

Andrea Bassi

University of Bologna (Italy)

ORCID: 0000-0003-3255-959X

e-mail: andrea.bassi7@unibo.it

A Pact with the Third Sector. Between Co-Production and Civic Participation. The Italian Case

Abstract: The co-creation/co-production paradigm received significant attention in the last decades from Public Administration managers, officials, and scholars as a viable tool to overcome the limits of the New Public Management framework. Some scholars recognise that co-creation can be the basis for building an alternative administration model called New Public Governance. Other research found that co-creation is an innovative practice in the social investment policy frame. A more recent EU research project examines the idea and practice of co-creation in public services informed by lived experience pilots in 10 European countries. This paper presents the Italian case as an example of an institutional configuration open to the citizens' participation in the co-design of public services. The paper is organised as follows. In the first paragraph, we illustrate the recent development of the legislation concerning the participation of citizens and civil society organisations in designing and delivering public services and/or management of common goods. The second paragraph deals with a deep analysis of "grey material" and scientific publications concerning the history, evolution and future perspectives of the "Shared Administration" procedures. The third paragraph presents a case study of collaboration between citizens, Third Sector/Civil Society Organisations (TSO/CSO) and public administration at the local level (Municipality of Bologna). The conclusive paragraph summarises the key findings of our study.

Keywords: *co-creation, co-production, welfare policy, participatory democracy, social innovation*

Introduction

The co-creation/co-production paradigm received great attention in the last decades by Public Administration managers, officials, and scholars as a viable tool to overcome the limits of the New Public Management framework (Brandesen et al., 2018; Loeffler & Bovaird, 2021). Some scholars recognise that co-creation can be the basis for building an alternative administration model called New Public Governance (Osborne, 2009). Other research

found that co-creation is innovative in the social investment policy frame (Baines et al., 2019). A more recent EU research project examines the idea and practice of co-creation in public services informed by lived experience pilots in 10 European countries (Baines et al., forthcoming).

This paper presents the Italian case as an example of an institutional configuration open to the citizens' participation in the co-design of public services. In Italy, there are many experiences of what we call "Amministrazione Condivisa" (Shared Administration). Since 2006 there has been a think tank/non-profit organisation called "Laboratorio per la Sussidiarietà" (Subsidiarity Laboratory) that manages a website (www.labsus.org) including a database of more than 280 Municipalities (Local Governments) that adopted a "Regulations" (Guidelines) concerning the collaboration of Public Administration with citizens (often associated), for the management of public goods (parks/gardens, green area, restored buildings, etc.).

Moreover, the recent Reform of Third Sector Organisations and in particular the new law (D.lgs. 117/2017) called "Codice del Terzo Settore" (Third Sector Code) establishes a very innovative way of the relationship between public administrations and third sector organisations that involved three level of collaboration: a) co-programmazione (co-planning); b) co-progettazione (co-design); c) accreditamento/convenzione (accreditation/contract); in order to overcome the traditional commissioning procedures (bid, tender, etc.).

The paper is organised as follows. In the first paragraph, we illustrate the recent development of the legislation concerning the participation of citizens and civil society organisations in designing and delivering public services and/or management of common goods. The second paragraph deals with a deep analysis of "grey material" and scientific publications concerning the history, evolution and future perspectives of the "Shared Administration" procedures. The third paragraph presents a case study of collaboration between citizens, Third Sector/Civil Society Organisations (TSO/CSO) and public administration at the local level (Municipality of Bologna). The conclusive paragraph summarises the key findings of our study.

Institutional Framework: "The Subsidiarity Principle"

The Italian Welfare regime has a long history of relationships between Public Administrations (PA) and citizens (Bassi, 2017c; 2018).

The first attempt to regulate and promote the participation of citizens and their associations in the decision-making process of PA can be found in Law 833/1978 – "Institution of the National Health Service".

Law 328/2000 – "Law for the Realisation of the Integrated System of Social Services" includes the most systematic regulatory framework. In particular, article no. 5 of the Law deals specifically with the role and functions of TSO/CSO in the social services system.

Art. 5 – 328/2000 – Role of the Third Sector

1. To favour the implementation of the *principle of subsidiarity*, the local authorities, the Regions and the State, within the resources available on the basis of the plans referred

to in articles 18 and 19, promote actions for the support and qualification of the subjects operating in the *third sector* also through training policies and interventions for facilitated access to credit and funds from the European Union.

