

LAUREA UNIVERSITY OF APPLIED SCIENCES

Specialisation studies in Public Law, HXB511SE

Specialisation studies

The (public) economy of Finland and many other EU countries has reached a significant turning point. Over the years, several member states have become burdened by debt due to national deficit. The financial crisis that began in 2007–2008 has resulted in the vicious circle of debt taking a rapid turn for the worse. The financial basis of the public sector has weakened strongly as a result of the economic recession and decrease in tax revenue. On the other hand, the crisis has spurred a number of member states to take extensive measures to revive the economy. These joint factors have led to major financial deficits and high levels of national debt in comparison to the GDP, especially in the case of certain member states. This adds pressure for countries to intensify the public sector, cut public expenditure and tighten taxation.

Finland's level of debt is not alarmingly high compared to other member states. However, due to recovery measures, public economy is clearly in deficit, which is likely to raise the national debt to an unprecedentedly high level in the coming years. This underlying situation creates extensive pressure on the economy and operations of the public sector also in Finland, and will become concretised as various intensification measures and the likelihood of expenditure cuts at some point in time. The tax system is under reform, and taxation is expected to become tighter in some areas. The situation is made worse by the serious pressure on the public economy, affecting both national and municipal finances.

The economic starting points do not seem too promising for the development of employment. Even if the level of employment remains relatively high in the coming years, a lack of resources may affect certain segments of the public or private sector.

Consequently, the overall scenario of the economy is problematic. The situation brings new challenges for both competence and education. Often changes create new opportunities, and updating prior skills and the significance of new types of competence and skills become emphasised.

Public sector operations are extensively regulated by legislation from many different perspectives. The specialisation studies include General Administrative Law, Municipal Law, Public Economy Law and Social Welfare and Health Care Service Legislation. Provisions for the public sector are not merely national, but often in an EU context. For example, legislation on public procurement is based on EU directives.

As is the case with certain EU states, the role of the so-called third sector that emerges between the private and public sectors may intensify also in Finland. Legislation allows public sector actors to arrange their service production in versatile ways. Sometimes, the service organisation method may constitute transferring tasks to third-sector associations and non-governmental organisations. On the whole, a rise in social entrepreneurship may be a future development trend also in Finland.

The division of tasks and financing system of municipalities and the government have been revised in Finland on several occasions. Reforms on public-sector planning and management systems have resulted in increased tasks and responsibilities of municipalities. In the municipal sector, efficiency has been sought through a municipal and service structure reform. The reform aims to re-evaluate the organisation, funding and production of public services in the long run. Municipal structures have been under rapid reform especially during the 2000s, and the number of municipalities has decreased following a number of municipal mergers. Furthermore, the municipal sector seems to be undergoing a development trend where social welfare and health care operations and education and cultural departments are increasingly harmonised (so-called welfare services).

Content and Structure of the Specialisation Studies

Laurea Hyvinkää is responsible for the arrangement of studies in line with the curriculum for Public Law and Social Entrepreneurship (30 cr). Eligible applicants for the degree programme include graduates in Business or Social Services, Health and Sports, or some other relevant programme. The specialisation studies are particularly targeted at Bachelors of Business Administration from a university of applied sciences. The specialisation studies are also suitable for persons working in planning, development, supervision or other expert tasks in public sector services as well as for persons interested in developing competence-intensive business operations connected to public services.

Specialisation studies in line with this curriculum focus on public sector and so-called third sector legal competence.

To an extent, the studies also include a financial perspective. Main themes include: challenges of the public economy, social entrepreneurship, welfare services and public procurement.

The degree programme (30 cr) consists of the following modules:

- Economics and Financial Law (5 cr)
- Legal Framework of the Public Sector in Social and Health Care Services (5 cr)
- EU Law as well as Fundamental and Human Rights (5 cr)
- Social Entrepreneurship (5 cr)
- Development project, including elective studies relating to a) the establishment and administration of a social enterprise, or b) some specific area of public law (5 + 5 cr)

The aim is to provide opportunities for students to be in contact with (regional) public sector reform operators.

A Master's degree programme is offered at Hyvinkää Laurea in 2012 (scope 90 cr). Completed specialisation studies can be accredited at least in part for the Master's degree.

Objectives of the Specialisation Studies

Specialisation studies must address the changing needs of the employment sector; a workplace-oriented need is required. A need exists for experts in public service development and reform in both the public sector (municipality or state), i.e. service commissioners, and in the private and so-called third sector (e.g. associations and organisations), i.e. service providers. On the other hand, municipalities are the largest customer segment of many companies. The specialisation studies in Public Law and Social Entrepreneurship prepare experts who can address these diverse needs.

Completing the specialisation studies allows students to deepen their ability to apply theory in practice as well as their analytical skills, project management and R&D competence, and social skills. The cross-sectoral and interdisciplinary character of the studies opens up new prospects.

The aims of the degree programme are:

- to broaden and deepen the students' existing professional competence in public service production and reform
- to broaden and deepen the students' knowledge of and competence in public service production in relation to its economic, political and legal contexts
- to develop the students' expertise towards multidisciplinary, networked operations in public service production and reform
- to increase the students' skills in developing the workplace
- to encourage students to take on new challenges.

