

# The European Pillar of Social Rights & Service delivery for persons with disabilities

## Analytical paper

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## I. Introduction

The European Pillar of Social Rights is the initiative launched by the European Commission with very ambitious aims; to bring back the social dimension of the EU, rebalance economic policies with social considerations, reconnect with European citizens, while at the same time addressing key issues related to changes in the world of work and society more generally, promoting higher social standards.<sup>1</sup> The European Pillar of Social Rights is considered to be the last big social initiative from the current European Commission. This paper aims to introduce then examine the Pillar, and in Chapter III provide short reflections on the principles related to the main fields of work of EPR from the EPR's perspective, service providers for people with disabilities, stressing key issues that according to members' experiences should be addressed, and proposing actions to support the implementation of the principles.

Structured under five different sections, this paper presents the context under which 'the Pillar' was created, looking at some of the current challenges the European society faces, and then examine various of the key principles included under the Pillar providing recommendations for its implementation. It concludes adding general comments and looking at future steps that can be taken to deliver on the expectations raised of achieving a more social Europe.

## Context

The European Commission points out that low birth rates and higher life expectancy are changing the population pyramid of Europe<sup>2</sup>. While people in working age is shrinking, those in retirement age are growing with consequent and growing difficulties for the working age population to provide to cover social costs of increased retired population. This changing demographic map of Europe means the need to rethink social service and care delivery as demands will grow with the ageing of the population. Care needs and support demands increase adding pressure to the social and health care services, sectors highly affected by financial cuts and support (see measures affecting healthcare during financial crisis<sup>3</sup>). Unemployment numbers remain high in many EU countries and people with disabilities, as other disadvantaged groups, are still more vulnerable to accessing the labour market, experience long-term unemployment and face more challenges to access services due to the societal and environmental barriers they face.

Inequalities are increasing, social cohesion is decreasing while populism and extremism are increasing in Europe, therefore social services, social security guarantees and inclusiveness play a crucial role. The labour market is facing fast changes in the way work is defined and employment is no longer a guarantee of sufficient income for living as in-work poverty continues to increase. More inclusive labour markets are needed and effective programmes to support employment of people with disabilities shall be put in place.

## II. What is the European Pillar of Social Rights?

The European Pillar of Social Rights (EPSR) is an initiative of the European Commission to improve the promotion and protection of social rights of EU residents. Launched on April 2017, it contains 20 principles divided into three chapters<sup>4</sup>. In 2016, a public consultation was launched to gather input on what should be main employment and social priorities addressed in the Pillar. EPR participated in this consultation highlighting how

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<sup>1</sup> COMMISSION STAFF WORKING DOCUMENT; Report of the public consultation. Accompanying the Communication on Establishing a European Pillar of Social Rights

<sup>2</sup> Eurostat, Population structure and ageing, [http://ec.europa.eu/eurostat/statistics-explained/index.php/Population\\_structure\\_and\\_ageing](http://ec.europa.eu/eurostat/statistics-explained/index.php/Population_structure_and_ageing)

<sup>3</sup> The impact of the crisis on fundamental rights across Member States of the EU- Comparative Analysis. Directorate General for Internal Policies. Policy Department Citizen's Rights and Constitutional Affairs, European Parliament, 2015. [http://www.europarl.europa.eu/RegData/etudes/STUD/2015/510021/IPOL\\_STU\(2015\)510021\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/510021/IPOL_STU(2015)510021_EN.pdf)

<sup>4</sup> [https://ec.europa.eu/commission/sites/beta-political/files/social-summit-european-pillar-social-rights-booklet\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/social-summit-european-pillar-social-rights-booklet_en.pdf)

inclusive labour markets, social investment and addressing challenges due to demographic changes in Europe should be addressed by the Pillar and in activities designed to implement it.

The legal nature of the Pillar does not give the European Union more power or competence, but is aimed to be a tool to promote social rights with joint collaboration and responsibility of the European institutions together with Member States, civil society, social actors and social partners. The European Commission will help to set the framework and lead the way on how to implement the Pillar, in full respect of Member States' competences and taking into account the diversity of situations across Member States and today's and tomorrow's realities.