2. For the purposes of awarding the services envisaged by this law, public bodies, without prejudice to the provisions of article 11, shall promote actions to promote transparency and administrative simplification as well as the use of forms of award or negotiation that allow subjects operating in the *third sector* the full expression of their planning capability, making use of analyses and checks that take into account the quality and characteristics of the services offered and the qualification of the personnel.

A critical step toward the recognition of the rights and duties of citizens in the field of public policies in general and of welfare policies, in particular, is represented by the Law of the Italian Constitution Reform¹ that introduces the *principle of subsidiarity* as a key norm guiding the relationships among PA levels (vertical subsidiarity) and the relationship between PA and citizens and their associations (horizontal subsidiarity).

The new reformulated Art. 118 states:

- 1st paragraph – Administrative functions are attributed to the Municipalities unless, to ensure their unitary exercise, they are conferred to Provinces, Metropolitan Cities, Regions and the State, on the basis of the principles of subsidiarity, differentiation and adequacy. [Vertical Subsidiarity]
- 4th paragraph – The State, Regions, Metropolitan Cities, Provinces and Municipalities shall promote the autonomous initiatives of citizens, both as individuals and as members of associations, in carrying out activities of general interest, on the basis of the principle of subsidiarity. [Horizontal Subsidiarity]

A crucial step towards applying the Subsidiarity Principle in the Italian juridical system is constituted by the approval by the Italian Parliament of the Law June 6, 2016, no. 106, *Mandate to the Government for the Reform of the Third Sector* (Bassi, 2017a; 2017b; 2017d).

The Law is a so-called “Enabling Act”, which means that the Parliament delegates the Government to legislate on its behalf in a specific matter. The Parliament sets up a juridical frame of principles inside which the Government should elaborate on one or more norms.

Following the Enabling Act 106/2016, the Italian Government approved four Legislative-Decrees:

- D.lgs. March 6, 2017, no. 40 – “National Civil Service” [26 articles];
- D.lgs. July 3, 2017, no. 111 – “Five per Thousand” [10 articles];
- D.lgs. July 3, 2017, no. 112 – “Social Enterprise” [21 articles];
- D.lgs. July 3, 2017, no. 117 – “Third Sector Code” [104 articles].

¹ Constitutional Law October 18, 2001, no. 3 – «Modification of the Title V – Second Part of the Constitution».

Decree no. 40 concerns the Reform of the Italian Civil Service, which consists of a period (from 6 to 18 months) of services for the community that young people (18-29 years old) can choose to engage with. The selected young people (there is a maximum number each year, around 75.000 units) will receive a small amount of money per month (around 450 euros) as an honorarium.

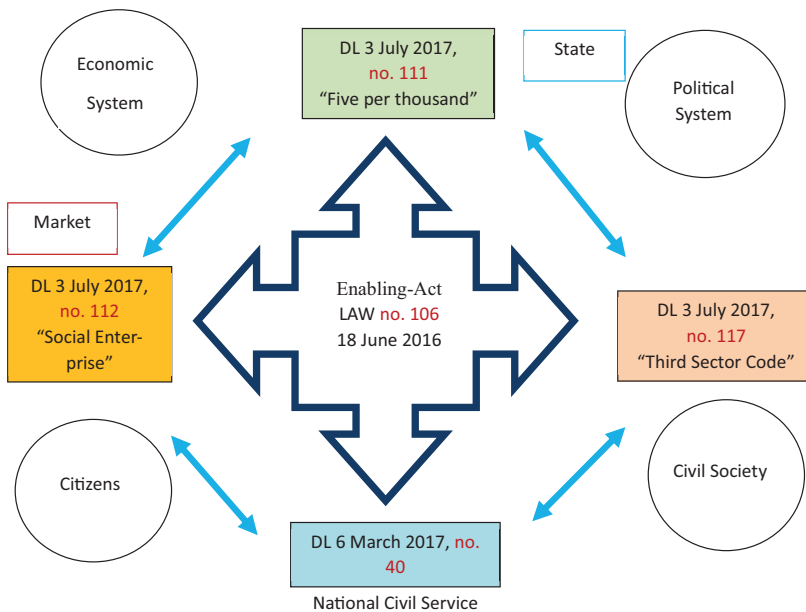
Decree no. 111 regulates and systematises a specific support tool for third-sector organisations (TSO) through an existing fiscal measure in Italy. It allows taxpayers to devolve the “five per thousand” of their taxes to a particular TSO. That measure offers citizens the power to choose directly which kind of activity (care for children, disabled, elderly, etc.) or sector (health, education, social services, etc.) promotes and sustains without delegating the PA.

