

NATIONAL REPORT – FRANCE

CONTENTS

1	GENERAL INFORMATION ABOUT VOLUNTEERING IN FRANCE	1
1.1	History and contextual background	1
1.2	Definitions	2
1.3	Number and profile of volunteers	3
1.4	Number and types of organisations engaging volunteers	6
1.5	Main voluntary activities	9
2	INSTITUTIONAL FRAMEWORK	10
2.1	Main public bodies and other organisations involved in volunteering	10
2.2	Policies	13
2.3	Programmes	14
3	REGULATORY FRAMEWORK	16
3.1	General legal framework	16
3.2	Legal framework for individual volunteers	17
3.3	Legal framework for organisations engaging volunteers	20
3.4	Legal framework for profit-making organisations	21
3.5	Insurance and protection of volunteers	22
4	ECONOMIC DIMENSION OF VOLUNTEERING	23
4.1	Funding arrangements for volunteering	23
4.2	Economic value of volunteering	25
5	SOCIAL AND CULTURAL DIMENSION OF VOLUNTEERING	27
5.1	Key benefits for volunteers, the community and direct beneficiaries	27
5.2	Factors that motivate individuals to volunteer	29
6	VOLUNTEERING IN THE CONTEXT OF EDUCATION AND TRAINING	31
6.1	Recognition of volunteers' skills and competences within the national educational and training system	31
6.2	Education and training opportunities for volunteers	33
7	EU POLICIES AND VOLUNTEERING	34
7.1	EU policies the field of volunteering	34
7.2	EU Internal Market policy and the financing of voluntary organisations	34
8	CHALLENGES AND OPPORTUNITIES FOR VOLUNTEERING	35
8.1	Challenges for volunteering	35
8.2	Opportunities for volunteering	38
	SOURCES	42

1 GENERAL INFORMATION ABOUT VOLUNTEERING IN FRANCE

1.1 History and contextual background

Though deeply rooted in the Middle Ages, as in every European Country, the French non-profit sector differs in that it was secularised and restricted at the beginning of the 19th century by the centralised state. The French non-profit sector has thus, in a historical sense, really only recently begun to develop.

The relative underdevelopment of France's non-profit sector has its roots in the 1789 French Revolution. A 1791 Act suppressed guilds and all other associations which had existed under the previous *Ancien Régime*¹. The French revolution, when establishing the rights of citizens, questioned all intermediary authoritative bodies inherited from the medieval period. Despite attempts to eradicate them, mutual benefits societies continued to exist clandestinely, whilst the Church re-established a close network of institutions.

The 1901 Act on associations was the legal consecration of voluntary organisations. It established the right of every citizen to become a member of an association without prior authorisation. It defined associations as a “convention according to which two or more individuals permanently put in a common knowledge or activity with another aim in mind than sharing profit”. The tradition, which gave the state the monopoly of public interest concerns, gradually lost its force in the 20th century, and non-profit organisations multiplied during the past three decades in every field of public interest.

This trend was encouraged by the central and local governments in a period of decentralisation and European integration.

Decentralisation provoked a reappraisal of the role that central and local governments traditionally played in relation to public and private human service organisations. It has acted as a strong incentive to the non-profit sector development. By reducing the prerogatives of the central government to the benefit of local communities, decentralisation has broken the tradition of centralisation and has given way to a partnership between non-profit organisations and local authorities. A lot of municipalities and departments delegated some economic and social policies to associations and shared their new responsibilities with the non-profit sector. Due to this shift away from state-directed action, non-profit organisations have grown in importance. In present-day France, between 60,000 and 70,000 associations are created every year, more than three times the average number of organisations created each year in the 1960s².

The 1980s marked an unprecedented growth in civil society initiatives, which began to directly organise certain economic activities (e.g. establishment of services of collective interests). Three factors increased the visibility of associations and their approach to preventing exclusions:

- Development of co-ordinating bodies and federations
- Promotion of a social economy concept at European level
- Support to representative bodies such as the CNVA (Conseil National de la Vie Associative) and the Economic and Social Council in 1983.

Associations emerged as the interlocutor of the State and as an actor of socio-economic development policies after a long-term de facto co-operation between non-profit organisations and public authorities, especially in employment policy, and health and social

¹ Edith Archambault, *The Historical roots of the non-profit sector in France*, 2001

² Édith Archambault, Marie Gariazzo, Helmut K. Anheier, and Lester M. Salamon “France” in *Global Civil Society, Dimensions of the Nonprofit Sector*, Vol. I (1999)

activities. For example, associations help with such things as employment policy by running, with important public financing, job-training programmes for unskilled workers. With the establishment of the CNVA the associative sector had to develop a united stance on issues, as well as produce concrete proposals on issues such as the rigid application of tax regulations, volunteering and suitable legislation, public funding etc.³

1.2 Definitions

The terms 'bénévolat' and 'volontariat' are both used in France to describe voluntary activities or volunteering. *Bénévolat* refers to the free engagement of the individual citizen for non-remunerated purposes, outside the framework of family, school, professional or legal relations and obligations.

Volontariat is closer to the notion of voluntary service. It is the engagement of the citizen of a more formal nature (for example, through the structures of a non-profit organisation). It has a specific duration and some form of professional training is usually involved.

Volontariat however, poses a distinct set of 'difficulties' in France. These include the rights (or not) of volunteers to receive certain indemnities and advantages during the period of their engagement, certain social protection, for example pension rights etc.⁴ In this context, only certain forms of *volontariat* are recognised and covered by French legislation on volunteering.

Bénévolat

There is no official definition of *bénévolat*. According to the *Conseil Economique et Social* (24 February 1993) it refers to engagement of the individual citizen for non-remunerated purposes, outside the framework of family, school, professional or legal relations and obligations. The key principle at the core of *bénévolat* is the absence of remuneration. This is one of the main differences with *volontariat*. According to a number of voluntary organisations the introduction of the possible remuneration of volunteers with managerial positions,⁵ the concept of *bénévolat* and its distinction from paid work has been blurred.

It is also important to distinguish *bénévolat* in the context of an association (formal volunteering), and informal *bénévolat* (also referred to as 'bénévolat de proximité') which is carried out outside an organisation. This second type of *bénévolat* is not analysed or measured. Only *bénévoles* active in a declared association are taken into account (formal volunteering) in official figures.

According to the CPCA, (Conférence permanente des coordinations associatives) the vast majority of *bénévoles* (10 out of 12 million) are active in voluntary organisations.

Volontariat

There exist several types of 'volontariat', or voluntary services, and almost every type has its own specific legal definition. Overall, it refers to an engagement for several months in the service of the community, for a mission of general interest, with indemnities and covered by social security. It is based on a contract.

³ Volunteering across Europe, SPES, 2006

⁴ Voluntary Activity in France - Facts and Figures, CEV/AVSO, 2004

⁵ - Tax Directive of 15 September 1998, amended in 2006: makes it possible to pay the directors of an association up to ¼ of the SMIC (minimum legal wage).

- Finance Act for 2002: makes it possible for associations to pay one or several directors (a maximum of 3), with several conditions.

Some forms of *volontariat* are directly related to the end of military service. Other types have their origin in policies promoting active citizenship. Since 2006 *volontaires* can also be hosted by voluntary organisations or carry out missions in local communities.

1.3 Number and profile of volunteers⁶

Total number of volunteers

In France over the period 2000-2008 it is estimated that there are **14 million *bénévoles***. The number of *volontaires* is more difficult to estimate as there is no data recording all types of *volontaires* in France. Volunteer firemen represent the majority of *volontaires* (about 200,000). Volunteer firemen make up 85% of the civil firemen in France.⁷ The number of young *volontaires* was estimated to be approximately 70,000 in 2008.

Thus, 26% of the population is *bénévole* in a voluntary organisation (association or other type of organisation).

The fact that there is no legal definition of *bénévoles* means that it is very difficult to quantify them. Only *bénévoles* who are active within an association are taken into account in the figures published on volunteering⁸. Figures provided by INSEE (household survey) also have to be considered with caution, as they include any person declaring that they helped an association either punctually or regularly in the previous year. If we only take into account the 'regular' *bénévoles* (belonging to an association, and dedicating a minimum two hours per week on average to this association) then this figure would be reduced to three million people⁹.

Trends in the number of volunteers

The **number of *bénévoles* engaged and the time dedicated to *bénévolat* are increasing by 3.8% and 5% per year** respectively since 1999¹⁰.

According to INSEE, there were 12 million *bénévoles* in 2004, compared to 7.9 millions in 1990.

This increase is the result of the increasing involvement of *bénévoles*, but also because (and above all) of the increasing number of voluntary organisations (associations) that are created every year, which attract new *bénévoles* without affecting the share of volunteers that are already engaged with existing associations.

⁶ Statistical data provided by the Ministry in charge of volunteering (Directorate for youth, education and the associative sector) are based on three main sources:

- Vie associative et bénévolat en 2002, tableaux issus de l'enquête PCV « vie associative » et des indicateurs sociaux, 2004. (Survey among 8,000 individuals carried out in 2002)
- La vie associative en 2002, 12 millions de bénévoles, Michèle FEBVRE, Lara MULLER, INSEE Première, n°946, février 2004.
- Le paysage associatif français, mesures et évolutions, Viviane TCHERNONOG, Juris Associations Dalloz, 2007, based on a survey carried out by MATISSE/CNRS in 2005 (survey sent by post to associations in activity, with 9,265 associations constituting the sample used in the analysis).

⁷ B. Halba, *Bénévolat et volontariat en France et dans le monde*

⁸ According to France Bénévolat, and the Fondation du Bénévolat, these figures minimise the number of *bénévoles*, since they only include *bénévoles* active in voluntary organisations (associations) that are officially recognised ("déclarée").

⁹ Rapport d'information n° 16 (2005-2006) de M. Bernard MURAT, fait au nom de la commission des affaires culturelles : Le bénévolat dans le secteur associatif, 2005

¹⁰ Directorate for youth, education and the associative sector

Concerning the different types of *volontariat*, they are regularly increasing because they represent a new form of engagement for communities ('collectivités') and the associations, and they are promoted by public authorities involved in citizenship education policies.

Gender

In terms of gender, 55% of *bénévoles* are male (30% of men and 22% of women are *bénévoles*).¹¹ The fact that men are over-represented among volunteers is partly explained by the fact that the area that attracts most volunteers in France is sport and leisure and the participation rate in sports is higher among men.

The gender discrepancy is more pronounced among association leaders, in particular at the President level: only 31% of presidents are female (compared with 26% in 2003). This distribution is also markedly differentiated across sectors: 47% of female presidents are in the care and humanitarian sector, against 17% in the sport sector.

Age

Bénévoles are involved at all ages (although less frequently as from 70 years).

- 15–24: 25% of people in this age group are *bénévoles*¹²
- 25–29: 24%
- 30-39: 29%
- 40-49: 29%
- 50-59: 28%
- 60-69: 29%
- 70-79: 19%
- 80+: 7%

It is generally considered that the system of early retirement pension entitlements ('pré-retraite') has had a positive effect on the participation of older people in voluntary activities.¹³

Volunteers under 46 are generally under-represented at management level, representing only 25% of presidents of associations.¹⁴

Geographical spread of volunteering

No systematic and comparable data is available on *bénévolat* and *volontariat* for each region. However the proportion of *bénévoles* is higher in communes of less than 2,000 inhabitants than city of more than 100,000.¹⁵

Education levels

It seems that the probability of being a volunteer increases with the level of education. *Bénévoles* tend to be qualified people (INSEE survey): 40% have a diploma (A-level at least) - against 30% of the adult population in general. Only 9% of *bénévoles* have no diploma (twice as few as in the general population). 51 % have qualifications that are lower than the baccalaureate.

¹¹ Source INSEE 2002. No data is available for *volontaires*.

¹² Source INSEE 2002. No data is available for *volontaires*.

¹³ CEV/AVSO, Voluntary Activity in France - Facts And Figures, 2004

¹⁴ MATISSE/CNRS Survey

¹⁵ B. Halba, *Bénévolat et volontariat en France et dans le monde*, 2003

No national data exists for *volontaires*. Overall *volontaires* have very diverse education backgrounds, including both low and highly qualified people.

Volunteer involvement by sectors

In term of the volume of voluntary work, the following breakdown is provided by the MATISSE Survey:¹⁶

- 29% Sport
- 16% Culture
- 13% Social and health sector
- 12% Leisure and social clubs
- 10% Advocacy organisations
- 10% Humanitarian action
- 4% Economic interests
- 4% Education and training
- 1% other

The largest share (29%) of voluntary work is carried out in the Sport sector.¹⁷

In terms of seniority (or years of service), volunteers are particularly faithful to their association in the sector of sport and culture: 41% of volunteers in the sport sector have been in their association for more than 10 years (36% for culture)¹⁸.