The Pillar has been designed with a long term perspective, to be implemented through the European Semester, as the main coordination tool, with the idea that social issues would be addressed in the Commission's recommendations to the national governments (the Country Specific Recommendations). A set of indicators have been put in place to measure progress, named the social scoreboard of the EPSR. The Scoreboard is structured around three main dimensions, people centred<sup>5</sup>, coinciding with the three chapters of the Pillar:

1. "Equal opportunities and access to the labour market", related to education, skills and lifelong learning, gender equality in the labour market, inequality and upward mobility, living conditions and poverty, and youth;
2. "Dynamic labour markets and fair working conditions", covering labour force structure, labour market dynamics, and income;
3. "Public support / Social protection and inclusion", covering fair outcomes through public support and/or social protection. This set of indicators covers mainly the provision of services and social safety nets.

EPR believes that the Pillar is an important opportunity for the EU to rebalance economic and social policy at EU level, highlight the importance of the social policy dimension of the EU, and provide a tool to mainstream social policy in other policy areas. This is necessary to help rebuild trust among the inhabitants of the EU, by showing them that the EU can bring benefits in areas important to them (social and employment issues) hence, help counter nationalistic tendencies that can arise because unmet needs are perceived as not being addressed at EU level.

EPR observes that in recent years, in many countries the focus has been on reducing costs of social services in order to reduce public debt rather than ensuring the quality, accessibility, affordability and availability of these services, which would promote social and labour market inclusion and mitigate the social and economic impact of poverty and social exclusion. Short term cuts to financing of services can lead to longer term costs and in some countries have exacerbated the crisis. EPR therefore believes that the Pillar should encourage, support and develop policies that will contribute to achieving equality between European citizens.

### **III. The Pillar and service delivery for persons with disabilities – analysis and proposals for implementation**

What each of the principles of the Pillar means in practice, also compared to the "acquis", and whether the Union has a legal competence to act, is explained in an accompanying document.<sup>6</sup>

#### **Chapter I: Equal opportunities and access to the labour market**

The pillar addresses active support to employment and fair working conditions. European priorities are increasingly focused on creating employment and investing in people's skills and the Pillar includes education, training and life-long learning as key principles.

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<sup>5</sup> European Commission, <https://composite-indicators.jrc.ec.europa.eu/social-scoreboard/>

<sup>6</sup>[http://europa.eu/rapid/press-release\\_IP-17-1006\\_en.htm](http://europa.eu/rapid/press-release_IP-17-1006_en.htm)

While employment is key in economic recovery, EPR believes a holistic approach including promoting quality social services and investment in the social sector should complement and accompany these policies focused on increasing the employment rate, and the labour market must be made more inclusive. The development of new forms of employment in Europe is not always accompanied by quality of jobs, meaning the amount of people employed but experiencing poverty is rising. People with disabilities are still far from reaching employment levels equal to others.

### **Principle 1. Education, training and life-long learning**

*Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market<sup>7</sup>.*

To implement this principle EPR recommends the following issues are prioritised:

- Improving **access to quality education and vocational training (VET) services for PWD** to improve their skills and qualifications;
- **Promoting cooperation between the labour market and VET actors**, in particular involving local and regional authorities and stakeholders' associations in order to ensure good transitions from education to employment.
- The increasing use of **ICT and ATs** to meet service users' needs requires individual, services and welfare capacity to adjust and **learn new skills**. Training opportunities for staff need to be available, as well as investments in innovative solutions, in order for them to acquire the skills necessary to work in a digitalised labour market.
- **VET services need to keep on top of trends and adapt programmes and curricula**, in cooperation with businesses, to ensure they match with labour market needs and equip people to work in fast-changing environments and with ICT tools.

### **Principle 3. Equal opportunities**

*Regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding employment, social protection, education, and access to goods and services available to the public. Equal opportunities of under-represented groups shall be fostered.*

EPR believes it is important that equal opportunities are not reduced to the context of employment. Discrimination, stereotyping and prejudices against people with disabilities limit equal opportunities in society which are not always related to employment.