The Decree no. 112 reforms the previous Law concerning Social Enterprise, introducing several innovations and tools to promote, support, and foster the establishment of new social enterprises and allow the existing ones to grow and develop.

Finally, last but not least, the Decree no. 117, called “Third Sector Code”, is a comprehensive body of norms and regulations concerning the different typologies of TSO existing in our country, such as pro-social associations, organisations of volunteers, civic foundations, social co-operatives, philanthropic institutions, mutual societies, etc.

The figure below illustrates the connections between these decrees and the main spheres of society: market, state, civil society, families and citizens.

Fig. 1. The Reform and its institutional environments (societal spheres)



Source: Own study.

The “Code” consists of twelve “titles” and 104 “articles”. For our purpose, the most important one is Title no. VII “About the Relationships with the Public Administration”. This section encompasses three articles that aim to modify the relationships between TSO and PA in Italy.

Namely:

ART. 55 – Involvement of the Third Sector Organisations;

ART. 56 – Contracts/Agreements;

ART. 57 – Emergency and Urgence Medical Transportation Service

The key article concerning our topic is Art. 55, which states as follows:

ART. 55 – Involvement of the Third Sector Organisations

1. In the implementation of the principles of subsidiarity, cooperation, effectiveness, efficiency and economy, homogeneity, financial and patrimonial coverage, responsibility and uniqueness of the administration, organisational and regulatory autonomy, *the public administrations* referred to in article 1, paragraph 2, of the legislative decree March 30, 2001, no. 165, in the exercise of their planning and organisation functions at the territorial level of interventions and services in the sectors of activity referred to in Art. 5, ensure the active involvement of *Third Sector* entities through forms of co-planning and co-design and accreditation, carried out in compliance with the principles of the law of 7 August 1990, no. 241, as well as the rules governing specific procedures and in particular those relating to the social planning of the area.
2. *Co-planning* is aimed at identifying, by the public administration in progress, the needs to be met, the interventions necessary for this purpose, the methods for implementing them and the available resources.
3. *Co-design* is aimed at the definition and possibly the implementation of specific service or intervention projects aimed at satisfying defined needs in the light of the planning tools referred to in paragraph 2.

Unfortunately, since its inception, the prescriptions included in that article have been applied unevenly in the country, with significant differences from North to South and between different administrations’ levels (Regional, Provincial, and Municipal). Moreover, the Italian Authority for the competition (antitrust) published a *vademecum* concerning commissioning procedures that introduces limitations to the application of Art. 55 norms.

In order to clarify the issue, the Italian Constitutional Court promulgated the Sentence no. 131 of 2020 in relation to an objection to the legitimacy of a Law of the Italian Region Umbria.

That sentence states undoubtedly that the prescriptions of Art. 55 were fully legitimate and should be intended as the typical modality of the relationship between PA and TSO in delivering public services.

Sentence 131/2020 – Legge della Regione Umbria:

The *Third Sector* entities (ETS), as representatives of the “solidarity society”, often constitute a capillary network of closeness and solidarity on the territory, sensitive in real time to the needs that come from the social fabric, and are therefore able to make available to the

public body both valuable information data (otherwise achievable in longer times and with organisational costs at its own expense), and an important organisational and intervention capacity: this often produces positive effects, both in terms of saving resources and increasing quality of services and benefits provided in favour of the “society of need”.

In these terms, between public entities and the ETS, pursuant to art. 55, a channel of *shared administration*, an alternative to that of profit and the market: «co-planning», «co-design», and «partnership» (which can also lead to forms of «accreditation») are configured as stages of a complex process expression of a different relationship between the public and the private sector, not based simply on a synallagmatic relationship.

The model configured by Art. 55 CTS is not based on the payment of prices and fees from the public to the private part, but on the convergence of objectives and on the aggregation of public and private resources for the *joint planning and design* of services and direct interventions to raise the levels of *active citizenship*, cohesion and social protection, according to a relational sphere that goes beyond the mere utilitarian exchange.

Following the sentence of the Constitutional Court, the Ministry of Labour and Social Policy, on March 31, 2021, published the Decree no. 72 «Guidelines about the relationship between PA and Third Sector Organisations».

The Decree includes several guidelines to be followed by the regional and local administrations in collaborating with TSO in delivering public services.

The Decree includes the following sections:

1.1 The distinction between the activation of collaborative relationships with TSO and the assignment of service contracts and concessions; 1.2 The subjective scope of application and the common principles in applying the tools envisaged by Title VII of the Third Sector Code; 2. The Co-planning process; 3. The Co-design process; 4. Agreements with Pro-social Associations and Organisations of volunteers; 5. The agreements for the emergency and urgent medical transport service; 6. Transparency and publicity measures.

