

Poland: Improvement of social workers' working conditions but an insufficient increase in social assistance cash benefits

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Since April 2021, the rules governing social assistance in Poland have changed. The amendments are numerous. Some of them apply to the profession of social worker and their employment conditions. These include the establishment of a career progression path for social workers, an increase of the wage supplement for social workers in the community, and requirements for people applying for a certificate of social work supervisor. These changes were positively received by the main Polish trade union of social workers and social assistance workers. Other changes include an increase in penalties for illegal activities in institutional social care (unregistered care homes), and an increase in the maximum social assistance cash benefit.

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Description

The amendment to the Act on Social Assistance (Ustawa o pomocy społecznej) was initiated at the end of 2020. The government submitted a proposal for public consultation, seeking the opinion of local governments, social partners and other government entities. More than 20 different organisations and 10 public entities submitted their opinions. The draft act was submitted to the Parliament in February 2021 and was enacted in March 2021 by a vast majority of both the governing coalition and the opposition parties. In April 2021, the President signed the act, which has been in force since then.

In its proposal, the Government had justified the suggested amendments by listing numerous problems (Projekt UD131). Our focus here is on three categories of amendments: changes related to the profession of social worker, changes in the calculation of the net income used to assess the right to social assistance benefit, and changes in the benefit level.

a) Changes related to the profession of social worker: The main amendments to the profession of social worker include additional categories of persons entitled to practice the profession of social worker (i.e. persons who, since 1 January 2014, have completed the necessary postgraduate studies); establishment of a career path for social workers; introduction of regular evaluations and mandatory promotion for social workers with two consecutive positive evaluations who also meet the seniority and qualification requirements; 10 days of additional annual leave after

3 years of work, instead of after 5 years as at present. The amended act also increases social workers' salaries. In 2004, the government introduced a supplement to the salary of social workers employed in local social assistance centres. This additional amount is paid to full-time social workers who provide social work in the community or conduct family interviews outside the unit. Since 2004 it had remained unchanged, at 250 zł (€56). The amended act has increased it to 400 zł (€89) per month. Furthermore, this supplement can no longer be treated as part of the regular salary of social workers.

b) Changes to the calculation of the net income used to assess the right to social assistance benefit: The net income to be used for assessing the right to social assistance benefit is calculated by deducting not only the income tax paid, but also deductible income-related expenses (koszty uzyskania przychodu). The net income also excludes: financial aid granted to repatriated people, funds granted by public authorities to improve air quality or protect the environment (i.e. the Clean Air Programme, Stop Smog, etc.) and reimbursements of school transport costs incurred by parents of students with disabilities, where such transport is not provided by municipalities.

c) Changes to the benefit level: The only change directly affecting the amount of cash benefits is the increase in the maximum temporary benefit (zasiłek okresowy) for people living alone. The benefit is determined by the difference between the income threshold used for means-testing (the kryterium dochodowe, which is defined in the social assistance law) and the household

income. If this difference is more than the maximum limit, the benefit is reduced to this limit. This maximum limit had not been increased since 2004 and was set at 418 zł (€93). As a result of the amended act, the maximum benefit is now the same as the monthly income threshold per person in multi-person households, i.e. 528 zł (€117).

Outlook and commentary

The Act addresses the need, felt for some time, to improve the rules and conditions applicable to the social worker profession. There have been several unsuccessful attempts to regulate the profession in a new act. The establishment, in 2012, of the Polish National Union of Social Workers and Social Assistance Workers (Polska Federacja Związkowa Pracowników Socjalnych i Pomocy Społecznej, PFZPSiPS), which has become one of the main stakeholders in the dialogue on the profession, has resulted in more attention being paid to regulating the conditions applicable to social workers.

In 2018, PFZPSiPS proposed a package of changes to improve the situation of social workers (Polska Federacja, 2018). Some of these proposals were included in the changes currently proposed, but with modifications which have been summarised by the PFZPSiPS (Polska Federacja, 2020). PFZPSiPS proposed that the supplement for social work in the community (250 zł/€56, not increased since 2004) should be equal to 12% of the average wage in the economy; this means that it would be automatically indexed to wage growth and, in 2020, would

have amounted to 620 zł (€138). The government proposed a much lower increase, to 400 zł (€89). Relative to the minimum wage, this is lower than the initial 2004 value: 30% in 2004 and 14% in 2021. The supplement is still set in nominal terms; it will therefore not be automatically indexed and its real value will decline over time, especially if it is not increased for many years, as between 2004 and 2021.

The changes made to the social assistance benefits are not sufficient. The benefits in Poland do not meet international standards. Poland has not ratified the main point in Article 13 of the European Social Charter, on the right to social and medical assistance. The amended act does not improve the benefits in line with expectations and international standards. The guaranteed minimum temporary benefit, which amounts to 50% of the difference between the income threshold and the household income, has not been increased. Currently, the income threshold for a single person is 701 zł (€156), so if the income of a single-person household is zero, only 350.50 zł (€78) is guaranteed. Most local governments offer only this minimum amount, which is equal to just 55% of the subsistence minimum (extreme poverty line) and 28% of the social minimum (deprivation line) in 2020. Despite the opinion of stakeholders (Stanowisko koalicji rzeczniczej, 2020), and the proposal made by the opposition parties during the Parliamentary discussion, the Government did not increase the guaranteed minimum temporary benefit, either during the consultation or in the legislative process.

Further reading

[Opis projektu ustawy w planie legislacyjnym rządu pozycja UD 131](#) [*Description of the bill in the government legislative plan item UD 131*]

[Polska Federacja Związkowa Pracowników Socjalnych i Pomocy Społecznej w odpowiedzi na pismo DPS-I.0210.2.8.2020.AM z 13.10.2020 r. w sprawie projektu ustawy o zmianie ustawy o pomocy społecznej \(UD 131\), 2021](#) [*Social workers trade union response to the draft Act*]

[Projekt ustawy o zmianie ustawy o pomocy społecznej z 8 października 2020, Rządowe Centrum Legislacji](#) [*Draft Act amending the Act on Social Assistance of 8 October 2020, Government Legislation Centre*]

[Projekt zmiany ustawy o pomocy społecznej: przebieg procesu legislacyjnego w fazie prac parlamentarnych](#) [*Draft amendment to the Act on Social Assistance: legislative process at the parliamentary stage*]

[Propozycje zmian legislacyjnych dotyczących uprawnień i obowiązków pracowników socjalnych, Polska Federacja Związkowa Pracowników Socjalnych i Pomocy Społecznej, 2018](#) [*Proposals for legislative changes concerning the rights and obligations of social workers*]

[Stanowisko koalicji rzeczniczej w sprawie projektu ustawy o zmianie ustawy o pomocy społecznej skierowanego do konsultacji publicznych dnia 13 października 2020 roku](#) [*Social ngos advocacy coalition response to the draft Act*]

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