Profile of volunteers by employment status

Regarding the profile of *bénévoles* in terms of employment status, the INSEE survey revealed that:

- 30% of the active population in the job market ('actifs en activité') are *bénévoles*
- 20% of unemployed, in labour force
- 26% of students and militaries
- 23% of retired people
- 18% of others not in labour force ('autres inactifs')

A majority of students (70%) express a desire to carry out some form of social engagement; however the actual figure is much lower due to strong traditions of concentrating on academic achievement¹⁹.

Time dedicated to volunteering

In 2005, the amount of time dedicated by volunteers to bénévolat was 935,000 FTE.²⁰ The total annual number of voluntary hours was 1,538,596,000 hours.

The **time dedicated to volunteering by *bénévole* has increased by 5% between 1999 and 2005** (i.e. 1% per year).²¹

¹⁶ The methodology adopted by the Matisse/CNRS team provided information on the volume of voluntary work based on information provided by the associations and not directly by the volunteers.

¹⁷ No such data exists for *volontaires*.

¹⁸ La France Bénévole (Cecile Bazin, Jacques Malet, Dominique Thierry), 2009

¹⁹ Baromètre CIDEM de la citoyenneté, sondage SOFRES, 2002

²⁰ MATISSE/CNRS Survey

Important differences exist between different types of associations, depending on whether they rely exclusively on volunteers, or also employ paid staff (this is the case in 15.6% of associations). Time spent on volunteering increases only in associations that rely exclusively on volunteers. This trend suggests that the increasing 'professionalisation' of associations happens in associations that already employ staff. This may be related to the increasing need for specific skills and competences.

This also suggests a trend towards a more selective attitude of *bénévoles*, confirmed by observations on the ground, which make choices depending on the attractiveness of the association, the quality of the support provided etc.

Table 1.1 Hours dedicated to volunteering by *bénévole* per year

	1999 Survey	2005 Survey	Evolution over 6 years	Average per year
Associations without employees	75 hours	84 hours	12%	2%
Associations employing paid staff	101 hours	96 hours	- 5%	-0.8%
Total	81 hours	86 hours	6%	1%

Source: France Bénévolat, summary of the MATISSE/CNRS 2007 study

Table 1.2 Hours spent by volunteers per sector

	Evolution between 1999 and 2005	Average growth rate	Relative weight of the sector in 2005 (volunteers' time)
Sport	+35%	+5.8%	29.4%
Culture	+55%	+9%	16.3%
Leisure and social clubs	+0.6%	+0.1%	12.3%
Social and health sector	-2%	-0.3%	13.1%
Humanitarian action	+142%	+23.7%	10.1%
Advocacy	+21%	+3.5%	10%
Education and training	-18%	-3%	3.7%
Local development	+190%	+31.7%	3.5%
Others	+87%	+14.5%	1.3%
Total	+30%	+5%	100%

Source: France Bénévolat, summary of the MATISSE/CNRS 2007 study

The volume of volunteer work has increased by 30% in 6 years (MATISSE/CNRS), as a result of the double increase (i.e. both in the number of volunteers and time dedicated to volunteering).

1.4 Number and types of organisations engaging volunteers

Definition of voluntary organisations in France

The term association is used in France to designate organisations that are non-profit, private organisations. The 1901 Act on associations is the legal consecration of voluntary

²¹ MATISSE/CNRS Survey

organisations. It defines associations as a 'convention in which two or more individuals permanently put in a common knowledge or activity with another aim in mind than sharing profit'. Once created, an association may be declared at the prefecture. Undeclared associations have no legal rights, and declared associations only limited legal rights (e.g. they are not allowed to receive legacies).

The associative sector is the most diverse and least understood component of the social economy. Legally, the sector comprises three types of associations:

- undeclared associations, i.e., those with no legal status;
- declared associations, which are subject to the 1901 Act; and
- Public utility associations, which is a status granted by the State to a select group of declared associations.²²

Number of voluntary organisations and distribution per sector

There are 1,100,000 *associations* (which is the term used to describe voluntary organisations in France) in which the majority of *bénévoles* carry out their activities - some *bénévoles* are active outside any framework or structure, or within local communities. This also applies to a large proportion (or percentage) of *volontaires*, who can also engage in communities or associations abroad.

These 1,100,000 associations are distributed along the following sectors:

- Sport: 24.1%
- Culture: 18.6%
- Leisure and social clubs: 17.8%
- Advocacy: 15.5%
- Social and health sector: 11.3%
- Humanitarian actions: 3.7%
- Education and training: 4.1%
- Local development: 3.7%
- Others 1.2%

It is important to note that there is a contrast between the fields that are highly professionalised and those that are heavily reliant on volunteers. In professionalised fields such as education, health, and social services, volunteer work is marginal, and there exists a clear division of labour between the paid staff and volunteers²³. In contrast, in fields such as culture, sports, and recreation, which absorb nearly half the volunteers in the French non-profit sector, and environmental, international, and professional associations, volunteer work is the primary human resource.²⁴

Trend

The **number of associations is generally increasing** (+4.2% per year between 1999 and 2005), in particular those that are relying entirely on *bénévolat* (+4.4% per year).

The associations and organisations wishing to host *volontaires* are also increasing.

²² Edith Archambault, *Defining the Nonprofit Sector: France*, 1993

²³ According to the CPCA (Conference Permanente des Coordinations Associatives) the social and health sector stands for 49% of the associative salaried workforce, education, training and insertion for 17%.

²⁴ Édith Archambault, Marie Gariazzo, Helmut K. Anheier, and Lester M. Salamon, "France" in *Global Civil Society, Dimensions of the Nonprofit Sector*, Vol. I (1999)

The registry kept by prefectures allows for a precise calculation of the number of associations that are newly declared each year: 70,000 new associations are newly declared per year. The difficulty comes when trying to measure the 'stock' of active associations, given that associations which are not active anymore are not deleted from the registry. The net growth of associations is estimated by CNRS at 35,000 per year (+ 200,000 in six years).²⁵

The **average number of volunteers per association has remained stable overall**; however, there is a clear difference between associations employing paid staff and those relying entirely on volunteers. **85% of associations rely exclusively on volunteers.**

Therefore the constant growth in the number of *bénévoles* (4%) is partly explained by the increase in the number of associations. The expanding supply of associations stimulates the development of volunteering.

Table 1.3 Average number of volunteers per association

	1999 Survey	2005 Survey	Evolution over 6 years	Average per year
Associations without employees	15	15	0%	0%
Associations employing paid staff	24	22	-7%	-1.17%
Total	16.5	16.2	-1%	- 0.17%

Source: France Bénévolat, summary of the MATISSE/CNRS 2007 study

Types of organisations engaging volunteers

Undeclared associations constitute a diverse set of organisations; they include neighbourhood groups; or political groups advocating a specific cause. In some instances, newly founded non-profit organisations select the 'undeclared status' in an initial 'try-out' phase before becoming a declared association after a consolidation period.

Declared associations are by far the most numerous in the associative sector. The reason is entirely due to legal considerations: an association usually opts for 'declared' status, because it is covered by the 1901 Act, which remains the most liberal and flexible under French law.

Since the creation of an association must be declared at the *préfecture*, a local authority, reliable data are available on the founding of these groups, which are booming according to the official government register. Unfortunately, the associations do not have to declare their dissolution, so the actual number of declared groups currently active is unknown.

In France, it is estimated that 70,000 new associations are set up every year. The net growth of associations is estimated at 35,000 per year.²⁶ This is an estimation as there is no national registry of 'active' associations.

Declared associations are limited in their capacity to engage in certain types of financial transactions. Nevertheless, they are exempt from income and profit taxes, and partially exempt from value-added taxes. Furthermore, gifts to declared associations are tax deductible up to 66% percent of taxable income, and up to 60% within 5/1000 of enterprise revenue.

Operating associations are nonprofits that receive most of their public financing, either through the central government, through local authorities (regions, communes etc.) or

²⁵ V. Tchernonog, *Les associations: ressources, emploi, travail bénévole, évolutions*, 2007

²⁶ CPCA

through Social Security. They provide both market and nonmarket services, and are staffed both by wage earners and volunteers. Most operating associations are active in sport, culture, leisure, advocacy, health and social sector, in order of importance.

According to the Ministry the organisations that utilize the majority of volunteers are:

- For the majority, associations that fall under the scope of the Law on associations of 1901 on the contract of association.
- Foundations, which can be recognised of public utility (for *volontariat associatif*),
- *Collectivités* (local communities);
- Other types of structures.

Some public, non-profit organisations also host volunteers, but it is a very low share (less than 1%).

1.5 Main voluntary activities

According the INSEE survey, the most common type of activity undertaken by bénévoles is the organisation of events (including shows, exhibitions, sport events etc.): 37% of volunteers take part in this type of activity.

Table 1.4 Type of voluntary activities by nature of voluntary engagement (INSEE 2002)

Activities	Occasional volunteer	Regular volunteer	Total
Organisation of events	41	27	37
Animation, coaching in the cultural, sport, social sector	22	32	25
Collect, fabrication, sales of product	18	9	15
Care and support to vulnerable people	6	15	9
Counselling, information	6	13	9
Clerical, administration	6	15	9
Education, teaching	4	17	8
Fund raising	7	7	7
Construction, maintenance, environmental protection	5	6	6
Editing, writing	4	6	5
Management, professional	1	13	5

2 INSTITUTIONAL FRAMEWORK

2.1 Main public bodies and other organisations involved in volunteering

Main public body responsible for volunteering

The policy relating to associations and associative life is currently an official competence of the 'Direction de la jeunesse, de l'éducation populaire et de la vie associative du Haut commissaire à la jeunesse' (Directorate for youth, education and the associative sector of the High commissioner for youth), under the authority of the High Commissioner for Youth (Haut commissaire à la jeunesse). The Directorate operates directly under the remit of the Prime Minister. Until 2008 it was a competence of the Ministry of Health, Youth and Sports.

The Directorate elaborates, co-ordinates and evaluates policies in favour of associative life. It ensures the promotion and development of all forms of engagement within voluntary organisations (*bénévolat* and *volontariat*). It has a function of expertise for associative life in regard to other administrations and co-ordinates inter-ministerial actions carried out in this field.

It also animates and co-ordinates the activities of decentralised services in matters related to associative life.

With regard to *volontariat*, a dozen of ministries are responsible for the various schemes of *volontariat*, sometimes collaborating with each other, and /or consulting a public body (ACSE):

- Directorate for youth, education and the associative sector of the High commissioner for youth
- Ministry of Interior, overseas territories and local communities
- Defence Ministry
- Ministry of European and Foreign Affairs
- State secretary for cooperation and Francophonie
- State secretary for European affairs
- Ministry of economy, industry and employment
- Ministry of Housing
- State secretary for urban policies
- Agency in charge of social cohesion and equal opportunities (ACSE)

For each *volontariat* scheme that they are in charge of, the various public bodies involved have the same mission: regulate or legislate on the different status of *volontariat*, promote these forms of engagement, and finance them if this is the case.

Other public bodies involved in volunteering

Decentralised services of the Ministry

For *bénévolat* and *volontariat*, the decentralised services of these ministries and public bodies mentioned above are responsible, inter alia, for the implementation of these policies and schemes, at the regional level.

At regional level, public *collectivités* (communities) take part in the training of bénévoles. At local level, public *collectivités* support both financially and materially the activities of bénévoles.

Decentralised services are in charge of the implementation of the various schemes and of the information and advice provided to bénévoles, volontaires and associations. They also take part in the monitoring of bénévolat and volontariat at the regional or departmental level.

Relations between associations and public authorities exist at all levels, meaning the local, the regional and the national. Relations are specifically enhanced at the local level since there is an effective decentralisation policy that fosters cooperation and partnership.

CRIB

The Volunteer Information and Resource Centres (Centres de Ressources et d'Information des Bénévoles - CRIB) were created in 2003 to meet growing needs in terms of information, advice and support for volunteers in the sport sector and extended to all sectors in 2006. Today there are one or more CRIBs in each département (French administrative area). Their mission is to:

- Offer a first point of contact to inform new volunteers;
- Advise volunteers on daily issues concerning the running of an association (management, legal issues, volunteer involvement);
- Initial and continuous training for volunteers in legal, fiscal, accounting and financial matters delivered at regional level, by State Departments, local authorities and networks of associations;
- Support for volunteer-led projects (volunteering, public and private funding, administrative authorisations...).