Moreover, it establishes the following phases of the co-planning procedure:

- 1) Initiation of the proceeding with an act of the PA manager, also at the instigation of the TSO;
- 2) Publication of the notice and related attachments;
- 3) Conduct of the investigation;
- 4) Conclusion of the public procedure.

It specifies the following stages of the co-design process:

- 1) Initiation of the proceeding with an act of the PA manager, also on the initiative of the TSO and a follow-up of the co-design activity;
- 2) publication of the notice and related attachments;
- 3) execution of the co-design sessions;
- 4) conclusion of the public procedure;
- 5) signing the agreement.

In conclusion, the Third Sector Reform establishes a legal and institutional environment that is favourable towards and actively promotes the engagement of TSO in the different phases of the decision-making process by all levels of PA in delivering services of “public interest” (Bassi & Fabbri, 2020).

What is lacking nowadays is a widespread common culture of PA top-mid and low management that understands TSOs as equal partners, not as mere service providers (Bassi, 2022; Bassi & Fabbri, 2022).

But even if the situation in Italy is very jeopardised, there are several “best practices” and experiences at the regional and local level of positive collaborations and partnerships between PA and TSOs (Terzjus, 2021). The phenomenon is growing rapidly, and there are various signals that this type of relationship could become mainstream (Terzjus, 2022).

In the next paragraph, we illustrate the activity of an Italian national TSO called *Laboratory for subsidiarity* (LABSUS), founded in 2005 to enact the principle of subsidiarity in a concrete and viable way.

The “Shared Administration” Model

LABSUS is the acronym of the *Laboratory for subsidiarity*, a cultural association founded in 2005 by some subjects belonging to the world of volunteering and civil society to promote the implementation of the *principle of subsidiarity*, enshrined in our Constitution at the art. 118, last paragraph.

LABSUS promotes an idea of subsidiarity which, instead of envisaging a “withdrawal” of public subjects in the presence of citizens’ initiatives, sees the public administration and citizens as allies, protagonists of a collaborative relationship based on mutual trust and the sharing of resources and responsibilities. The principle of subsidiarity, therefore, presents itself as the constitutional platform to build a society of autonomous, responsible and supportive citizens who ally with the public administration to take care of the common goods together.

LABSUS works directly on the territories, both on a regional scale and municipal level, promoting dissemination projects and initiatives, developing ideas, collecting experiences and materials, and signalling initiatives².

One of the most important initiatives carried out by LABSUS was the drafting, together with the Municipality of Bologna, of a municipal regulation model entitled *Regulation on the collaboration between citizens and the administration for the care and regeneration of urban commons*. On February 22, 2014, the text was officially presented in Bologna, the first Italian municipality to approve it and donated to all Italian municipalities with the possibility of

² LABSUS activity is based on a “positive anthropology”, i.e. on the idea that “people are bearers not only of needs but also of capacities”, capacities that can be made available to the community to create the general interest.

adapting it to their needs and characteristics. Since then, 286 municipalities (or Unions of municipalities) have adopted it, and the list is growing every day³.

LABSUS publishes an online magazine, available on the website www.labsus.org, and updates daily the most complete database in Italy on subsidiarity, active citizenship, common goods, and participatory and deliberative democracy. The fortnightly “NeparlaLabsus” newsletter also allows subscribers to always be informed on these topics. All the materials published on the LABSUS website, as well as the newsletter, are available free of charge.

Its activity is inspired by the *Subsidiarity Manifesto*, approved during the 1° National Convention of Subsidiarity – Rome – March 12, 2004⁴.

³ See the annual Report (LABSUS, 2015; 2016; 2017; 2019; 2020; 2021; 2022).

⁴ The Subsidiarity Manifesto:

“1. *Horizontal subsidiarity* gives rise to a new way of exercising popular sovereignty defined as active citizenship, which completes and integrates the traditional forms of political participation and administrative participation.

2. *Active citizenship* takes place when citizens, individuals and associations, autonomously promote initiatives of general interest which the institutions are required to recognise, support and integrate into their policies.

3. *Active citizenship* produces social capital and promotes trust in relationships between people and towards institutions, creating a new form of responsible and supportive freedom aimed at improving everyone’s life.

4. By building alliances between citizens, businesses and institutions on the basis of the principle of subsidiarity, active citizenship brings resources and skills capable of providing innovative answers to problems of general interest. However, it does not in any way legitimize the renunciation of public subjects to carry out their institutional duties.

