the community.

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Attracting new funds for any organization conducting business necessary funds is a priority. It is therefore important that the economic activity of the organization by which it supports its social mission is an opportunity to attract new investors. On the other hand, this business involves obtaining additional funds by selling goods and services produced.

Creation of social capital Social enterprises involve the participation of stakeholders in the community to their work. The participation of community members fosters social relationships locally.

The relationship between social enterprises and community development

Social enterprises are relevant actors in the process of social innovation in goods and services made especially through their effects on the entire process of local development. (Borzaga, flares, 2009). The effects on local development process are due to the characteristics of these entities that provide advantages over other actors:

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- limited distribution of profits;
- social purpose
- Democratic Governance;
- Autonomy.

The purpose of social enterprise social cause them to be unable to orient

work mainly to obtain profit. In some cases, however, it is quite difficult to maintain a balance between economic and social activity. Social enterprises can have multiple social goals of social integration, work integration, providing support services to overcome marginalization, increasing human capital or the office in the community production of goods and services, advocacy etc, all of which contribute the local community.

Social enterprises favors the accumulation of social and human capital locally but They are the appropriate framework that allows the use of these resources in the capital as development. Their social purpose allows them to identify local resources and capital t mobilize to create public goods. Nonprofit nature enables the use of local resources that can not be used in other cases - volunteering, heritage resources cultural, donations from the private sector.

Reasons to set up social enterprises

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For those wishing to set up such an undertaking, the motivation is different because it is closely linked to individual needs. Analyzing the experience of others in the field, we synthesized the main reasons for the establishment of social enterprises:

- diversification of social and other needs or to cover a larger number of beneficiaries;
- creating opportunities for beneficiaries / community - for Communities or the rural poor, where the number of jobs available is very small, social enterprises are an extremely important employer;
- production of goods and services needed for the community - there are areas that are not suppliers of goods and services that people need as profits would be very small (see small rural communities, aging);
- sustainability of the activity - economic activity allows for additional funds to be used for the production of goods and services to members / beneficiaries. It is therefore particularly important for NGOs who need funds to realize social activities;
- obtain funds needed to carry out social activities - it is a strong reason for NGOs working in the provision of social and medical services, but also for credit unions of pensioners or employees.

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Some Examples:

Example I of Social Enterprise

Brief description of economic activity Ruhama Foundation in partnership with the local administration of Avram Iancu, has set up a social economy enterprise Tămaşda village, having as main activity of articles of straw braiding (baskets, decorations, furniture, etc.). Social enterprises operate as a commercial company, whose sole shareholder is Ruhama Foundation. The workshop employed 4 persons Roma village Tămaşda, employment contract, the main achievement of these employees consisting of wicker.

The establishment of this social economy enterprises has as main aim to provide solutions to the problems posed by low employment rate among Roma people. The Roma community in the village Tămaşda , was selected taking into account some features of it: the community has over 700 members, of which about 400 live on minimum wage, the main problem of the community is the high number of the unemployed and low education. The workshop employed four people in the village Tămaşda, employment contract of indefinite duration, becoming a person with legal incomes having a huge positive impact on these individuals and their families.

- Market product sales

The main market of the products will be ensured through cooperation established by Ruhama Foundation with a company in Austria, where the company will produce braids, to order.

- Competition in the market for economic activity developed

Economic activity developed by Ruhama Foundation through the enterprise of social economy is based on an old craft, knitting Twigs. After 2000 many workshops set up by FMUs were closed due to lack of interest in developing this activity. Those who still practice this craft do in their own regime. Thus competition in this line is not very developed.

- the main obstacles to the development of social enterprises Since the activity is developed with employees belonging to disadvantaged groups, people who have no work experience and a working culture, enterprise productivity is far below average, as such support business activity strictly on economic principles is not possible (revenues earned). Deepening a culture of work and training experiences takes time and a certain specific activities (counseling, training specific, etc.).

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Example II: Establishing Social Enterprises

Future Plus Association has found the social enterprise in 2006 "The bag of cloth." The mission of these social enterprises is to promote sustainable development projects in the areas of sustainable consumption and production and natural capital management, at individual, community and organization. Social enterprise "bag of cloth" is a complex project which aims to provide people an environmentally friendly alternative to plastic bags. These bags are made by young people and adults at risk as part of a rehabilitation program and inclusion market work. the objective is capital of this social enterprises providing employment for at least 8 beneficiaries, replacing the 27.6 million plastic bags a year, at least launch an educational campaign online and in stores.