National Council of Associative Life (CNVA)

The National Council of Associative Life was established in 1983 (Conseil National de la Vie Associative – CNVA). As a governmental consultative council, the CNVA makes proposals in order to develop associative life, for instance measures to facilitate, develop and protect individuals' engagement in 'bénévolat'. This includes the training of bénévoles, granting of time-off from work for the purpose of representation within non-profit organisations, information and expertise networks, fiscal social protection measures, recognition of voluntary work and the competences acquired for the purpose of obtaining professional diplomas. The National Council for Associative Life has presented the national government with a range of suggestions on the support of and the promotion of volunteering. These measures have included fiscal incentives, support for sabbatical leave during one's working life, accumulation of retirement credits through volunteer work, credit for volunteer work in secondary and higher education studies, and of course, a significant increase in the national fund for the development of the associative life (FNDVA - fonds nationaux pour le développement de la vie associative) as well as the creation of other similar funds in each region of France.²⁷

Organisations that promote volunteering, facilitate cooperation and exchange of information

Among the million or so French associations, more than 60% are organised in federations or networks. Exchanges between associations are a common and regular way to network and to co-operate in France.²⁸

²⁷ CEV/AVSO, *Country Report on the Legal Status of Volunteers in France*, 2005

²⁸ SPES, *Volunteering across Europe*, France

Conférence Permanente sur la Coordination de la Vie Associative (CPCA)

The CPCA was founded in 1992 by a number of bodies responsible for coordinating associations at the regional and departmental levels. The CPCA is today the most privileged forum for contact and negotiation between the associative sector and the state

The CPCA currently unites 16 sectoral umbrella bodies, representing in total more than 500,000 local organisations.²⁹ The CPCA works to promote the diversity of the sector and the development of the civil dialogue in France. As a national umbrella body, the CPCA deals with cross-sectoral issues of voluntary organisations, representing and promoting their common interests to the Public Authorities and the French institutions.

In July 2001 (the centenary of the 1901 law that established the legal basis for the creation of non-profit making associations), the Prime Minister and the President of the Permanent Conference on Non-Profit Life (CPCA) signed a Charter on Relations between the Government and the Non-Profit Sector which outlined a series of reciprocal obligations to be undertaken by both the State and non-profit associations. The Charter marks an important step in the redefining of relations between the State and non-profit organisations and lays the foundations of a shared culture.

National Volunteer Centre, France Bénévolat

The National Volunteer Centre, 'Centre National du Volontariat' (CNV) was founded in 1974. Until December 2003, it had a national network of 71 local volunteer centres. Its core aims were to promote volunteerism to the state and the media, to organise information campaigns, to support a network of volunteer centres around France, to train volunteers, to be active players at the European level, to develop a library and documentation centre, to encourage voluntary action for the benefit of the community, to participate in national actions and to help the creativity of associations.

In 2003 however, the Centre National du Volontariat merged with 'Planète Solidarité', an organisation most famous for its internet site, which detailed listings of volunteer-involving organisations and volunteer opportunities to create a new organisation named 'France Bénévolat'. France Bénévolat aims to become the national organisation for volunteers and volunteer-involving organisations with services to welcome and guide them, including an extensive library.³⁰

FCFS – Fédération des centres sociaux et socioculturels de France

The objective of social centres is to 'create society' and encourage active collective solidarity. The role of the FDFS is that of a guiding body for its 1200 centres. Its main functions are to develop policies and future prospects for social centres, support the training and ongoing qualification of network members and social actors, reporting and dissemination of the results of various projects.

IRIV

The Institute for Research and Information on Volunteering (IRIV) was created in 1997 with the aim of informing the public debate on volunteering and promoting volunteering through research, publications, studies and the organisation of colloquium and conferences. It also trains volunteers and paid staff in associations and public or private organisations working with the non profit sector.

Fondation du Bénévolat

Founded in 1994 as an initiative of the Ministry of Youth and Sports, it aims to encourage the protection of *bénévoles* by public authorities and the recognition of the essential role

²⁹ <http://www.cPCA.asso.fr/>

³⁰ <http://www.francebenevolat.org>

they play in society. Supported by the Ministry and private sponsors (*La Banque Postale and Groupama*), the Foundation offers for free to bénévoles that fulfil criteria defined by the Ministry an insurance that covers their responsibilities and liabilities in the context of their voluntary activities.

Affiliation with European umbrella organisations/networks

There are a few French voluntary organisations directly affiliated with European umbrella organisations. For instance UNIS-CITÉ³¹ is a member of AVSO (Association of voluntary Service Organisations). However, it seems that generally, voluntary organisations are not directly affiliated to these umbrella organisations, but it is rather the national co-ordinating bodies, or the French branch of large international organisations. The French members of CEV (European Volunteer Centre) for instance are France Bénévolat and ICVolontaires-France.³²

A number of French organisations focusing on international work camps of young volunteers are members of the Alliance of European Voluntary Service Organisations (ALLIANCE).³³ Most of them are already operating at an international level and gathering several regional or national organisations in France and abroad.

2.2 Policies

National strategy/framework for volunteering

There is no formal strategy focusing on volunteering in France. *Bénévolat* being ultimately a private initiative and a part of the private sphere, the national framework essentially aims at encouraging and supporting *bénévolat* in associations, addressing needs that are not covered by the market or public authorities.

However a series of measures adopted recently to support *bénévoles* constitute the elements of a strategy which aims at encouraging volunteering. An important consultation was carried out in 2005-2006 through the **Conférence nationale de la vie associative** (national conference on associative life), which gathered all ministries concerned in volunteering and associative life, a large panel of associations and experts in this sector. Following these exchanges, some important measures have been adopted by the Prime Minister, which constitute the framework for a policy of support to *bénévolat* and *volontariat*. The same process of consultation and exchanges between administrative bodies and associations will be carried out for the second time in December 2009.³⁴

A vast youth policy is being elaborated by the government in consultation with the relevant stakeholders in civil society. *Volontariat* is one of the major schemes within this policy.

In the sphere of *volontariat*, each ministry develops its own strategy for the type of *volontariat* of which it is in charge. The various schemes are currently being examined, in an attempt to gather all the schemes under one legal instrument and one national framework.

³¹ Unis-Cité currently operates in 9 major French cities and 6 medium-size cities, engaging young volunteers who: serve disadvantaged children/ youth/ adults, isolated elders, people with disabilities, homeless people, and work to combat racism and discriminations, protect the environment, promote community economic development.

³² ICVolunteers is an international non-profit organisation specialized in the field of communications, in particular languages, communication technologies and conference support. Development, exchange of information and service to the society at large are the key elements shared by the communities or organisations involved and by the individuals volunteering through its network

³³ CBF (compagnonsbâtisseurs-grandsud), Concordia, Jeunesse & Reconstruction, UNAREC

³⁴ <http://www.cPCA.asso.fr/spip.php?article1867>

National targets and reporting arrangements for volunteering

Concerning *bénévolat* there are national objectives which have not been quantified, such as maintaining the number of *bénévoles* engaged, raising awareness of new *bénévoles*, in particular among young people, facilitating the renewal of managers in voluntary organisations and access of women and young people to managerial positions.

Concerning *volontariat*, the national objective is to raise awareness of active citizenship among an increasing number of young people (citizen engagement) through *volontariat*, and quantitative objectives in relation to this objective are being defined by the government.

A system of 'observation' of the associative life, more than strict monitoring, is being progressively set up by public actors who have regular access to data. Associations are taking part or carrying out their own surveys, which are often punctual, at regional or national levels. However, due to the purely private nature of *bénévolat*, little administrative records are available on data in relation to *bénévolat* since it deals with the private life of citizens.

The 'observation' of *bénévolat* therefore mainly relies on surveys that are regularly carried out and not on a strict observation system which exists to collect data on associations and staff employed by associations.

Each ministry in charge of *volontariat* has adopted certain indicators which form a system of monitoring and enables them to follow the evolution of the *volontariat* scheme for which they are responsible. For certain forms of *volontariat*, administrative records are updated every year which allow for continuous monitoring.

In addition, the National Institute of Statistics and Economic Studies (INSEE) is in charge of producing and analysing official statistics in France and carries out general interest surveys of businesses and households on a regular or occasional basis. This organisation regularly carries out surveys on the social economy.

International policies

According to governmental actors, international initiatives constitute a reference point in order to review and carry out comparative analyses of what is being done abroad in relation to volunteering. Some initiatives, such as the UN international day of volunteering, are considered as good practice and are adapted or directly transposed to the French context.

France was less involved in the International Year of Volunteers 2001 because IYV 2001 coincided with the centennial celebrations of France's 1901 law on associations. However, within the framework of the International Year, the then Centre National du Volontariat organised a volunteer's week at UNESCO in September 2001 which aimed to sensitize citizens to volunteering³⁵.

Like other European countries, every year France organises an International Volunteer Day (the last one took place on 5 December 2008). For this event, the Secretary of state for Sport, and its partners came together to pay tribute to France's 14 million volunteers. It featured a national awareness and an information campaign on volunteering and the second edition of the National Volunteering Awards.

2.3 Programmes

Key national programmes that stimulate volunteering at national level

The national policy under the remit of the Direction for Youth and volunteering within the High Commissioner for Youth aims to support financially the actions that promote *bénévolat*, and to support *bénévoles*. In addition to this general framework, 25 measures

³⁵ CEVI/AVSO *Voluntary Activity In France - Facts And Figures 2004*

were adopted by the Prime Minister in 2006, which are structured around three types of action: promotion and awareness raising, support and accompaniment, and strengthening legal and financial certainty.

Some key programmes promoting volunteering are presented below.

In 2002, the programme '**Envie d'agir**' launched by the Ministry for Youth, Education and Research was meant to promote involvement among youngsters. This programme encouraged the engagement of young people in a collective or individual projects contributing to social utility or general interest, through the provision of pedagogical, technical and financial support. In 2007 more than 3,000 projects were supported (15,000 direct beneficiaries and 45,000 young people involved in the awareness raising events organised in France that year).

In 2003 '**Youth Policies 2003**' was established, a programme that promotes youth volunteering in holiday and leisure centres. The objective of the Youth 2003 programme is to facilitate, promote and support young peoples' volunteering in holiday and leisure centres. This activity is believed to enhance the integration and equality of young people and stimulate initiative and creativity. The policy aims at a more 'rounded' view of education by taking into account not just formal school time but also social and leisure activities.

The national youth policy has four main objectives:

1. To protect and to offer educative and qualitative leisure;
2. To inform and to orient;
3. To encourage participation and responsibilities in young people;
4. To stimulate new youth initiatives and projects.

In addition, organisations and associations were invited to facilitate greater participation of young people in their work and to encourage them to take on greater responsibilities.

Regarding *volontariat* schemes, each ministry in charge is responsible for the promotion of this form of engagement. This is often done in close partnership with associations whose mission is structured around *volontariat*. The various forms of *volontariat* have been created at different points in time. Some types are targeted at young people, others target all age groups. Their common point is that they all aim to encourage engagement in the service of the community, through missions of general interest. Important measures have been taken by the French Government to encourage well-qualified young people to volunteer overseas. For example, CIVI was created to promote volunteering abroad as an international professional experience and an expression of solidarity.³⁶

Programmes promoting/supporting volunteering at regional and local level

At regional level, the decentralised state services ensure the local implementation of the policies promoting volunteering adopted at national level. In addition, the *collectivités territoriales* (regions, departments, communes) can have their own policies to promote volunteering, which often coincide with the objectives set at the national level. Regions are in particular supporting the training of bénévoles. Departments and communes often bring financial and material support to associations. In addition, associations can sometimes be active stakeholders in the elaborations and implementation of public policies on the ground.

Programmes promoting/supporting volunteering at transnational level

Several schemes support the international mobility of *volontaires*. Missions of general interest are carried out abroad. Overseas Civil Volunteers in the Field of International Co-

³⁶ <http://www.civiweb.com/>

operation aim to encourage well-qualified young people to become civil volunteers in a foreign country. CIVI (International Civil Volunteering) was created jointly by the French Ministry of Foreign Affairs, Ministry of Economy, Finance and Industry, Secretary of State for External Commerce and UBIFRANCE (the agency for the international development of businesses). It promotes volunteering as an international vocational training experience and an expression of solidarity. Around 5,000 posts are open in total within different structures, such as Cultural and Research Institutes. Volunteers are awarded a monthly indemnity.

In particular the following programmes have been put in place:

- Volontariat for international solidarity (2145 volontaires in 2007),
- International volontariat in administration (1000 young people in 2007)
- International volontariat in enterprises (5,800 young people in 2007)
- Francophone volontariat
- Franco-German volontariat (14 young people) set up by OFAJ (Office Franco-Allemand pour la jeunesse: in order to strengthen bilateral co-operation between France and Germany, both countries signed a joint Declaration on Civil Voluntary Service to promote trans-national civil voluntary service during a summit in Vittel, France on 10 November 2001 ('déclaration sur le volontariat civil'). The objective of the declaration is to open up new youth volunteer exchange opportunities, using French and German laws on civil voluntary service already in place: the 2000 French Law on Civil Voluntary Service and the German Law for a Social or Ecological Voluntary Service Year.