Implementation of the Specialisation Studies

The specialisation studies are implemented through blended learning, which allows students to study while working. Alternative forms of study mainly include assignments, lectures and literature related to the study units.

The implementation of the degree programme applies the Learning by Developing (LbD) model especially in the context of the development exercise, which redefines the learning process as a research and development process. In the operating model, Laurea's three tasks – pedagogy, regional development and R&D – are merged into a single process of creating new expertise and knowledge.

The degree programme aims to provide students with the necessary abilities for lifelong learning and continuous development of their professional competence. The studies are arranged and study units are completed making use of innovative solutions according to the available provision.

1. year

OP	STUDIES	35
B032	PUBLIC LAW AND SOCIAL ENTREPRENEURSHIP	
B0129	Economics and Financial Law	5
B0130	Legal Framework of the Public Sector in Social and Health Care Services	5
B0131	Changing Law: EU Law as well as Fundamental and Human Rights	5
B0132	Social Entrepreneurship	5
B0133	Advanced Element in Company Law	5
B0134	Advanced Element in Public Law	5
B0135	Development Exercise	5
		35

B032 PUBLIC LAW AND SOCIAL ENTREPRENEURSHIP, 30 cr

B0129 Economics and Financial Law , 5 cr

The student is able to:

Students are able to:

- Know the overall structure of public economy and related funding
- Know the role of the government, municipalities and private employment pension system as part of public economy
- Know the conditions that public economy funding sets on service production
- Know the legal context of public economy funding
- Know the significance of the private sector in the tax system and public economy funding
- Know the objectives of the reform projects aimed at balancing and funding the public economy
- Know the main aspects of legal regulation applicable to public procurement

Contents of the study unit:

- Structure of the revenue and expenditure of the public economy (government, municipalities)
- Status and role of the government, municipalities and labour pension institutions and their legal context
- Current international economic situation
- Current economic situation of the public sector
- Financial forecasting
- Budget, monitoring targets, monitoring discrepancies and reporting
- Basics of the tax system
- Factors affecting public economy funding and funding prospects
- Projects and plans aimed at balancing and funding the public economy
- Legal provisions applicable to procurement and acquisitions in practice

Study unit description:

The aim of the study unit is to know the basics of the structure of the public economy (state, municipalities) and to understand the impact of financial conditions on public service production. Public economy is approached from the perspective of both finance and financial law. The study unit is divided into three parts: (1) economy, (2) taxation: public economy funding as well as (3) legal provisions for public procurement.

B0130 Legal Framework of the Public Sector in Social and Health Care Services, 5 cr

The student is able to:

Students are able to:

- Know the legal context of the structure, status, tasks and operations of public administration as well as the basic features of the financial provisions of the Government and the state subsidy system for municipalities
- View municipalities as democratic communities, organisations and service producers and know the main principles of municipal and service structure reform, municipal collaboration and municipal division as well as reflect on the future challenges of municipalities and municipal services
- Know the main features of regulations applying to social and health care services and social security, the role of different organisations in implementing rights, and the main features of the legal system and control and monitoring systems

Contents of the study unit:

- Structure of the government, principles of good administration, administrative affairs and legal system
- Planning state finances, budgetary decisions and implementation, auditing the state's finances, municipal state subsidy regulations, systems for offsetting large cost items, government performance management system
- Municipal organisation of representatives and organisation of authorities as well as the main features of consolidated municipalities
- Municipalities as service producers and related municipal and service structure reform, municipal collaboration, Kainuu pilot scheme, legislation applying to municipal division
- Social and health care services, state grant for social services and health care, specific legislation applying to private social and health care services, service arrangement models, implementation organisations, legal protection, main features of the control and monitoring system
- Legislation applying to the status of customers and data protection

Study unit description:

The aim of the study unit is to familiarise students with legal regulations applicable to the operations and structure of public administration as well as to learn about the provisions for social and health care services. The study unit includes General Administrative Law, Municipal Law, Public Economy Law and Social Welfare and Health Care Service Legislation.

B0131 Changing Law: EU Law as well as Fundamental and Human Rights, 5 cr**The student is able to:**

Students are able to understand:

- The political and economic objectives of the European Union
- The main sources, principles and interpretation practices of EU law
- The impacts of EU law (requirements and restrictions) on national legislation
- Background, content and implementation forms of fundamental rights
- Background, content and implementation forms of human rights

Contents of the study unit:

- Background and objectives of the European Union
- European Union Treaty and other legislative material
- European Union bodies and their tasks
- The main sources, principles and interpretation practices of EU law
- The impacts of EU law (requirements and restrictions) on national legislation
- Free mobility of people and services (especially from the perspective of social and health care services)
- Constitution and constitutional law
- Fundamental rights in Finland
- Fundamental rights and applicable agreements
- Practical implementation and application of fundamental and human rights

Study unit description:

The aim of the study unit is to familiarise students with the impact of EU law on the national legal system as well as the content and role of fundamental rights and human rights from the perspectives of public service production and other public sector activities. A legal perspective is adopted for the topic. The study unit is divided into two parts: (1) EU Law, and (2) Fundamental and Human Rights.