5. The activities of citizens aimed at the production, care and enhancement of common goods, carried out on a non-profit basis in compliance with the principles of solidarity, responsibility, equality and legality, are in the general interest. *Commons* are those tangible and intangible goods for which citizens, by their free choice, share responsibility for their care with the administration.

6. Citizens, through the care of *common goods*, create the conditions for the full development of each human being and first of all of themselves, implementing together with the institutions the constitutional principle of equal opportunities for all.

7. Businesses implement forms of active corporate citizenship both by supporting the autonomous initiatives of citizens and by directly taking care of common goods.

8. The institutions must apply subsidiarity, recognizing in citizens the holders of a right to act concretely for the solution of problems of general interest and adapting their regulations in order to act together with them and not only on behalf and in their name.

9. *Active citizenship* and participation are complementary but distinct, as active citizenship involves not only participation in consultative and decision-making processes and in the definition of public policies, but also a direct and autonomous contribution to the care of common goods.

10. By applying subsidiarity, *active citizens* give life to a dimension of democracy based not on delegation but on the direct assumption of responsibility in the public sphere, bringing the fundamental principles of the Constitution to life in everyday life”.

In particular, there are two administrative tools elaborated by LABSUS adopted by several municipalities:

- a) *Regolamento per l'Amministrazione condivisa dei beni comuni* = Regulations/Guidelines for shared Administration of common goods;
- b) *Patto di collaborazione per la cura di beni comuni materiali e immateriali* = Agreement/Pact of collaboration for the caring of material and immaterial common goods.

The “Regulation for the shared administration of common goods,” however called, is a regulatory act that focuses on the discipline of forms of collaboration between citizens and the administration, aimed at the care, regeneration and shared management of common goods, which are implemented, more concretely, through the stipulation of collaboration agreements. In other words, this Regulation has as its object the discipline of the shared administration organisational model, which allows all active citizens, single or associated, and the administration to carry out activities of general interest on an equal footing.

It is an innovative legal instrument in relation to the contents it conveys and concerning aspects of a more strictly legal nature. These Regulations – in addition to promoting forms of participatory democracy, to be placed side by side with the more well-known and traditional ones of representative democracy and direct democracy – implement the principles of regulatory autonomy and, above all, horizontal subsidiarity, present in the Constitution (in particular in the articles 117, paragraph 6 and 118, paragraph 4), without the necessary (and usual) legislative intermediation, also guaranteeing speed in the approval process, adaptability concerning territorial peculiarities and ease in the eventual modification phase.

In 2017, LABSUS proposed a prototype Regulation for the shared administration of common goods, to which municipalities can refer. The “Regulation” is adopted by a municipality Council and establishes a legal framework under which specific Pacts/Agreements can be implemented.

The “Collaboration Pact”⁵ is the agreement through which one or more active citizens and a Public Administration (usually a Municipality) define the terms of collaboration for the care of tangible and intangible common goods. In particular, the Pact identifies the common good, the objectives of the Pact, the general interest to be protected, the skills, competencies, and resources of the signatories (therefore also of public entities), the duration of the Pact, and the responsibilities.

One of the main peculiarities of the “Collaboration Agreement” lies in its ability to involve subjects, even individuals, generally distant from the traditional associative networks, mainly interested in the actions of care for a common good. The high rate of informality, which can also include informal groups, committees, and inhabitants of a neighbourhood united only by the interest in promoting the care of a specific common good, is the main feature that

⁵ On September 30, 2021, there were 1,001 Collaboration Agreements that were active (LABSUS, 2021).

makes this tool different and more advantageous than other better-known tools that public administrations normally rely on (assignments, concessions, adoptions and the like).

The institutional subjects called to sign a “Collaboration Agreement” can be more than one depending on the object of the Agreement, the ownership of the common good, the planned care actions, the forms of support, and the general interest protected. The forms of support from the public administrations can be the most varied, not necessarily economic.

“Collaboration agreements” are the main tool for implementing the shared administration of common goods through the Regulation promoted by LABSUS. It follows that it is preferable to adopt Pacts after the approval of the Regulation by the Municipality Council. The “Collaboration” is not a simple bureaucratic act but the expression of a shared relationship.

In the next paragraph, we illustrate the process for the adoption of the new “Regulation on the forms of collaboration between civic subjects and public administration” enacted by the Municipality of Bologna in the first half of 2022.

A Case Study. The Experience of Bologna Municipality

The Municipality of Bologna and the Bologna Third Sector Forum, with the support of the Foundation for Urban Innovation, have launched a process of listening and participation with the civic networks of Bologna to arrive at signing a shared pact to identify priorities and actions for post-pandemic recovery.