3 REGULATORY FRAMEWORK

3.1 General legal framework

There is no general legal framework regulating volunteering.

On the one hand, various provisions scattered among different laws give certain rights to *bénévoles* in relation to their activity or status (e.g. unemployed people, pensioners).

On the other hand, there are a number of laws regulating the various forms of *volontariat* (e.g. *volontariat* in associations, for social cohesion and solidarity, etc). The legal status of *volontariat* is extremely complex, and it is currently under reform.

The *bénévole* has no legal status and is totally free to combine for profit and non-profit commitments, contrary to the *volontaire* who has a legal status and a contract of exclusive commitment with the structure that compensates him. It is important to note that this absence of legal framework is generally supported by the associative sector, as it reflects the nature of *bénévolat*, based on the free engagement of an individual.

The **1901 Act on Associations** is the legal basis of voluntary organisations. It establishes the right of every citizen to become a member of an association without prior authorisation. The law does not state how an association should be organised, but does give citizens the fundamental freedom to set up associations for purposes other than the sharing of (financial) profits. It defines associations as a "convention according to which two or more individuals permanently put together a common knowledge or activities with another aim in mind than sharing profit". Once created, an association may be declared at the prefecture. Undeclared associations have no legal rights, and declared associations only limited legal rights (e.g. they are not allowed to receive legacies). This limited capacity was put in place

to prevent the Church from passing congregations as associations. 'State approved' associations (*reconnue d'utilité publique*) have a full legal capacity.

Self-regulation in relation to volunteering

Because it falls under the private sphere, no legal value is attached to *bénévolat*. However volunteering centres such as France Bénévolat promote reciprocal rights and obligations, called Conventions (*Convention d'engagement*), between the *bénévoles* and the associations.³⁷

These rules require for instance that the volunteer must be insured by the association. Another rule is that, if the activities related to *bénévolat* must not bring any financial benefit to the *bénévoles*, they should also not *cost* anything for the *bénévoles*.

Another rule is that the association should respect the 'social time' (*temps sociaux*) of the *bénévoles*, such as working time, family time, studies etc. The engagement should be reciprocal, and no pressure should be put on the *bénévole* in terms of the time he/she chooses to dedicate to volunteering.

3.2 Legal framework for individual volunteers

Bénévoles

In France there is no legal status for *bénévoles*. There is no general legal framework, but only scattered provisions granting rights to volunteers in view of their activities or main status (currently employed, unemployed, retired).

Such provisions include the following:

- In the framework of the law on the reduction of the French Working Week (RTT), there are a number of provisions aimed at facilitating access to volunteering. For example, hours worked can be accumulated to allow employees days off to engage in voluntary activities within non-profit associations³⁸;
- There are also several provisions that allow employees to participate in training associated with their volunteering. This volunteer training may be financed via official company training programmes or via individual employees time-off or holiday for training (*Congé Individuel de Formation (CIF)*);

Legal framework concerning each of the measures on volontariat

Volontariat is regulated in a number of specific legal provisions. Each law provides for the conditions of this specific type of volunteering, the associations or organisations concerned, which individuals can be volunteers and the conditions of their duties:

- Act 2006-586 of 23 May 2006 on **volunteering in associations** (*volontariat associatif*) and educational activities;
- Act No 2000-242 of 14 March 2000 on **civil volunteering** (*volontariats civils*) established by Article L 111-2 of the National Service Code (volunteering for social cohesion, international volunteering in the administration);
- Order of 24 March 2004 on the conditions for **international volunteering in companies** (*volontariat international en entreprise, VIE*);
- Article L 121-19 of the Code for Social Action and Families and Decree No 2006-838 of 12 July 2006 on **voluntary civil service** (*service civil volontaire*) – a specific measure for young volunteers aged between 18 and 25;

³⁷ <http://www.francebenevolat.org/uploads/documents/GRH.pdf>

³⁸ Article 15, paragraphe V de la loi du 19 janvier 2000

- Act 2006-159 of 23 February 2005 on **international solidarity volunteering** (*volontariat de solidarité internationale*);
- Order No 2005-883 of 2 August 2005 on the **volunteering in the field of social integration** (*volontariat pour l'insertion*);
- Act 96-370 of 3 May 1996 on the development of **volunteering of firemen**.

The status of *volontaire* is currently being revised and a project is under discussion to harmonise and simplify the various kinds under one status.

Provisions for specific categories

Any person can be a volunteer (i.e. *bénévoles*).

Those who are unemployed and in receipt of unemployment welfare benefits are permitted to volunteer since 1998, provided that two conditions are met.³⁹ First, the voluntary activity should not replace a paid job. Secondly, the volunteer must show that they are still dedicating most of their time to their job search. The volunteer must prove that his/her time spent volunteering does not prevent him/her from looking for and/or finding a job.

In addition, they cannot volunteer in an association where they used to be employed.

Similar conditions apply for people in pre-retirement. Their activity must not benefit an organisation where they used to be employed, and the organisation must be a non-profit organisation.

Support schemes and incentives

The main incentive set up by the government is the possible recognition of the volunteer engagement through the **validation of experience** (VAE), which is a process of recognition which can lead to the award of a qualification (see Section 6).⁴⁰

A number of legal provisions promote, facilitate and encourage volunteering and the taking on of volunteer duties:

- **Representation leave for associations:** the introduction of representation leave of a maximum of nine days per year for volunteer representatives of associations, whether workers from the private sector or those working for the State or for local authorities.⁴¹
- Various acts granting **unpaid leave** to promote the training of managers, youth workers, and to participate in associations' activities⁴²
- Since May 2004: financial assistance available for the **training of workers with regard to their volunteer activities** as part of company training plans or under the *congé individuel de formation* (individual training leave) measure.

³⁹ Circular of 25 October 1996 from UNEDIC (the unemployment benefit authority), and Article 10 of Act No 98-657 of 29 July 1998 on the fight against social exclusion: allowing an unemployed person to carry out volunteer activities without this being prejudicial to them with regard to the payment of benefit.

⁴⁰ Act No 2002-73 of 17 January 2002 - the so-called "Social Modernisation" Act (Article 134): introduces the validation of experience (*validation des acquis de l'expérience* - VAE), in particular voluntary

⁴¹ Act No 91-772 of 7 August 1991 on the « congé de représentation en faveur des associations »

⁴² Act No 61-1 448 of 29 December 1961 granting unpaid leave to workers and apprentices to promote the training of managers and youth workers; Article 34-8 of Act No 84-16 of 11 January 1984 establishing statutory provisions relating to the civil service; Article 41-8 of Act No 86-33 of 9 January 1986; Article 11 of Decree No 86-83 of 17 January 1986; Decree No 63-501 of 20 May 1963: granting those under 25 working for the State, local authorities and public hospitals, leave of 6 working days per year to participate in the activities of youth organisations, popular education, federations, sports associations and associations organising open-air activities, to promote the training of managers and field workers.

- Act 2001-2 of 3 January 2001 on the modernisation of recruitment in the civil service: creates a third type of competitive examination for the civil service, for candidates who justify activities carried out in particular as the elected member or volunteer manager of an association.

Other support schemes exist to support *bénévoles*, in particular a scheme set up by the Conseil du Développement de la Vie Associative (CDVA) which gives financial support to associations which they can use to train their volunteers. In addition, a scheme to reimburse the expenses of volunteers active in associations of general interests and a scheme to provide lunch vouchers to volunteers has been set up.

Taxation rules on reimbursement of expenses for individual volunteers

The sums received by volunteers as reimbursement of their expenses are not taxed. They can also decide to donate these to their association, which would entitle them to a tax reduction.

In general costs related to volunteering activities are not borne by *bénévoles* and *volontaires*, as they are covered through:

- Reimbursement of expenses related to volunteering (e.g. travel) through a tax reduction mechanism⁴³;
- Subsistence expenses can be covered by the association through a system of lunch vouchers⁴⁴;
- Expenses such as accommodation, food and travel of *volontaires* are covered by the structure in which they are engaged.

Taxation rules on rewards or remuneration for individual volunteers

With regard to *bénévoles*, the remuneration of volunteer association managers (when below the limit of $\frac{3}{4}$ of the minimum wage) is to be declared in the category of non-commercial benefits.⁴⁵ The remuneration of volunteer managers, when it falls under the specific authorisation for the remuneration of up to a maximum of three managers per association, has to be declared and is taxed as income.⁴⁶

Indemnities received by *volontaires* are not taxable. Those performing voluntary civil service are entitled to receive a fixed monthly allowance exempt from any form of tax or social security contribution, which cannot exceed 50% of the remuneration inherent to the brut index 244 of public function.⁴⁷ The law also foresees a complementary allowance in kind (lodging, food, local transportation etc.) which is free from taxation.

Volontaires receive an indemnity which is not taxable, and, depending on the type of *volontariat*, is a part of a health insurance system. However the *volontaire* may have to suspend his/her work contract to go on a mission (and therefore not being remunerated

⁴³ Article 200 of the General Tax Code: provides for the possibility of reimbursement, through tax reductions for individuals, of expenses incurred by volunteers as part of their participation in an association in the public interest. This measure was first introduced in the field of sport by Act No 2000-627 of 6 July 2000 on the organisation and promotion of physical and sporting activities.

⁴⁴ Act 2006-586 of 23 May 2006 on volunteering in associations: makes it possible for volunteers to receive luncheon vouchers paid for by the association.

⁴⁵ Tax Directive of 15 September 1998, amended in 2006: makes it possible to pay the directors of an association up to $\frac{3}{4}$ of the SMIC (minimum legal wage).

⁴⁶ Finance Act for 2002: makes it possible for associations to pay one or several directors (a maximum of 3), with several conditions.

⁴⁷ Law n°2000-242 of 14 March 2000 on Civil Volunteers

during the length of the mission). An employed person would see his/her unemployment benefits suspended during the time of the mission.

3.3 Legal framework for organisations engaging volunteers

Obligation in terms of notification of volunteers

Concerning the types of volunteering which constitute a specific legal status, given that this status leads to social security cover, the inclusion of pension payments or even, for some volunteers aged between 18 and 25, a payment from the State, organisations are legally obliged to provide information about their volunteers (annual declarations of social security data, annual report, volunteer contracts and to make a declaration to the social security authorities pursuant to Article L311-3 of the Code for Social Security), to be sent to the Ministries in charge of these measures, who then pass on the required information to the social security and pension organisations.

Bénévolat is strictly belonging to the private sphere. Nevertheless, volunteers who wish to claim tax reductions, for which they are eligible if they refuse the reimbursement of their expenses, are required to submit a form to the tax administration. Similarly, when volunteer managers receive payment under the legal and regulatory framework, it is to be declared on the income tax form under the category 'non-commercial income'.

General taxation rules

Whether volunteering is classed as *bénévolat* or as *volontariat*, only associations may be subject to tax; local authorities or public bodies may not.

The associations covered by the 1901 Act are not, in general, subject to business tax (corporation tax, professional tax and VAT). Only through the conducting of **profit-making activities** can these exemptions be called into question. The lucrative nature of an organisation is determined according to three criteria: the absence or not of unselfish motives in the running of the association, the carrying out of its activities in competition or not with companies in the profit-making sector, if applicable the conditions under which activities that are similar or not to those of a company in the profit-making sector are carried out (criteria concerning the type of product, market, price and advertising). If an organisation has profit-making motives, or if it carries out its activities under similar conditions to those of a business in the profit-making sector, it is subject to business tax.

The benefits described above are related to the non-profit-making nature of the organisations. They are not related specifically to the promotion of volunteering.

Taxation rules on income generated by non-profit activities of organisation

These rules have been described above: income generated is not subject to tax if it comes from activities considered to be non-profit-making from a fiscal point of view, especially since, in this case, the income is exclusively reinvested in the association.

If all activities carried out by an organisation are non-profit-making, the organisation is not subject to business tax regardless of the size of its budget or turnover. At the very most it may be subject to corporation tax at a reduced rate on its property income.

If profit-making activities are carried out, it must be established whether the non-profit-making activities are or are not predominant:

- If the organisation carries out one or several predominant profit-making activities, it is subject to corporation tax and VAT for all of its activities. In terms of corporation tax, the liability to tax on only the profit-making activities is dependent on them being divided into sectors.

- Where non-profit-making activities are significantly predominant, measures limiting the scope of the tax have been introduced:
 - 1) exemption from corporation tax: The non-profit-making activities of non-profit-making organisations, whatever their overall turnover, are not subject to corporation tax if conditions are met⁴⁸
 - 2) The division of profit-making activities into sectors. If non-profit-making activities are predominant, an organisation can, under certain conditions, create a so-called 'profit-making' sector for corporation tax purposes. Corporation tax under common law then applies only to this sector.