B0132 Social Entrepreneurship , 5 cr**The student is able to:**

Students are able to:

- Understand the opportunities, objectives and expectations set for a social enterprise from a general social perspective
- Understand the alternative operating models of a social enterprise
- Know the main legislation, definitions and operating models applicable to social entrepreneurship also from an international perspective
- Master the procedures relating to establishing and registering different company forms and corporate structure
- Know the general license and notification procedures relating to business activities of different sectors, especially the specific license and notification procedures relating to social business activities (e.g. social enterprises)
- Know the specific license and notification procedures relating to social business activities (e.g. social enterprises)
- Master the principles of company law (such as administrative and decision-making models, responsibilities, principles of accounting, auditing and tax liability)
- Possess the necessary skills to participate in a company's management body, e.g. as members of the board

Contents of the study unit:

- Social enterprise: opportunities, objectives and expectations from a the perspective of society
- Different operating models of a social company, also from an international per-spective
- Legislation applying to social enterprises
- General license and notification procedures relating to business activities of different sectors, especially the

specific license and notification procedures relating to social business activities (e.g. social enterprises)

- Regulations and principles of different company forms
- Legal provisions on the establishment, registration and license and notification procedures of business activities
- Regulation of administrative functions relating to business activities, e.g. regulations, procedures and documents relating to board meetings and annual general meetings
- Legal provisions applicable to public subsidies

Study unit description:

The study unit in Social Entrepreneurship (5 cr) explores the objectives, operating forms, establishment and administration of a social enterprise. The multidisciplinary study unit approaches the topic both from a broader social and a legal perspective. The legal perspective is divided into special regulation applicable to social enterprises and basics in company law (advanced competence in company law is available in the subsequent study unit).

B0133 Advanced Element in Company Law, 5 cr

The student is able to:

Students are able to:

- Understand different company forms and compare their appropriateness
- Know the main agreements, documents and procedures relating to business activities and arrangements
- Participate in a company's management body, e.g. as members of the board or managing directors
- Main financing, collateral and insurance arrangements relating to funding a company
- Understand the regulations relating to public subsidies available for business activities, and know how to apply for these
- Know the main legislation, definitions and operating models applicable to social entrepreneurship also from an international perspective
- Know the main legislation relating to a company's immaterial rights, and protect and utilise these rights
- Apply labour legislation and legislation applicable to the social security, unemployment insurance and optional insurances of entrepreneurs

Contents of the study unit:

- Regulations and principles of company forms
- Legal provisions on the establishment, registration and license and notification procedures of business activities
- Regulation of administrative functions relating to business activities, e.g. regulations, procedures and documents relating to board meetings and annual general meetings
- Legal provisions applicable to funding business activities
- Main legislation on credit rights as well as legislation and documents for personal and valuable security
- Main legislation on corporate insurance and main content of insurance agreements
- Legal provisions applicable to public subsidies
- Operating models and opportunities of social entrepreneurship, also from an international perspective
- Main legal provision and agreements applicable to immaterial rights
- Labour legislation and legislation applying to the social security, unemployment insurance and optional insurances of entrepreneurs

Study unit description:

The advanced element in company law means that students can deepen their competence in the establishment and administration of a social company. In terms of content, the study unit is a continuation to the company law element in the previous study unit of Social Entrepreneurship (5 cr).

B0134 Advanced Element in Public Law, 5 cr

Study unit description:

Students can take an optional study unit to advance their competence in a specialised area of public law. The content and implementation method is agreed separately. The aim is for the content to be linked to the subsequent assignment. For example, the study unit may consist of literature as a background for the assignment.

B0135 Development Exercise, 5 cr

The student is able to:

Students are able to:

- Analyse the theoretical starting points for development work and evaluate development tasks through clear documentation
- Generate new, reliable information for solving delineated problems
- Evaluate the effects of the methods they use on the reliability of the information generated
- Apply research data in their work by developing new operating methods and models
- Deepen their work communities' knowledge and competence through the out-comes of their development projects
- Share their observations with team members
- Evaluate the suitability, quality and applicability of others' development projects

Contents of the study unit:

- Data retrieval methods:
- Creating research plans and project brochures for development projects
- Planning, implementing, evaluating and presenting development projects orally and in writing
- Research opposition

Study unit description:

The studies consist of a 5-credit development project. This is preceded by an optional study unit, when students can deepen their competence either relating to a) the establishment and administration of a social enterprise (advanced element in company law), or b) some specific area of public law. The content of the development exercise is connected to the previous study unit.

A report on the development exercise is drawn up according to Laurea's thesis instructions. According to these, the theses respond to employer needs, use process-based and applied methods and aim to generate new information and innovations. The thesis is usually organised as a development process with various organisation participants, which means that the participating organisation develops itself as well as the surrounding sector and the labour market as a whole.

Students draw up a press release on their thesis or the sector, which as a maturity test demonstrates their knowledge of the field and their skills in Finnish or Swedish.