# Elements of Law and Social Legislation

## Prof. Debora Caldirola

The course aims to provide students with the general principles and fundamental institutions of public law, contextualising their evolution in order to offer the tools to subsequently examine, from a legal point of view, the characteristics and organisational structure of the protection of social rights in our system with specific reference to social care.

Knowledge and understanding

At the end of the course, students will be able to orient themselves in the system of sources that regulate the services and benefits relating to social assistance and social rights. In addition, students will be able to understand the dynamics of regulation as well as the organizational profiles of the social protection system, and the relationships between the various public subjects and among them and the Third sector in the welfare state system. Students will also be able to interpret the systems of cooperation and planning for personal care services through the principals of public law, of subsidiarity, solidarity, and freedom of choice.

***COURSE CONTENTS***

The course is divided into two parts.

The first part will illustrate elements of public law: the principal theories governing law and the State; social order and legal order; forms of state; forms of government; European Union; constitutional organisation: Parliament, Government, President of the Republic; regional organisation and local government; Public Administration: organisation, principles and activities; sources of law; rights and instruments of protection.

The second part will focus on social legislation: rights to freedom and social rights; origins of the discipline; from welfare; principles of subsidiarity and solidarity; effectiveness and guarantees of social rights protection; sources and principles of social care; the integrated system of law 382/2000; essential levels of social care and financially conditionally rights; programming and planning; the health and social care integration; the non-profit sector; relationship between the public and private sector and freedom of choice; the entrusting of social care to the no-profit sector.

***READING LIST***

R. Bin – G. Pitruzzella – D. Donati, *Lineamenti di diritto pubblico per i servizi sociali,* Giappichelli, Turin, latest edition, exept the chapter XIV. More material will be aviable on blackboard.

***TEACHING METHOD***

Frontal lectures and exploratory seminars.

***ASSESSMENT METHOD AND CRITERIA***

The methods for assessing students’ knowledge and skills are: 1) written test with open-ended questions on the entire course content 2) written test with open-ended questions on the first part of the course at the end of the semester, and a second written test on the second part of the course. In the latter case, the final mark will be assigned based on the average of the marks obtained. Students will be allowed to access the second test only if they pass the first one. Preparation for the exam can be achieved using the material provided during lectures or the reading list indicated. Assessment of the preparation will be based on degree of knowledge acquired (completeness and correctness), terminological correctness and ability to grasp the principles underlying the legal principles and the discipline of the various areas covered by the course.

The final mark will be on a 30-point scale.

***NOTES AND PREREQUISITES***

Due to the introductory nature of the course, there are no content-related prerequisites for attending it.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.