The first Public Assembly was held on Tuesday, April 5, 2022, open to all the realities of the Bologna Third Sector and active citizenship, informal groups, and interested citizens. Moments of information and training will alternate with moments of work at the tables.

The aim was to co-program priorities and identify how to innovate the different and multiple tools such as “calls for tenders”, “agreements”, and “collaboration agreements” also relating to the management of spaces or projects, in continuity with the administrative innovations launched by the Municipality of Bologna.

A Scientific Guarantee Committee comprised university professors and sector experts to guarantee the process and scientifically supervise and direct the works, according to the indications of the Third Sector Reform.

The objective of the process is to arrive at the production of an Agreement, i.e., a document that defines:

1. the adoption of a new Regulation on the forms of collaboration between civic subjects and the administration for the care of urban common goods, which brings together the collaboration agreements, the regulation on free forms of association, the “Neighbourhood Laboratories”, the experiments of the “Laboratory Spaces” and “Neighbourhood Houses”;

2. the adoption by the Municipality of commitments for constant and cross-policy co-planning and co-design;
3. sharing principles of use in relation to public buildings, starting with “Neighbourhood Houses”;
4. the valorisation of the role of civic networks across policies and the recognition of the need for effective tools to create a “shared administration”, identifying priorities, new needs and ways to plan the post-pandemic restart;
5. the formalisation of a constant relationship between the Administration and the Third Sector Forum.

In continuity with the administrative innovations launched by the Municipality of Bologna, first of all, the “Regulation on common goods” created in 2014, and with the investigation of the impacts of COVID-19 on mutualism in Bologna carried out during the pandemic, the co-creation process started in February with an internal administration phase together with Assessors, delegates and managing directors. It continued until June 2022 with focus groups, meetings, assemblies in the neighbourhoods, and co-planning and negotiation tables, with contributions from the “Neighbourhood Councils”.

All the realities of the Third Sector, of active citizenship, informal groups, interested citizens and citizens have been invited to participate: the aim was to co-program priorities and identify how to innovate the different and multiple tools such as “tenders”, “conventions/contracts” and “collaboration agreements” also relating to the management of spaces or projects between the administration and the many civic realities of the city which, even in the most acute phases of the emergency, have shown a strong sense of responsibility and great activism.

The co-creation process started in February 2022 with seven focus groups, which involved about 90 organisations and civic realities of the city on the following topics:

1. Sports
2. Welfare and fragility
3. Culture and cultural welfare
4. Discrimination and gender
5. Healthcare, accessibility and socio-medical integration
6. Environment, sustainability and local care
7. Education, childhood and youth.

The contents that emerged in the meetings were summarised in a document and formed the starting point of the Public Assembly of April 5, 2022, which was followed by six meetings, one for each neighbourhood, reserved for representatives of associations and informal groups of citizens and towns – from April 20 to May 10 – as well as the contributions of each District Council.

To implement the document that will form the Pact at the end of the process, two co-planning and negotiation tables have been set up with representatives of the Third Sector Forum and officials of the Municipality of Bologna.

The instances that emerged from the focus groups, by the Public Assembly and by the six Laboratories of the District have merged into a Document summary, drawn up thanks to the coordination of the Scientific Guarantee Committee, which was the object of a final phase of participation and involvement, thanks to a digital space dedicated (the Actors Notebook) and to an open meeting in assembly form.

The Public Assembly dedicated to the final comparison of the listening path organised by the Forum of the Third Sector of Bologna, with the support of the Municipality of Bologna and the Foundation for Urban Innovation, took place on Tuesday, June 14, 2022.

At the end of the listening phase, the final summary document was delivered to the Municipal administration and the Forum of the Third Sector of Bologna in view of two comparisons, called “Negotiation Tables” held on June 23 and 30, with the participation of political representatives of the Administration, technicians from various sectors, representatives of the Scientific Committee and representatives of the Third Sector Forum.

At the Negotiating Tables, the participating subjects were: six representatives of the Third Sector Forum, three representatives of the Scientific Committee, and several representatives of different Municipality departments: “Education and New Sectors Generations”, “Welfare and Promotion of Community Wellbeing”, “New Citizenships and Neighbourhoods”, “Culture and Creativity”, “Culture, Sport and Promotion of the City”, “Personal and Organisation”, “Control Programming and Statistics”, “Institutional Affairs”.

