

SUMMARY NOTE ON THE STATISTICAL SCOPE OF THE SOCIAL AND SOLIDARITY ECONOMY IN FRANCE (SUMMARY)

The question of the scope of the social and solidarity economy (SSE) in France, despite the introduction of a legal definition within the framework of Article 1 of the 2014 SSE Law, regularly returns to the heart of the debates on the various SSE families, public authorities and data producers.

For many years now, France has been generating reliable and harmonised statistical data on the SSE at territorial level over a period of time. This was made possible through:

- The establishment of a **harmonised statistical scope** between INSEE (the French National Institute of Public Statistics and Economic Studies), the State and the National Council of Regional Chambers of the SSE (CNCRESS). INSEE and the CRESS network work are based on the same statistical scope (sources CLAP, DADS, SIRENE). Additional work with other data producers can be carried out on the basis of this scope (Banque de France, Accos-Urssaf, etc.);
- **The management of a SSE territorial observation system with the support of the national and regional SSE observatories' work.** Significant progress has been made in particular in terms of the knowledge of the jobs and characteristics of SSE establishments;
- **The existence of academic networks** (ADDES, RIUESS, territorial networks) that unite, manage and give visibility to scientific work on the SSE, or that deal with topics such as the creation of satellite accounts in the SSE (ADDES);
- **The maintenance and regular update of the list of SSE enterprises and organisations** (article 6 of the 2014 SSE Law), operational since 2017, which has made a directory of SSE enterprises and organisations available to all stakeholders, but which can still be improved.

Nonetheless, several obstacles continue to exist when it comes to measuring the SSE at national level, such as:

- **The "halo" around the scope of the SSE** is important: the scope of group measurement including subsidiaries and member companies (the notion of the "social" scope of cooperatives, mutuals, associations or foundations), the consideration or lack thereof of the employer dimension of SSE structures (1 association out of 5 is an employer), measuring of volunteer work, etc.;
- **Technical obstacles in the French statistical system:** inaccuracies in the French classification of economic activities (NAF) make it difficult to analyse the activity of certain associations (NAF code 9499Z); difficulties in identifying SSE commercial companies (non-cooperative) for INSEE or in measuring the creation of companies in the SSE, etc.;
- **Legal obstacles: certain cooperative legal forms are absent from the French legal classification** (SCIC: collective interest cooperative companies, SCOP SAS, Cooperatives of activities and employment, etc.); the associative status, which is simple to implement, is used in very diverse sets of activities and sometimes for activities that do not fall within the scope for which it was created (management of compulsory health insurance schemes, supplementary pension funds, paid leave funds, etc.);
- **Data communication practices within the different legal families of the SSE** (associations, cooperatives, mutuals and foundations) remain heterogeneous according to different policy objectives, which leads to a loss of clarity

- The lack of a SSE satellite account in national accounting in France, which would enable both the development of national economic and financial indicators as well as a comparison with other European countries.

ESS statistical scope in France (2008):

The purpose of defining the statistical scope was to establish statistics on a standardised scope between the territories and allowing monitoring over time. The definition therefore focused on using statistical tools to translate the historical principles of the social economy's definition, i.e.:

- a list of legal categories grouped into four "families": associations, mutuals, cooperatives, foundations; with the exclusion for the CJ "92" of undeclared Associations (9210), Associations of lawyers with individual professional liability (9224) and Congregations (9240);
- a list of activities falling outside this scope. These exclusions concern activities that would not fall within the scope of the social economy, because of their operating rules or the purpose of their activity: Public administration (EPA: 84), employers' associations and chambers of commerce (94.11Z), trade unions (94.20Z), religious organisations (94.91Z), political organisations (94.92Z).

The 2014 Law on the SSE:

Article 1 of the 2014 Law on the SSE, for the very first time, includes a legal definition of the SSE. The Law recognizes the SSE as "an enterprise and economic development model which can be adapted to every sphere of human activity in which legal persons governed by private law adhere to meeting the following cumulative conditions:

1. A purpose other than the mere sharing of profits;
2. Democratic governance, defined and organised by the articles of association, providing for information and participation, the expression of which is not only linked to their capital contribution or the amount of their financial contribution, of partners, employees and stakeholders in the company's achievements;
3. Management in accordance with the following principles:
 - a) The profits are mainly devoted to the objective of maintaining or developing the enterprise's activity;
 - b) The required reserves may not be shared and shall not be given out."

The Law opens the scope of the SSE to commercial companies that respect the founding principles of the SSE in their operations and seek a social impact (Article 2).

Article 6 of the law provides for CRESS to publish the list of SSE companies, which in practice is based on an extraction from the SIRENE directory managed by INSEE.

Launch by Eurostat of a call for applications on satellite accounts of the Social Economy from the Member States.

For France, INSEE responded (thanks to the common interpellations of ESS France and ADDES) by involving the Department of National Accounts and the Department of Sectoral Syntheses. Since 4 months, a group of experts bringing together academics, representatives of the SSE (CNCRESS) and institutions (Banque de France, Injep) has been set up by INSEE to assist them in this work, which should lead to the beginning of the year 2021.