3.4 Legal framework for profit-making organisations

In France *bénévolat* belongs to the private sphere. At best, companies can raise awareness of volunteering, informally, among their employees by providing information on the topic.

However companies can make some employees available for an association of general interest during their working time: this is called 'mécénat de compétences', or 'corporate patronage' similar to a donation.

The phenomenon of corporate volunteering is quite recent in France as, it only started about ten years ago. Various voluntary organisations such as such as FONDA and the Rameau are promoting this form of volunteering. The idea is to facilitate / encourage employed staff to volunteer, but it should not be an obligation.

There are two distinct concepts in France: *mécénat de compétence* and *bénévolat de compétence*. In the case of *mécénat de compétences*, or corporate patronage, the company provides resources (staff for instance) to a voluntary organisation, which are exempted or partly exempted from taxation. It encourages the engagement of employees however, it does not, strictly speaking, constitute volunteering.

Bénévolat de compétence refers to the private actions of individual employees, outside their working hours. Companies can raise awareness and encourage volunteering; however they do not have data showing which employees are volunteers. There is no data on the number of companies that encourage *bénévolat de compétence*.

Since 2003 the donations in the form of resources (staff) are advantageous in terms of taxation. The rules are now very generous, which enables the development of the phenomenon, and this is also encouraged by the general trend around Corporate Social Responsibility.

Specific support schemes

In order to facilitate the participation of volunteers (*bénévoles*) in official councils where associations are called to work with the public authorities, the Law on Special 'Representation Days Off' for Volunteers⁴⁹ was adopted. It provides the legal framework allowing employees to take up to nine days off per year for representing their associations, which can be divided into half-days. The employer should give these free days but is not obliged to pay the employee for the time he/she is away from their normal employment duties. For these unpaid hours, the associative representative receives a standard grant.

⁴⁸ - non-profit-making activities are still significantly predominant; (therefore the organisation concerned also carries out some profit-making activities);

- annual operating income from profit-making activities is less than or equal to EUR 60 000 (the income from six charitable or support events organised during the year, exempt pursuant to Article 261-7-1°-c of the General Tax Code, is not taken into account to assess this threshold).

⁴⁹ Loi "relative au congé de représentation en faveur des associations et des mutuelles et au contrôle des comptes des organismes faisant appel à la générosité publique", August 1991

This measure mainly concerns employees working within large firms. Employees must ask their employers at least fifteen days in advance in order to obtain the authorisation to take days off for this purpose. The employer can deny authorisation if he/she considers that it is prejudicial for the company, however, reasons must be given by the employer for refusing permission. In addition, the employee must be notified within four days of submitting the request whether permission has been granted⁵⁰.

Another measure is the leave for international solidarity (*congé de solidarité internationale*) which allows employees to suspend their work contract to engage in a mission with a humanitarian association, with the guarantee that they will find an equivalent position in the company when they return.

3.5 Insurance and protection of volunteers

Bénévoles

In 1993, a law was established in relation to the insurance of bénévoles.⁵¹ This law enables organisations engaging volunteers to insure their *bénévoles* against accidents or illness resulting from the voluntary activity.⁵² However this is left to the organisation's initiative.

If the *bénévole* is a victim of personal injury, the Courts tend to consider that a tacit agreement of assistance between the association and the *bénévole* renders the association liable to pay compensation to the *bénévole*. If the *bénévole* causes damage, despite the absence of a contract of employment, there is a relation of master and servant between the association and the *bénévole*, which incurs the liability of the association.

According to the type of activities carried out by the association, taking out insurance is an obligation for associations or at least strongly recommended.⁵³ This insurance should list all persons who are involved in its organisation and the activities carried out, and provide guarantees for the activities of these persons with regard to the outside world and amongst themselves. Associations in the public interest may take out insurance for volunteers against the risk of accident at work or personal accident insurance.

According to the code of conduct promoted by Volunteer Centres such as France Bénévolat, the association should insure the *bénévoles*. However, because the association has to bear the cost of this insurance, in practice few associations contract such an insurance due to lack of funds.⁵⁴

Individual *bénévoles* who are active outside the framework of an organisation are particularly vulnerable since they are not insured and bear the responsibility and liability in case of an accident, damage etc.

The **Foundation du Bénévolat** has set up a scheme to insure individual bénévoles at a very low cost. In addition, it has contracted agreements with various cities such as Lyon, whereby municipalities insure the bénévoles active in their community, outside any formal structure. The Foundation estimates that informal bénévoles are very numerous, but it is difficult to quantify them.

⁵⁰ CEV/AVSO, *Country Report on the Legal Status of Volunteers in France*, 2005

⁵¹ Loi du 27 janvier 1993 «relatif à l'assurance des bénévoles dans le cadre de leurs activités associatives »

⁵² http://extranet.senat.fr/rap/r05-016/r05-016_mono.html

⁵³ For activities considered as "dangerous", associations sometimes have the obligation to ensure their volunteers, in particular in the health and care sector.

⁵⁴ SENAT Avis n° 75 (2004-2005) de M. Bernard MURAT, fait au nom de la commission des affaires culturelles, déposé le 25 novembre 2004

Volontaires

The case of *volontaires* is different. Civil *volontaires* are covered in case of illness, maternity or inability under the general regime of social security. In case of an accident or illness occurred whilst volunteering, provisions from the IV book from the 'Social Security Code' are applied. Those who volunteer as part of a recognised international development volunteer programmes are also awarded special coverage, in particular in relation to coverage by the 'société mutuelle' (insurance provided by mutual organisations). They are also awarded a payment upon return to help them 'reintegrate' into French society.

4 ECONOMIC DIMENSION OF VOLUNTEERING

4.1 Funding arrangements for volunteering

National budget allocated to volunteering

No data available is available on the national budget allocated to volunteering.

Until 2004, Government recognition of volunteering was operationalised through the **National Funds for the Development of the Non-Profit Sector** (Fonds National de Développement de la Vie Associative – FNDVA). Decree N° 2004-657 of July 2004 created the Conseil du Développement de la Vie Associative – CDVA (Council for the Development of Associations) to which funds are allocated in order to give **subsidies to associations mainly for the training of volunteers**. Subsidies to organisations to support their activities are channelled via local authorities.

Bénévolat is support through funding provided by the central administration, by the regions and by the departments. However the communes represent the main public financial support of associations.

o. Funding to support the training of *bénévoles* is provided by the regions, based on how the association meets the criteria established at national level.

National budgets dedicated to *volontariat* are distributed locally on the basis of the number of *agrément*s. Public funding is based on criteria established at national level, and public support based on a common scale applicable to all.

In French administrative tradition, State aid for associations takes the form of **subsidies** rather than payment for services rendered. In the absence of a precise legal definition, case law has highlighted three criteria upon which recourse to subsidies is to be based:

- the initiative for the project should not come from public authorities;
- the subsidy should be paid without any direct compensation or equivalent;
- the subsidy should maintain its discretionary nature.⁵⁵

The attribution of subsidies (*subvention*) to associations, as all types of subsidies, is discretionary and therefore by nature less transparent but related to the objectives of the public authorities and the actions that they are undertaking.

The other forms of funding are the following:

- Partnership agreements – Usually negotiated for terms between 1 to 4 years, comprise agreed objectives and costs are negotiated between the voluntary organisation and the state, and are evaluated jointly. However as the state works on annual budgets, the sum can vary from year to year.

⁵⁵ Rapport LANGLAIS Jean-Louis, Pour un partenariat renouvelé entre l'Etat et les associations, p.40

- The financial contribution –normally used by the social care sector and guarantees a sum for at least one year, but it makes voluntary organisations subject to public procurement rules for everything they wish to purchase and is therefore more restricted.
- Public procurement – This form allows transparency and competition, so the public authorities are generally in an advantageous position, and it gives the voluntary organisation the possibility to engage in work usually reserved for the private commercial sector.

Sources of funding for voluntary organisations

In terms of sources of funding, a detailed breakdown of the resources of associations is available from the large scale survey undertaken by CNRS in 2006 (13,000 associations surveyed).

Table 4.1 Source of funding of associations⁵⁶

Nature and origin of the resources	%
Public funding	51%
<i>Communes</i>	14%
<i>Central Government</i>	12%
<i>Departments</i>	10%
<i>Social organisms</i>	7%
<i>Regions</i>	3.5%
<i>European Union</i>	1%
Private funding	49%
<i>Income generated through activities</i>	32%
<i>Membership fees</i>	12%
<i>Donations and sponsors</i>	5%

Public sector funding, comprising 51% percent of the total income, are the dominant financial resource, allocated primarily by the communes, secondly by central government, and thirdly by Departments.

It is important to note that public funding in this table includes all types of public financing, i.e. subsidies, contractual payments, provision of services. Public subsidies represent 34% of the total budget.

Central government subsidies and payments are largely concentrated on education and research and the health and social sector, while local government money (commune) is more widely dispersed: culture and recreation, leisure, development and housing, and sport rely on local government subsidies or contracts.

Privately earned income represents little less than half of total resources. However, they represent a greater share in Sport and Leisure. Membership fees represent a unique source of funding for many associations. It represents 26% of the resources of associations relying entirely on volunteers (against 12% on average, for all types of associations).

A characteristic of the non-profit sector in France is the contrast between large, national organisations and small, local groups. Large organisations, which also rely on paid staff and

⁵⁶ Survey MATISSE/CNRS 2005-2006

which are heavily dependent on public funding, as opposed to smaller voluntary organisations which have access to more diversified resources.

France Bénévolat estimates that, if the resources that represent volunteering were included in associations' budgets as part of 'private funding', the share that it represents in the overall budget would be substantial. Within France Bénévolat itself, volunteers' time amounts to 90% of their total budget.

4.2 Economic value of volunteering

Income generated through volunteering

According to the MATISSE/CNRS survey, 49% of the resources of associations are generated by private income, along the following breakdown:

- Income from activities (private): 32%
- Membership fees: 12%
- Donations: 5%

Some key differences exist across the different sectors in which voluntary organisations operate. Income generated by the organisation, in proportion to the public subsidies received, is much higher in the field of Sport and Education where public subsidies represent respectively only 24 % and 29% of the organisations' resources. Membership fees represent 38% of sport organisations' resources, and 24% of advocacy organisations. Donations represent generally a low share, except in relief organisations (24%). Finally, income generated by the organisations' activities, represents a substantial share of resources in the field of education (65%), social and health (54%) and leisure (50%).

Economic value of volunteering

Volunteering represents today **935,000 FTE** (full time equivalent), whilst employed staff in the voluntary sector represents 1,045,000 FTE. There is no consensus on the estimation of the economic value of volunteering. Some researchers estimate that it is between 10 and 15 billion euro, depending on the method used to value voluntary work – minimum wage (SMIC), equivalent wage for similar position, etc.

No study has ever attempted to measure the economic value of *volontariat*.

The attitude towards measuring the economic value of volunteering has changed in France in the past 10 years. There used to be a strong reluctance to put an economic value on volunteering. Today, there is a growing consensus that it can have a positive leverage effect for the voluntary sector. Associations are encouraged to provide their 'complete' budget that includes their various revenues and contributions including volunteering. France Bénévolat encourages its members to measure the value of volunteering in their organisation.⁵⁷ In France Bénévolat this amounts to 60,000 euro (volunteers' time input). This is a strong argument for local authorities to continue giving their support, as the money they invest, which represents about 10% of the association's global budget, allows for the mobilisation of 90% of the resources of the organisation (i.e. volunteer work).

⁵⁷ The European rules recommended in European contracts is the replacement rate: the costs that would represent the volunteers if they were employed staff. Volunteering can be considered as private match funding, in support of public funds. This cost is calculated taking into account the education and skills level of volunteers: the minimum wage multiplied by 1, 2 or 3, according to the level of responsibility, education, activity etc.

Value of volunteering work as a share of GDP

A study (L. Prouteau)⁵⁸ estimates the value of volunteering (bénévolat) to represent slightly less than 1% of GDP. As mentioned above, there is no consensus on these figures as different calculation methods exist.

According to the CPCA, the economic stature of the French associative sector in 2005 represented:

- Annual cumulative budget: 59.4 billion euro or 3% of the French GDP
- Employer associations (14%) stand for 48.5 billion euro (82% of the total budget of the sector)
- Non employer associations (86%) stand for 10.9 billion euro (18% of the total budget of the sector)

Provision of social services

There is no data available on the share of non-profit organisations providing Social Services of General Interest (SSGIs).