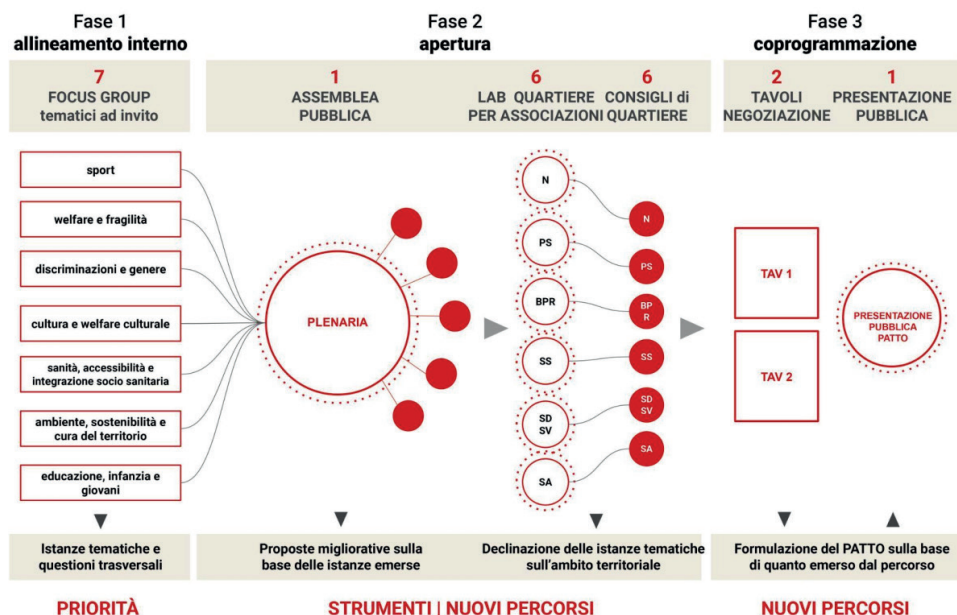
The co-creation process was a very successful one. During its six months, more than 500 citizens participated, and around 350 civil society/third sector organisations were involved in the different activities. At the end of the process, a new “Regulation on the forms of collaboration between civic subjects and the Administration for the performance of activities of general interest and for the care and regeneration of urban commons” was elaborated. The Bologna Municipality Council officially approved the Regulation on November 14, 2022.

The reasons for the success could be synthesised as follows:

- a) a strong political support by the Municipality elected members;
- b) a positive orientation by the top- and mid-PA managers towards the involvement of civil society organisations in the service design;
- c) a long tradition of active participation in the public sphere by local third-sector organisations;
- d) the presence of a “third party” body (Foundation for Urban Innovation) that was in charge of the coordination of the process;
- e) the supervision by a steering committee composed of university professors and experts;
- f) a limited time of the process (six months) that allows a high ratio of participation in all phases;
- g) the transparency of the process and the communication of the aims and the results of the project in two “public assemblies” open to the citizens; at the beginning and the end of the process.

The figure below shows the development of the three main phases of the co-creation process.

Fig. 2. Layout of the co-creation process – Municipality of Bologna



Source: Fondazione Innovazione Urbana (2022, p. 8).

Final Remarks

In conclusion, given the analysis developed so far, it is possible to summarise the main results of our study as follows.

Italy has a long history of regulations toward promoting and supporting partnerships and collaborations between PA and Third Sector organisations, especially in welfare (education, health, and social services).

The pillars of such normative and institutional framework are Law 328/2000 “Institution of the National Social Services System”; the Constitutional Law 3/2001; Law 106/2016 “Third Sector Reform”; and Decree 117/2017 “Third Sector Code”.

The result of such a legal configuration is the institutionalisation of the “subsidiarity principle” in the Italian welfare regime as a main criterion to regulate the collaboration between civil society organisations and PA.

The second step of the paper has been to illustrate the experience of the so-called “shared administration” promoted by the Italian think-tank “Laboratorio per la Sussidiarietà – LABSUS”, a national association of third sector organisations, scholars, researchers and non-profit practitioners.

The association has elaborated two tools for PA: a) the Regulation for shared Administration of common goods; and b) the Pact of collaboration for the caring of material and immaterial common goods.

The “Regulation” has been adopted by 286 municipalities, and more than 1.000 “Pact of collaboration” are active.

Finally, a case study of the co-creation process by the Municipality of Bologna has been illustrated and analysed. During its six months, more than 500 citizens participated, and around 350 civil society/third sector organisations were involved in the different activities. A new, updated version of the “Regulation for Shared Administration of Common Goods” was elaborated and enacted at the end of the process.

The paper’s main aim has been to offer to an international audience a concrete, viable and successful example of co-creation (strengths and weaknesses) with the auspice that other PA in other EU countries can adopt a similar path in the co-design of services of public interest.