Example III: Establishing Social Enterprises

Estuary Foundation opened in July 2011 an embroidery workshop set up as a social enterprise (SC AESTUARUM - SRL). Business objectives:

- Creating a business climate where people with mental health problems experience their skills in a safe environment to learn or relearn and labor market;
- Introducing the concept of "charity shop" (charity shop);
- Increasing integration of people with mental health problems in the labor market;
- Promoting a model of good practice - social enterprise which employs people with mental health problems;
- Promoting interest in quality products and products made of vulnerable people;
- Providing opportunities for people with mental health problems to change their status in the status of taxpayer assistance.

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SOCIAL ENTERPRISE DEVELOPMENT STAGES

Procedure to be followed:

Successful social enterprises are initiated by people who have a strong motivation and passion put into this endeavor. It is an approach that involves teamwork, and the initiator must have vision, charisma, determination to succeed to mobilize others. So, before you start this way,

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it is necessary to know the challenges that you face, and gain useful knowledge and skills in the process.

Steps you need to follow to create each type of social enterprise:

Step 1. Establish the vision, mission and objectives Vision and Mission This first step is often, and most important because it examines the motivations that underlie the initiation of a social enterprise and establish what you want to accomplish by this. It is the stage when expressing your wishes and dreams that are in the development community to which you belong.

Step 2. Generate ideas and identify opportunities Perhaps many of you already know what to do through social enterprise that developed. But it never hurts to consider other options business that may arise. It is a collective effort of generating business ideas and identifying opportunities for action which can produce new results which may be taken into account. At this stage should involve all interested parties in the community. In Chapter 3 we present some of these methods of generating business ideas.

Step 3. Pre-feasibility analysis business ideas should be analyzed according to certain criteria to decide which is the best situation where you are.

Step 4. The feasibility study is the stage where the business idea chosen is analyzed in detail to decide whether the best solution for solving community problems. The feasibility study is required to correctly identify the risks that you are exposed and how to reduce them. They also will analyze potential clients or prospective sponsors perceptions vis-a-vis business idea.

Step 5. Business Plan The business plan will be realized once you decide that your business idea is good and helps increase community welfare. This plan includes: description of the product / service, production costs, resources, distribution channels, ways to promote and sell. Also included are aspects of social enterprise management, decision-making methods, goals and objectives, the legal and necessary budget.

Step 6. Preparing for the launch Before implementing the business plan is necessary to make sure that you have the resources to start (financial, human, logistic, etc.). Thus, this stage includes aspects of obtaining the necessary resources - where and how you can get financial, human and logistic ones.

Step 7. Implementing social enterprise starts. It is necessary to achieve your goals and make sure that the indicators are made.

Step 8. Measuring the performance of social enterprise must meet the original objectives. It should be realized from the outset a plan for monitoring and evaluation of performance.

Step 9. Increase / reinvestment adaptation and evolution is a step that is not the subject of this guide, but it must be specified because it can occur at any time in the life cycle of the social enterprise. Socio-economic changes, as well as community needs and thus it is necessary to periodically analyze what changes are needed to ensure the success of the social enterprise.

As regards the legislation specific to each entity of the social economy, we will make a brief review of it:

- Nongovernmental organizations have activities regulated by Government Ordinance 26/2000 on associations and foundations, supplemented and amended by Government Ordinance 37/2003 and Law No. 246/2005;
- Credit unions of employees shall be established under Government Ordinance 26/2000 on associations and foundations, as supplemented and amended by Law 246/2005 and Law 122/1996 regulated activity on the legal regime of mutual aid employees, supplemented by Law 135/2003 on the legal regime of credit union employees and their unions;
- Credit unions pensioners are set up under the Government 26/2000 on associations and foundations, as supplemented and amended by Law 246/2005 and Law 540/2002 regulated activity and the unions of pensioners;
- Cooperatives are regulated by Law 1/2005 on the organization and operation;
- Credit unions are organized and operate under Government Ordinance 97/2000 on credit co-operatives;
- The communities - rural community organization and operation is regulated by Government Ordinance 26/2000 on associations and foundations. Another law is the law governing the rural community heritage 1/2000;
- Protected units have activity organized by Law 448/2006 on the protection and promotion of rights of persons with disabilities, republished as amended and supplemented;
- The companies set up by NGOs are regulated by Law 31/1990.