However indications on trends are provided by the fact that the decentralisation policy of the Socialist Government initiated in the 1980s has encouraged the provision of social services by associations. The key element of this policy is the use of independent non-profit organisations as vehicles through which the government administers welfare and employment programmes. In the context of the budgetary constraints facing the public sector, many local governments began to include non-profit organisations in the provision of social services. A striking example of the emergent partnerships between the state and the non-profit sector was the introduction in 1989 of a minimum income for the poor, coupled with an 'insertion contract' between service provider and beneficiary that aims at integrating the beneficiary into the labour force. While the central state provides the funds, non-profit organisations and local government agencies implemented the programme.⁵⁹

There is currently a debate in France about the participation of associations in public procurement procedures, and the provision of public services. Overall it is estimated that the provision of SSGIs concerns a limited number of associations. They are sub-contracted to deliver employment services on behalf of the state or local authorities. However this share might increase due to the changes introduced by the implementation of the Service Directive in France (see Section 7).

Service substitution

A number of negative effects related to the sub-contracting of public services to associations are highlighted by the voluntary sector. Certain voluntary activities are perceived as taking over – with the support of public funds – missions previously fulfilled by the state. Such associations are often relying extensively on paid staff rather than volunteers, usually in the social and sanitary sector.

Some interviewees considered that the risk of service substitution when the state sub-contracts public services is high. The debate in France focuses on the role that voluntary associations should play in providing 'complementary' services that the state cannot provide, rather than merely replacing state services. In terms of employment for instance, some organisations provide long-term, individualised support for specific groups of unemployed persons, which is not something the state agency can provide.

⁵⁸ *Donner son temps : les bénévoles dans la vie associative*, Economie et statistique n° 372 – Publication en Février 2005

⁵⁹ E. Archambault, *Defining the Nonprofit Sector: France*

Job substitution or the risks that volunteering is replacing employment

This issue of job substitution is the source of heated debates in France. *Bénévolat* is generally perceived in France as a complement to paid jobs in associations. However there are cases where *bénévoles* carry out missions that could be those of paid staff in associations. Exceptionally these cases can be requalified by the judge.

The position of organisations such as France Bénévolat is to refuse sending volunteers to work in public bodies (e.g. local authorities, hospitals etc) in order to avoid job substitution. They only dispatch volunteers to voluntary organisations (and not in the public sector), and only when they complement, and not replace, paid staff.

In the case of *volontariat*, voluntary activities should not replace paid jobs as the aim of these activities is to raise awareness of engagement to serve the community among young people, and not to constitute some form of precarious employment. Public administration aims to ensure that these missions never constitute positions that paid staff could fulfil.

The concept of *volontariat* is somehow controversial as it is mostly undertaken in public structures. It is sometimes considered that the presence of a contract and the provision of indemnity make it a hybrid form between volunteering and paid work.

In the case of civil volunteers for instance, CIVI (International Civil Volunteering) promotes volunteering as an international professional training experience and an expression of solidarity. The objectives of the programme are clear: to reinforce the economic, social, scientific and cultural development of France while facilitating the mobility and access to the labour market of young people. However, the programme has generated some tensions. Some consider that the programme is not in fact about volunteering but rather a remunerated overseas training period for young people and an opportunity for French businesses overseas to gain skilled young people at a fraction of the cost.⁶⁰

Negative aspects attributed to the relationship between volunteering and work include fears that - especially in social services - volunteers should act as a 'job killers'. Sometimes, boundaries between volunteering and precarious, low paid jobs, are not so clear. The difficulty of identifying the differences between volunteering and precarious jobs is connected with how much payments linked to volunteering (such as reimbursement of costs) are accepted and normal in the respective countries.

According to research carried out by IRIV, there is little empirical evidence proving the 'job killer' theory. On the contrary, the quantitative impact of being a bridge between non-work and paid work has been shown especially in the social, environment or cultural fields. Volunteers have played a major role in identifying needs and creating new jobs, for instance in France, specific jobs were created between 1997 and 2002, (the so-called *emplois-jeunes* promoted under Lionel Jospin's socialist government). Since 2002, some initiatives have been promoted to create jobs in the social economy, most of the time with public support. Volunteers have been pioneers in finding new areas to create new kinds of jobs.⁶¹

5 SOCIAL AND CULTURAL DIMENSION OF VOLUNTEERING

5.1 Key benefits for volunteers, the community and direct beneficiaries

Key benefits for the volunteers

Social benefits of volunteering have often been looked at from the point of view of social integration and employment. Twenty to 30% of unemployed people are involved in

⁶⁰ CEV, *Facts and Figures* 2004

⁶¹ B. Halba, *Volunteering in the VPL perspective*, 2007

voluntary activities. Findings from studies on the effect of volunteering on the integration on the job market suggest that there are beneficial effects, under certain conditions⁶², namely that:

- The voluntary is purely voluntary and not prescribed by the institution;
- It is based on a network;
- Volunteering is recognised and valued by their peers;
- They are supported by the association, and that the association support their integration;
- The time spent in voluntary activities is recognised in their professional pathway.

For job seekers, volunteering has obvious benefits: being integrated in a group, interacting with others in a constructive way, reflecting on different professional pathways. However, unemployed volunteers still represent a minority of volunteers. Obstacles such as the lack of time (mainly dedicated to job search) and lack of self confidence could explain this low level of engagement.

With regard to elderly people, studies based on qualitative observations show that the transition work/retirement is better managed when people carry out voluntary activities. Through volunteering, individuals still active in the labour market accumulate 'multiple identities', which facilitates their transition to retirement when their professional life ends. Volunteering should be promoted as a tool to support this transition, which is often a difficult experience. Generally people who volunteer during their working life tend to also volunteer after they have retired from the labour market.

Finally, volunteering has obviously important benefits for young people. According to the Directorate for youth, education and the associative sector, the number of *volontaires* is increasing, as well as the number of associations and other structures that host *volontaires*. There is no statistical evidence to show that *volontaires* who have been engaged in a mission, will become active citizens in the life of their community or in a voluntary organisation after the end of their mission. However, what does emerge from the various surveys carried out is that *volontaires* are very enthusiastic about their experience in the service of general interest and that they benefit personally and professionally from this experience.

Volunteering offers opportunities to take on stimulating work, to develop skills, to explore different careers and to get work experience. Voluntary work has proved its impact on formal education: volunteers may improve theoretical knowledge acquired at school or acquire new skills or qualifications such as technical skills. Volunteering has also proved its impact on non-formal education: through voluntary work, volunteers develop informal skills such as teamwork, participation, citizenship, solidarity, mutual understanding but also, on a personal level, self esteem and self confidence.⁶³

According to the experience of ANIMAFAC, a network that supports associative life in universities and provides a resource centre for student initiatives, volunteering also has important benefits in terms of reducing career indecision. Voluntary work could be a testing ground when students may be able to make decisions about their professional orientation.⁶⁴

⁶² France Bénévolat

⁶³ B. Halba, *Volunteering in the VPL perspective*, 2007

⁶⁴ « Des intérêts des bénévoles », Symposium organised by Université de Paris 5 René Descartes and IRIV, Octobre 2009

Contribution to economic and social policy goals at national level

Volunteering facilitates an individual's integration into the job market and into society in general. Associations have observed that *volontaires* find it easier to find jobs after their experience of *volontariat*. This coincides with the government priority of improving access to lifelong learning.⁶⁵

Volunteering has important benefits in relation to the job market, from both an individual and also a societal point of view:

- at micro-economic level, volunteering has important benefits for volunteers in terms of experience, professional opportunities, new horizons;
- at macro-economic level: the contribution of volunteers has a positive effect on the economy: associations create jobs, and play a role of pioneers in identifying needs for new services.

Volunteering fosters the recognition of rights and needs that were not previously acknowledged as such. The associative movement has therefore an innovative role to play in identifying new needs in society, and therefore creating new jobs in the long term. When new demands emerge, associations are usually the best placed to respond to them. For instance community services (*services de proximité*) create new jobs and promote integration and social cohesion. New structures have emerged (e.g. care of old people) thanks to associations that cover needs that are not addressed by the market or public services (repair, recycling etc). Volunteering is the corner stone of such structures; they are an indispensable support to the professionals and managers who start such activities.⁶⁶

5.2 Factors that motivate individuals to volunteer

Studies of volunteering in France have revealed that people who volunteer hope, through volunteering, to increase their self-confidence, make new friends, be involved and improve themselves (socially and professionally). Many volunteers have also said that they have, through volunteering, a better understanding of their local community.

Motivations also depend on the type of action and sector where volunteers are engaged. Of the 204,000 volunteer firemen in France, many indicated that they signed-up to do this (on top of their jobs) because they wanted to help their fellow citizens⁶⁷.

According to France Bénévolat, volunteers' motivations have hardly changed between 1996 and 2002. A survey carried out in 2009 looked at the main sources of satisfaction related to volunteering.⁶⁸ These are, in order of importance:

- Contact and exchanges with others;
- Satisfaction acquired through being useful and efficient;
- Conviviality/friendliness;
- Personal development.

Naturally, the type of motivations varies according to the target groups considered. A key motivation for young *volontaires* is also to gain competences and skills. It is generally considered that motivations for young volunteers tend to be more 'pragmatic', related to the acquisition of skills and competences, and to their future professional development. Factors that might trigger the engagement of young people are also related to the longer duration of

⁶⁵ Directorate for youth, education and the associative sector

⁶⁶ B. Halba, *Volunteering in the VPL perspective*, 2007

⁶⁷ Firemen, current status and reflection on the future of volunteering, March 2003

⁶⁸ C. Bazin, J. Malet : *La France Bénévole*, 2009

the studies, and the difficulty of finding a first job. On the other hand the main reasons for not engaging in voluntary activities are perceived to be the lack of time, lack of information, and financial difficulties.

A study carried out in three regions in France showed that key motivations of young volunteers were⁶⁹:

- Meeting people;
- Gaining knowledge;
- Defending a cause;
- Filling one's free time.

Their preferred areas for voluntary engagement were sport and leisure, education and training, humanitarian causes, and culture.

On the other hand, motivations of 'senior' volunteers are usually related to the following:

- structuring one's time;
- finding new challenges;
- using one's competences outside the work context;
- being useful and contributing to society's welfare;
- having a social life; and
- staying in contact with younger generations.

⁶⁹ B. Halba, *Bénévolat et volontariat en France et dans le monde*, 2003

6 VOLUNTEERING IN THE CONTEXT OF EDUCATION AND TRAINING

6.1 Recognition of volunteers' skills and competences within the national educational and training system

The value of the volunteering experience has been recognised in a pioneer legislation in the context of assessing formal and informal learning: in 2000, the Ministry of Youth and Sports modified a law related to the organisation and promotion of physical and sport activities, to the effect that the qualifications required for teaching and training in a professional perspective in the field of Youth and Sports can now be validated through professional or voluntary experience. The 2002 Social Modernisation Law on **VAE** (validation of experience). Then extended the **validation of voluntary experience** to all domains of associative activities.⁷⁰

Part or the totality of a diploma or certification can be obtained through VAE. The main condition is to justify by three years of activity linked to the field of the diploma or qualification asked for, and this can be through 'paid staff activity', 'non-paid activity', or 'voluntary activity'. Individuals must be able to show that the skills they have acquired through a minimum of three years' voluntary work are of the level required by the qualification. The candidate receives the validation after assessment of their experiences directly related to the subject of the diploma. This is an active and quite demanding process but it has opened doors to many people without diplomas to value their professional experience.

The current government is looking into further increasing the recognising volunteering even further, in particular through the VAE. It is generally considered that VAE is a complex process as:

- Activities have to be recorded / documented;
- The content of these activities have to be documented to relate to specific competences;
- A jury must recognise / give credits to these competences. The jury in VAE is usually not familiar with voluntary organisations and their activities. However the Ministry has provided training to the VAE jury members to ensure that applicants are treated in the same way in whichever region they undertake the VAE procedure.

Training providers consider that the law of January 2002 has had significant impact on the world of vocational training. It has allowed genuine progress in the principle of lifelong learning by focussing on the qualification and no longer on training.

Recognition of competences acquired during an experience of *volontariat* is easier, as *it* is based on a more formal approach. However, as the number of *volontaires* is very limited, recognition has not been widely used so far.

A number of projects are exploring how to best record the competences of *bénévoles* The Ministry in charge of volunteering is looking at tools such as *bénévole portfolios* or '*livrets*' which would also be recognised by companies. The President also announced in

⁷⁰ The VAE rounds off an existing arrangement, the Validation des Acquis Professionnels (VAP), which is an effective instrument for facilitating continuous access to certification of work-based learning without having obtained the necessary university level. Here again, it is used to increase the value of past professional and personal experience and certify of one's professional level in front of a validation committee. This law, dating back to 1985, has allowed a large number of people to have access to university studies, essential to their professional development.