References:

- Baines, S., Bassi, A., Csoba, J., & Sipos, F. (Eds.) (2019). *Implementing innovative social investment: Strategic lessons from Europe*. Policy Press.
- Baines, S., Wilson, R., Fox, C., Aflaki, I. N., Bassi, A., Aramo-Immonen, H., & Prandini, R. (Eds.) (forthcoming). *Co-creation in Public Services for Innovation and Social Justice*. Policy Press.
- Bassi, A. (2017a). La inarrestabile forza della “mitezza”. Il lungo cammino (istituzionale) della Riforma del Terzo Settore. *Welfare Oggi*, 5, 49–56.
- Bassi, A. (2017b). Impatto Sociale vs. Valore Aggiunto Sociale. Due principi guida per una legislazione promozionale: principio di adeguatezza e principio di proporzionalità. *Welfare Oggi*, 6, 50–57.
- Bassi, A. (2017c). *Le sfide dell’innovazione sociale nella morfogenesi del welfare*. In M. A. Stefanelli (Ed.), *Dopo la globalizzazione: sfide alla società e al diritto* (pp. 143–162). Giappichelli Editore.
- Bassi, A. (2017d). L’impatto della riforma del terzo settore sulla società. *Nonprofit Papers*, 3, 108–126.
- Bassi, A. (2018). *Una legislazione promozionale e sussidiaria per la costituzionalizzazione degli attori della società civile*. In F. Cicognani, & F. Quarta (Eds.), *Regolazione, attività e finanziamento delle imprese sociali. Studi sulla riforma del terzo settore in Italia* (pp. 7–28). Giappichelli Editore.
- Bassi, A. (2022). The unintended consequences of co-creation in public services – the role of professionals and of civil society organisations. *Public Money & Management*, 42(5), 302–303.
- Bassi, A., & Fabbri, A. (2020). Under pressure: Evolution of the social economy institutional recognition in the EU. *Annals of Public and Co-operative Economics*, 91(3), 411–433.
- Bassi, A., & Fabbri, A. (2022). *Co-production paradigm: Threat or Opportunity for Social Economy?* In P. Bance, M.-J. Bouchard, & D. Greiling (Eds.), *New perspectives in the co-production of public policies, public services and common goods* (pp. 99–123). CIRIEC.
- Brandtsen, T., Trui, S., & Bram, V. (Eds.) (2018). *Co-Production and Co-Creation Engaging Citizens in Public Services*. Routledge.
- Fondazione Innovazione Urbana. (2022). *Un Patto con il Terzo Settore*. Laboratorio delle Reti Civiche di Bologna.

- https://www.fondazioneinnovazioneurbana.it/images/2022_TerzoSettore/2022_Patto_Terzo_Settore_allegati.pdf
- LABSUS. (2015). *Primo Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/images/M_images/Rapporto_Labsus_2015_Ammministrazione_condivisa_dei_beni_comuni.pdf
- LABSUS. (2016). *Secondo Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/2016/01/rapportolabsus16_05.pdf
- LABSUS. (2017). *Terzo Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/images/M_images/Rapporto_Labsus_2017.pdf
- LABSUS. (2019). *Quarto Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/2019/01/LABSUS_Rapporto2019-20.pdf
- LABSUS. (2020). *Quinto Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/2020/01/Rapporto_LABSUS_2020.pdf
- LABSUS. (2021). *Sesto Rapporto sull'Amministrazione condivisa dei Beni Comuni*. https://www.labsus.org/wp-content/uploads/2022/03/LABSUS_Rapporto-2022_LOW.pdf
- LABSUS. (2022). *Settimo Rapporto sull'Amministrazione condivisa dei Beni Comuni*. <https://www.labsus.org/rapporto-labsus-2022>
- Loeffler, E., & Bovaird, T. (Eds.) (2021). *The Palgrave Handbook of Co-Production of Public Services and Outcomes*. Palgrave Macmillan.
- Osborne, S. (Ed.) (2009). *The New Public Governance? Emerging Perspectives on the Theory and Practice of Public Governance*. Routledge.
- Terzjus. (2021). *Riforma in Movimento. 1^ Rapporto sullo stato e le prospettive della legislazione sul Terzo Settore in Italia*. Editoriale Scientifica.
- Terzjus. (2022). *Dal non profit al Terzo Settore. Una riforma in Movimento. 2^ Rapporto sullo stato e le prospettive della legislazione sul Terzo Settore in Italia*. Editoriale Scientifica.