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Recommendations

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Both internationally and in Romania, the Roma minority population is one of the most vulnerable groups at risk of exclusion from the labor market, registering occupancy rates substantially lower than the figures available to the majority population. This is due primarily to the low level of education and lack of professional qualifications, but prejudice and discrimination plays an important role in social and economic exclusion of Roma.

However, Roma are employed mainly in the informal sector or households, and thus not contribute not benefit from social security. For many Roma families, social benefits and allowances for raising children are the main sources of income. Public policies for Roma inclusion in the labor market have not proven so far, as well as any other measures in other areas, sectoral nature of interventions not cover the complexity of the problems of Roma communities facing multiple vulnerabilities. A series of analyzes and direct experience of those who have implemented / implementing projects of social economy within Roma communities highlights that income generating projects in Roma communities may not have an impact at Community level as long as they are not accompanied by development projects in other areas such as infrastructure, education and social services.

From the perspective of project development of social economy within Roma communities, the existence of institutional structures represent important opportunities, requiring but a (re) defining the roles that these institutions have and the better integration of these plans / strategies local development.

It is also necessary that public policies in Romania to recognize the greater role of social economy entities in social inclusion and poverty reduction.

The analysis made in this report highlights that, in general, social economy projects completed / to Roma communities in Romania rather seem to have an impact on a small number of people and less on communities as a whole. Many of them are focused on (re) integration of persons belonging to vulnerable groups and less on creating services that are missing in some communities and can help to meet the needs of the community. In projects that have proposed the creation of social enterprises, the main problem is that many have not provided assistance and advice to businesses and even establishment in the near future. In the absence of such advisory services and support, it is predictable that most of these entrepreneurial initiatives do not have the mechanisms to withstand the long-term market. It is obvious that without financial support projects to set up social enterprises will remain only formal actions that can lead to concrete results. For most members of the Roma living in poor communities, the modest amount such as, for example, the registration of a company at the trade register tend to be prohibitive. Add to this the current expenses or investments of a firm start, so it is essential that social economy projects to provide financial resources for specific activities to create and operate the enterprise on a longer period.

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In addition, to achieve economic goals involved the social economy, assessing market needs and adapting services and products offered to these needs are essential conditions for the development of social initiatives. If Roma communities have access to certain natural resources that are in demand on the domestic or foreign, need and access to distribution channels for potential social enterprises to exploit these resources in this regard involving private business environment is indispensable. Distribution companies and large retailers should be encouraged to facilitate access to such social enterprises to markets. Given the low level of human capital, financial and material to be stressed that the potential for social enterprises in poor communities where Roma live is the only market available (local fairs and local markets). Because of prejudice and discrimination, products and services of such social enterprises are difficult to sell to customers non-Roma. In this context, local councils and other public institutions would organize events for social enterprises to sell products from Roma communities and also to facilitate the provision of social services locally useful.

Conclusion

From the perspective of project development of social economy within Roma communities, the existence of institutional structures represent important opportunities, requiring but a (re) defining the roles that these institutions have and the better integration of these plans / strategies local development.

It is also necessary that public policies in Romania to recognize the greater role of social economy entities in social inclusion and poverty reduction.

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Bibliography

- Lambriu, M., Vamesu, A., (coord.), (2010), România 2010. Sectorul neguvernamental – profiluri, tendințe, provocări, Litera, București
- Sandu, D., (1999), Dezvoltare și sărăcie în satele României, în Sociologie Românească, nr. 4/1999, pp. 117 – 138 • Sandu, D., (2008), Dezvoltare comunitară și regională, București: Facultatea de Sociologie și Asistență Socială, note de curs
- Stănculescu, M. S. și Berevoescu, I., (coord.), (2004), Sărac lipit, caut altă viață, București, ed. Nemira
- Stănescu, S., (coord.), (2012), Profit pentru oameni, PNUD România
- Stănilă, G., Cace, C.,
- Preoteasa, A., (2011), Organizațiile mutuale și economia socială, București, ed. Expert •
- Voicu, M., (coord.), (2007), Nevoi și resurse în comunitățile de romi, București, Fundația Soros România • *** Raport de cercetare privind economia socială în România din perspectivă europeană comparată, MMSSF, 2011 ;

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www.economiesociala.info

www.stratups.ro

www.ies.org.ro

www.ies.org.ro

<http://www.undp.ro/libraries/>



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