September 2009 the launch of the *Livret de compétences*, which will enable secondary school pupils to highlight the competences they acquired outside school such as voluntary activities. The tool will be experimented in 2010 in a limited number of schools.

In addition informal tools such as the 'Passeport bénévole' have also been developed by associations, and are used on a small scale.

There is an important demand for this type of instrument. The pilot project Leonardo da Vinci Assessing Voluntary Experiences (AVE) in a professional perspective⁷¹ has developed a portfolio of competences, focusing on the skills and competences acquired in the voluntary sector. Professionals from voluntary associations, public authorities and a national agency for employment have tested this portfolio of competences to value or assess a voluntary experience.⁷² In 2003-2004 a ministerial working group has looked into the possible use of such a portfolio to record the experience of bénévoles, based on self-assessment, identification of competences, and documentation of experiences.

VAE experts noted that the reluctance to use these kind of tools can come not only from authorities delivering qualifications, but also from association leaders (mainly because of a negative perception of the professionalisation of bénévoles and the competition with paid staff) and indeed from bénévoles themselves (as the process is time consuming and the benefits not always obvious). The recognition of the benefits of procedures that validate informal learning will be a long term process.⁷³

Volunteering and education institutions

A limited number of legislative texts encourage the voluntary engagement of pupils in secondary education. Since 2006 a grade is attributed to pupils on their overall behaviour (*note de vie scolaire*). The grade is based on three aspects: the pupils' attendance record, their respect of school rules, and their participation in school activities or in activities recognised by the institution. The aim to encourage civic engagement and a responsible behaviour and to emphasise 'positive' attitudes. The fact that pupils do not engage in such activities do not penalise them, as the grade attributed to this third aspect can only be positive.⁷⁴

The introduction of this grade means that voluntary engagement is taken into account, at least to a limited extent.

In higher education level, a 2001 Ministerial circular encouraged the recognition of associative activities.⁷⁵ The modalities of this recognition are to be determined by the University (optional unit; stages; bonus; special mention on the diploma etc.). Some universities offer the possibility to validate units of learning outcomes (ECTS credits) through an experience in a voluntary organisation. When registering at university, the internships that students have to complete are recognised in the same way, whether undertaken in an association or in a company. Universities are also encouraged to support associative life in providing facilities (e.g. meeting rooms).

Various possibilities and modalities to strengthen recognition and support of volunteering (bénévolat and volontariat) in the education pathway are currently being examined by the

⁷¹ Countries : France, Austria, Germany, Hungary, Italy, Poland, United Kingdom

⁷² *Valider les acquis d'une expérience bénévole (VAEB) pour un projet professionnel*, Programme Leonardo da Vinci (2003-2006)

⁷³ « Des intérêts des bénévoles », Symposium organised by l'Université de Paris 5 René Descartes and IRIV, Octobre 2009

⁷⁴ <http://www.education.gouv.fr/bo/2006/26/MENE0601604C.htm>

⁷⁵ <http://www.education.gouv.fr/botexte/bo010906/MENS0101700C.htm>

government. However, it is difficult to implement a national policy in this matter as universities are autonomous in France.

6.2 Education and training opportunities for volunteers

Overall the type of training that volunteers receive depends entirely on the association that host the *bénévoles* and its strategy in the matter. The State and the regions support training provided for *bénévoles*.

Depending on the type of *volontariat*, the training of *volontaires* is either compulsory and organised by the association but financed by the State, or non obligatory and depending on the association's policy.

A survey carried out among *bénévoles* in 2009⁷⁶ revealed that the level of training given to volunteers was overall considered insufficient: only 39% of the volunteers consulted reported that they had received training when joining an association.

In the field of sport only 30% of volunteers received training. However in this sector there might be a tendency to consider training in a more formalised way, since diplomas are often required as a precondition to carry out certain tasks.

On the other hand, associations in the health sector seem more likely to provide training to new volunteers. Associations in the social, professional and international development sector also make significant efforts in terms of training.

It seems that associations are also making more efforts towards young people. This might also reflect the support received from the public authorities (public funds) to encourage training.

In terms of tutoring/coaching, 47% of volunteers included in the survey reported that they had received the support of a mentor or tutor. This is particularly the case in the health sector.

Government support

Since 1985 a 'National Fund for the Development of the Non-Profit Sector' (FNDVA)⁷⁷ has financed some training related projects. Three types of actions may be financed via this fund:

- Volunteer training;
- Pilot projects;
- Research of national interest.

Subsidies amount to 23 euro per day for one person. As an indication of the size of this investment: in 2003, the FNDVA financed 19 volunteer training sessions organised by seven associations in the prefecture of Doubs alone. Furthermore, between 1998 and 1999, FNDVA funds earmarked for the training of volunteers increased from more than 3.5 million euro in 1998 to more than 6 million euro in 1999.

The government is examining ways to reward *bénévoles* engagement: after one year of volunteer activity, *bénévoles* could be entitled to professional training, as a form of bonus or an incentive to continue their commitment.

⁷⁶ C. Bazin, J. Malet : La France Bénévole, 2009

⁷⁷ Fonds National pour le Développement de la Vie Associative

7 EU POLICIES AND VOLUNTEERING

7.1 EU policies the field of volunteering

Each Ministry Department articulates its actions taking into account relevant European policies. The European Voluntary Service and the AMICUS programme have created new opportunities in terms of volontariat, with an increased focus on the mobility of young people.

According to the Ministry of Health, Youth and Sports, the legislative texts and policies adopted by the EU institutions constitute a point of reference to which administrations in charge of volunteering should pay close attention. The policy making process is consolidated by existing European guidelines, rather than being a direct response to them.

According to the voluntary sector, EU policies aimed at promoting volunteering (e.g. education and training, active citizenship) have not had a direct impact on the national policy in relation to volunteering.

7.2 EU Internal Market policy and the financing of voluntary organisations

The most significant impact of EU policies on the voluntary sector is clearly seen in the area of public procurement and the implementation of the Services Directive in France.

European Directives, in particular the Services Directive, have profoundly modified the modalities of financial support to associations.

The Services Directive

In order to be exempt from the Services Directive (and being able to receive subsidies), activities provided by the voluntary sector could be treated as 'social services of general interest' (SSGI) in the subcategory 'services of general economic interest' (SIEG) established by the Commission in 2006.

However, the wording of the Directive is very restrictive since it provides not only for a specific field of action, but also for a compulsory *entrustment*. Social services are understood to be those exercised in the areas of housing, childcare and support to families and persons in need which are provided by the State at the national, regional or local level by providers entrusted by the State or by charities recognised as such by the State.⁷⁸⁷⁹

Most of the services carried out by associations could therefore be subject to this directive if they do not formally meet the compulsory entrustment. The problem is that the concept of entrustment (*mandatement* in French) is largely foreign to the French concept of associations.⁸⁰ Therefore a number of services provided by associations in France could enter into the field of application of the Directive.

Generally the State does not delegate a task of general interest to an association - rather it provides financial support for associations' initiatives and it does not commission their work. Since associations are permanent sources of projects and social innovation, they stand

⁷⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006L0123:EN:HTML>

⁷⁹ See also COMMISSION DECISION of 28 November 2005 on the application of Article 86(2) of the EC Treaty to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest

"In order for Article 86(2) of the Treaty to apply, the undertaking beneficiary of the aid must have been specifically entrusted by the Member State with the operation of a particular service of general economic interest.

According to the case-law on the interpretation of Article 86(2) of the Treaty, such act or acts of entrustment must specify, at least, the precise nature, scope and duration of the public service obligations imposed and the identity of the undertakings concerned."

⁸⁰ LANGLAIS Jean-Louis, Pour un partenariat renouvelé entre l'Etat et les associations, 2008

more as partners of the State rather than as service providers and the contractual relations between the two parties are not established on a very formal basis. The State authorises a specific association to manage a specific social service (through agreements in particular) and gives the association financial support through subsidies, tax deductions, etc. However no authorisation or grant agreement recognises that a public service mission has been entrusted to the association.

Therefore, all funding (subsidies, tax deductions, 'day tickets' from the social benefit authorities, etc.) granted to the aforementioned associations could be reclassified as State aid, which could constitute a number of violations of the Community Treaty. The need for clarification concerning the scope of social services of general interest is manifest.⁸¹

8 CHALLENGES AND OPPORTUNITIES FOR VOLUNTEERING

8.1 Challenges for volunteering

As explained in the first section, France's non-profit sector is relatively young and blossoming, after the decentralisation efforts in the 1980s. The challenges with which the French non-profit sector is confronted are very different from those facing many other countries. Unlike most other European countries, France does not bear the same burden of renewing the strength of the third sector. As French non-profit organisations are small and numerous compared to those in other European countries, demographic renewal is not a hardship, but rather one of the sector's chief attributes⁸².

At national and organisational level, the main challenge according to the Ministry of Youth and Sport is to retain *bénévoles* already engaged, and to attract certain groups of the population such as young people, to ensure the renewal of management teams within voluntary organisations. Three areas need to be addressed in the following priority: information, knowledge and recognition.

This confirms the views of actors on the ground such as France Bénévolat and supports the argument that the crisis does not concern the number of volunteers, but is rather about finding adequate persons, renewing the management teams of associations and finding the right competences.

Most stakeholders note that there is inadequate knowledge of the needs of the associations, and that there is an imbalance between supply and demand. A survey among 200 associations shows that:

- 96% of associations need more volunteers than 5 years ago;
- 80% have developed a wider range of activities.

Associations are mainly looking for competences in communication, new technologies, finance, administration, human resources, legal issues and negotiations⁸³. The increasingly professional nature of personnel employed in the non-profit sector is also a challenge that associations have to address: the *bénévoles* find themselves working side-by-side with newly employed paid professionals, recruited on the basis of specific competences. This means new challenges in terms of management of human resources within association.

⁸¹ LANGLAIS Jean-Louis, Pour un partenariat renouvelé entre l'Etat et les associations, 2008

⁸² E. Archambault, 1999

⁸³ CEVI/AVSO *Voluntary Activity In France - Facts And Figures*, 2004

On the volunteers' side, the survey carried out among *bénévoles* in 2008, revealed that the expectations of volunteers are the following⁸⁴:

- Greater attention paid to voluntary activities (38%)
- Training (26%)
- Support from other volunteers to carry out their activities (26%)
- Better recognition (23%)

The demand for training is particularly strong among young volunteers (30%).

Concerning *volontariat*, the key challenge for the government is to harmonise the various forms and statuses in order to increase the engagement of young people, through a better understanding of the status, simplified modalities of access and harmonised material conditions. An important issue is to increase the number of volunteers whilst making sure that the role and objectives of *volontariat* are preserved – raising awareness to engagement for general interest – without substituting jobs.

Professionalisation of the voluntary sector

The governance of associations has changed considerably due to their professionalisation (here understood as the increasing involvement of paid staff), which has been under way for some time. It has gradually modified the balance between elected officials responsible for political strategy and the paid managerial staff who run the associations. It has also changed the position of volunteers vis-à-vis paid staff.

Many emphasise the effects of a shift in the way organisations are run, with an increasing reliance on recruited staff who are neither prepared nor trained to adapt to the association rather than on the commitment of activists.

Others note 'a taylorisation' of service-based tasks. Administrative tasks are allocated in a more and more fragmented way. They are of course carried out more competently, but bear no relation to the actual purpose of the association.

Nevertheless, many emphasise that this process is not widespread, that some associations, although professionalised, have remained lively and innovative. Moreover, it is important to note that 85% of associations are relying exclusively on volunteers. The question of the relationship between paid staff and volunteers therefore affects a minority of (large) associations. It can also be noted that youth movements have different characteristics as they are managed by young people themselves.

A balance needs to be found between paid staff and volunteers which would meet both professional standards and the requirements of volunteer commitment.⁸⁵

Specific challenges in relation to young people

The level of volunteering among young people in France is far below other countries in Europe. According to ANIMAFAC, only 10% of students are engaged in an association. However, 70% declare that they would be interested in joining an association.

One of the reasons behind the low level of students' engagement is the fact that voluntary activities are not part of, or promoted in the education system as for example is the case in the UK and Germany. Active citizenship education (*pédagogie de l'engagement*) can exist at three levels: family, school, and socialisation groups (e.g. youth centres). Insufficient resources are dedicated to support active citizenship education at school and in social groups in France. Support to *bénévolat* at the school level is currently relying on the

⁸⁴ C. Bazin, J. Malet : La France Bénévole, 2009

⁸⁵ CPCA, Associations et logiques de marché, Juin 2009

initiatives of individuals and it is not promoted at the system level. The topic of volunteering itself does not feature in the curriculum (for instance the analysis of the voluntary sector in economics courses) and there is generally a poor knowledge of the associative among students, who tend to identify associations with big charities that are promoted in the media. The variety and diversity in terms of types of associations, sectors, and activities are usually ignored.

The government has acknowledged the need to attract more young people in the volunteering sector and the need to ensure recognition of their engagement, in particular at school and university level. This aspect is currently being examined by the Ministry of Youth and Sport. However the best way to promote volunteering among students is being debated by stakeholders. Whilst some advocate the use of 'credits' that would reward volunteers at university, the ANIMAFAC network is not in favour of an approach that gives an advantage to those students engaged in associations, as this would not be well received by students and therefore would not serve the cause of associative engagement.

The question of young people's engagement also raises the issue of the renewal of leadership in associations: the MATISES/CNRS survey showed that access to leadership functions is still strongly characterised by inequalities in terms of age groups. Volunteers below 46 represent 25% of presidents (whilst they represent 50% of the total population). Almost 50% of presidents are retired, which points to an issue of time availability to assume these functions. 40% of presidents are also the founders of their association, which reflects a low renewal rate.

Senior volunteering

Surprisingly, retired people are not over-represented among volunteers in France. The percentage of volunteers among the age group over 65 is very low compared with countries such as the UK and the Netherlands (17% in France against 45% in the UK⁸⁶). These countries have implemented long term policies to involve different age groups: young people, with the involvement of education institutions, people active on the labour market, with the increasing involvement of companies, and retired people, with the involvement of public bodies in charge of pensions. Given the demographic trend and the increasing share of elderly people in the population, the increasing involvement of senior people in the voluntary sector will be essential for the vitality of the associative sector and to address the needs of associations in terms of voluntary work.

Among this age group, the reluctance to engage in voluntary organisations can be partly explained by their fear of being pressurised by voluntary organisations to dedicate all their time to volunteering, as they are free of work and other obligations.

Experience in other countries showed that people rarely start volunteering when they enter retirement. On the contrary voluntary engagement is usually related to early experiences such as the family environment, involvement in youth organisations, trade unions, social networks etc. Therefore the development of volunteering amongst the elderly will require a promotion of voluntary engagement at an early stage, as well as proper support structures for this target group.

For associations involving retired people, the issue of the transition of and replacement of managers is important. There is currently a risk of 'gerontocracy' in more traditional associations which do not always welcome young people in their organisation. Therefore, young people tend to get involved in youth organisations, which results in a segmentation of the voluntary sector by age group.

⁸⁶ B. Halba, *Bénévolat et Volontariat en France et dans le monde*, 2003

Impact of public procurement rules on voluntary organisations

In the past years associations have witnessed a considerable change in the relations between associations and public authorities: public procurement legal procedures have disrupted these relations through the introduction and development of public sector contracts. Subsidies are being increasingly replaced by calls for tender, calls for projects and the outsourcing of public services. Local authorities (*collectivités territoriales*) seem to partly use public procurement as an 'umbrella' to avoid any risks of subsidies being reclassified as state aid (see Section 7).

Consequences for associations include increased competition between associations, trivialisation of the specific nature of associations by applying rules that are designed for the business sector and the risk of driving away volunteers.

The future implementation of the 'Services Directive', planned for 1 January 2010, leads to fears within associations of the additional constraints and the 'commodification' of many activities, including those of a social nature. Competition arises in two areas: between associations in the same sector or field and between associations and traditional businesses. The risk is the marketisation of missions of general interest.⁸⁷

Another consequence is that the associations, in order to be able to respond to the calls for tender, must have a solid legal and financial basis. These conditions only concern a minority of organisations in the voluntary sector. Other organisations might not respond to the criteria of public procurement but can still make innovative social responses.⁸⁸

Unless commissioners cautiously consider the wider implications of commissioning decisions, there is a risk that over time, 'general interest', 'social capital' or 'community' objectives are lost as third sector organisations are seen only as competitive entities.

This might also impact voluntary engagement. Indeed the commercial logic that is created by calls for tender is not adapted to the preservation and development of social networks that characterises bénévolat. Potentially, the wider and less easily measured benefits (e.g. involving volunteers, the knowledge about local conditions and needs, their connections in local and regional networks) that third sector organisations can bring are lost.

8.2 Opportunities for volunteering

Better management of volunteering resources

Changes in demography and the labour force suggest that in France large reservoirs of potential volunteers remain 'untapped' for the expansion of the philanthropic share of non-profit operations. Among this untapped pool of potential volunteers are healthy early retirees who are frequently highly skilled and whom benefit from a wealth of professional experiences. There is also a reservoir of volunteers among students.

In relation to the problem of management of associations, it is important to support young people to take on responsibilities in a dynamic environment. Practices in the management of volunteers must be improved.

A solution for associations is a better use of HR tools, which they tend to consider belonging solely to companies. Professionalisation is therefore needed, to improve the recruitment and management of bénévoles in the voluntary sector. In particular, the specific needs of the various groups involved (elderly, young people, etc.) must be better taken into account.

⁸⁷ CPCA, Associations et logiques de marché, Juin 2009

⁸⁸ L'initiative citoyenne sur commande?", *Juris associations*, 2009

Support to senior volunteers

Better support for the transition between working life and volunteering for elderly people should also contribute to increase the volunteering rate among this age group. Experiments have been carried out in France by various entities (pension funds, local authorities, employees) to provide support for retired people and to help them identify their interests and motivations, and the type of project they would like to get involved in the form of seminars, workshops or group sessions organised by the companies.⁸⁹

Encourage volunteering among young people

The promotion of volunteering in the education system and its systematic integration into the 'school life' could increase young people's engagement.

Research work carried out by *France Bénévolat* revealed that the engagement of young people relies on a number of specific factors such as the need for concrete actions and visible results, preference for collective action, difficulty of committing in the long term, a need for personal benefit, in particular in the field of competences gained. When seeking to attract young people, associations should be encouraged to examine the following points: the project of the association, its attractiveness, communication adapted to the project, the place of young people within the organisation and the way they are integrated, the respect of the social rhythm of young people (e.g. in terms of availability), the implementation of processes to recognise competences and valorise voluntary engagement.⁹⁰

Public authorities should further support programmes such as 'Envie d'Agir' (2002) launched to support the engagement of young people.⁹¹

Education institutions are still too rarely involved in the promotion of volunteering among students. Good practices usually stem from individual initiatives (e.g. teachers) or in the *Grandes Ecoles* (e.g. business schools) which have a greater awareness of the changes affecting the recruitment criteria of companies. . The integration of projects or stages, within or with an association, can be a means to develop these social competences.⁹²

The ANIMAFAC network supports the use of the portfolio tool which helps students to identify which competences they developed during their experience with an association. Whilst there is still some reluctance among students to adopt the competence approach (e.g. because they are reluctant to instrumentalise a disinterested action), mentalities are changing in France in particular the attitude towards the recognition of 'life' experiences (as opposed to 'academic'). Employers are becoming more sensitive to the value of voluntary activities, but more has to be done in terms of support to students to identify and to document these skills and competences.

These initiatives could be developed on a larger scale and systematically integrated into the education system. Good practices on the ground still need to be translated into national policies so that non-formal learning would be fully recognised.

Better recognition of volunteering

Initiatives such as the 'Palme du bénévolat' organised by the *Foundation du Bénévolat* contribute to the **recognition of the achievements** of volunteers. These are awarded every year to a maximum of 350 volunteers. Campaigns carried out by the Foundation to

⁸⁹ France Bénévolat, « L'engagement bénévole des retraités : une implication réfléchi »

⁹⁰ France Bénévolat, « l'engagement bénévole des jeunes », 2008

⁹¹ www.enviedagir.fr

⁹² This is the case, for instance, of the policy implemented by Sciences Po Paris, with the obligation, for students at Master level, to carry out a collective project with a group of student. This project is assessed and validated with credit point (about 8% of the credits necessary to obtain the diploma).

provide insurance for volunteers also contribute to raising awareness of the needs of the voluntary sector among citizens. Today the Foundation provides insurance for 40,000 volunteers.

One of the most dynamic aspects of volunteering today is the **recognition of competences and skills** gained in volunteering. The recognition and valorisation of the time that volunteers dedicate to volunteering is essential as a motivation factor, in particular among younger generations and as a bridge between voluntary work and education.

Better recognition and promotion of the engagement of young people, in particular in the school system and at University level, are being examined and discussed by the public authorities. A better integration of volunteering in the education sector is needed in France.

The portfolio developed by the Leonardo Project Assessing Voluntary Experiences (AVE) is now used by some local authorities in the decentralised service of Youth and Sport. This tool can be used to support the valorisation of experience (VAE), which now recognises professional experience as employee, volunteer, or independent worker. Many volunteers would be more involved in associations if their voluntary work was better recognised and could be used outside the association (for instance in their Education Curriculum).

Organisations engaging volunteers should be more involved in the implementation of such procedures and support their volunteers in using these tools. This could be done for instance by identifying key competences required for each position, or by undertaking a review of the competences and resources needed in the organisation and a mapping of the competences and skills be made available. This would support a better management of their human resources.⁹³

Gaining a better understanding of the voluntary sector

Recognising the contribution of volunteers could also be achieved by measuring the value of voluntary work at the organisation level: it enables managers of associations to have a better idea of their resources, volunteers to see their contributions recognised, and thirdly so that persons can better recognise the action of the association. In France the authorities could encourage the recognition of voluntary work as an economic resource of the association. This is already done by the European Commission which recognises voluntary work as a private resource of associations (it can count as match funding for instance). However it has to be noted that this recognition necessitates technical skills and monitoring schemes that small associations might not be able to set up internally.

To measure the value of volunteering at national level there is a need for reliable, comparable, data to be collected regularly, on the state of volunteering. The figures that are produced today by various studies and surveys are not always reliable, and they do not allow for comparisons over time. Important data gaps exist in relation to the evolution and trend of volunteering, in particular by socio-professional categories.

The importance of collecting data is also related to the possibility of evaluating the effect of the policies/measures/initiatives taken to promote volunteering. For instance, policy makers need more scientific studies on the effect of volunteering on unemployed people, or the impact of tax incentives on corporate volunteering. The surveys carried out by France Bénévolat and other volunteering centres are only representative of their network of associations, not of the whole volunteering sector.

The modernisation of the partnership between the State and the voluntary sector

Associations are increasingly subject to de facto market forces, with calls for tender increasingly replacing agreements or multi-year performance contracts. The modernisation

⁹³ « Des intérêts des bénévoles », Symposium organised by l'Université de Paris 5 René Descartes and IRIV, Octobre 2009

of the partnership between the State and the voluntary sector should promote the adoption of adapted rules for the funding of voluntary organisations and respond to the trend towards the delegation of public action through the use of contracts. Since community procedure is founded rather on a concept of outsourcing public services to associations and on entrustment, national legal instruments should be adapted so that they meet this new vision. Thus, authorisations and recognition of public utility could be key instruments in formalising a **mission of general interest** for associations that are partners of the State.⁹⁴

In the context of a changing national and European environment, the chances are high that litigation will increase. The transposition of the Service Directive in French law should help to clarify the exemptions to the application of public procurement for a number of the activities of associations. For those which will still fall under the public procurement procedure, the adapted use of the public procurement rules would be necessary. Such 'adapted' procedures should favour the implementation of public tenders respecting the specificity of associations.

Of the nearly 30 billion euro generated every year by public procurement contracts⁹⁵, a tiny percentage is related to **social clauses**. The possibility of including social, environmental, and ethical considerations are therefore under-utilised.

The evolution of public procurement procedures towards more **socially responsible practices** is still at the beginning. Criteria such as the evaluation by the partners of the action being financed, the support to the functioning of the association, looking at the funding in terms of duration, sustainability should be taken into account, so that associations are not seen as mere service providers.⁹⁶

Representatives of the voluntary sector are therefore promoting the introduction of the added value provided by associations into the concept of public procurement (such as social and environmental criteria incorporated into calls for tender and public procurement contracts). They also advocate strategies and practices to move from a service-provider culture to one of partners participating in the definition of needs and a shared conception of provision.⁹⁷

Other recommendations include the creation of structures to accompany and support associations in the changing legal environment, the training of directors of associations in technical matters to be presented to local elected officials, the pooling of resources (skills development) from the point of view of networks and cross-disciplinary and territorial partnerships. In this regard, the pooling of technical resources can lead to savings and foster cooperation on projects.

⁹⁴ LANGLAIS Jean-Louis, Pour un partenariat renouvelé entre l'Etat et les associations, Ministère de la santé, de la jeunesse, des sports et de la vie associative, juin 2008

⁹⁵ The budget of associations represents 60 billion and public contribution represent 51% of this budget.

⁹⁶ "L'initiative citoyenne sur commande?", *Juris associations*, 2009

⁹⁷ CPCA, Associations et logiques de marché, Juin 2009

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