To implement this principle EPR recommends the following issues are prioritised:

- **Campaigns to combat discrimination, stereotyping and prejudices**, involving people with disabilities and organisations working with them, should be supported.
- **Actions to promote understanding of the social model of disability should be promoted**, which helps decrease prejudices and discrimination.
- **Inclusion of people with disabilities in all spheres of life** must be addressed.
- **Actions that show that individualised approaches to support in work and society can benefit all people should be put in place**, not just those who might have a disability.

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<sup>7</sup> See The European Pillar of Social Rights [https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en)

## Principle 4. Active support to employment

- a. *Everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the right to transfer social protection and training entitlements during professional transitions.*
- b. *Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within four months of becoming unemployed or leaving education.*
- c. *People unemployed have the right to personalised, continuous and consistent support. The long-term unemployed have the right to an in-depth individual assessment at the latest at 18 months of unemployment.*

EPR believes that recognising that employment is an important factor to achieve social inclusion should not divert from the fact that there are people who cannot work during all of their working years or part of them, and who are more at risk of poverty and social exclusion.

To implement this principle EPR recommends the following issues are prioritised:

- Creating **inclusive labour markets through effective employment programmes in partnership with employers.**
- Ensuring that **individualised and specialised support services** are available not only in the early stage of unemployment when actively seeking a job but also during employment, supporting the employee & employers, **to increase the number of PWD employed**, and improve job retention.
- **Ensuring people with disabilities can access labour guidance from persons that understand disability** and the importance of tackling environmental and social barriers that people with disability face (e.g. social model of disability).
- Ensuring adequate benefits can compensate for people with disabilities who cannot work full time.
- **Supported employment** as a model should be promoted.
- Ensure programmes that support **mental health and well-being for healthy working environments** are in place. Stress levels in working environments have increased yet there is often insufficient support or understanding of psychosocial health risks.
- Continuing to **promote the Active Inclusion concept** which clearly outlined the importance of the three dimensions or "threefold alignment" of **access to services, inclusive labour markets and adequate income support for accessing social rights.**
- **Reasonable accommodation** as a concept **must be promoted.** In the planned work on employment and reasonable accommodation in the European Disability strategy **it is important to engage service providers who have experience of partnerships with employers for integrating PWD in the workplace, to share good practice and dispel stigma.**
- **Complement the Europe 2020 headline targets on employment and poverty with specific "sub-targets" including targets on employment and poverty of persons with disabilities,** developing indicators and statistics on persons with disabilities in line with the UNCRPD Country Concluding Observations, and **refer to the Concluding Observations in the Country Specific Recommendations.**
- **Social enterprise**, particularly work integrating social enterprises, should be supported and good practices shared
- It is essential to ensure quality employment in the social and health sectors, thus promoting recruitment and retention.

## Chapter III: Social protection and inclusion

PWD face challenges in accessing services due to barriers posed by society and the environment. EPR believes that integration is also about coordination and providing guidance and supported decision-making for service users. Access to services should be coordinated and facilitated and the structures that do so should be supported (e.g. one stop shops, case managers). Care should be taken to ensure that one stop shops do not create stigmatising environments and ensure mainstreamed specialist support services.

### Principle 17. Inclusion of people with disabilities

*People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.*

### Principle 18. Long-term care<sup>8</sup>

*Everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services.*

To implement these principles EPR recommends the following issues are prioritised (in addition to those highlighted in the section on employment, for participation in the labour market):

- **Coproduction as a model should also be pursued and promoted**, ensuring service users, as experts of their own experience, can co-create services and policy.
- **Introducing a platform with comparative information on social protection cash benefits and social services for PWD throughout EU** will contribute to improving their understanding on the portability of their social protection cash benefit and services.
- Reference to the UNCRPD article 27 should be made and the article taken into account in policy initiatives.
- **Good practice in community-based services**, particularly services funded by the ESIF, should be showcased.
- Attention should be given to the importance of **accessible and affordable care** and **Assistive Technology** solutions to complement quality home care
- Support should be ensured for both **informal and formal care**, and mixed and flexible services.
- LTC services should promote **integrated responses** to meet the needs of elderly with disabilities.
- **Training of staff** providing long-term care to be able to support different disabilities, particularly intellectual disabilities and people with co-morbidity.

## IV. EU actions to deliver on the European Pillar of Social Rights

### The European Semester

In terms of policy instruments, the European Semester process has the potential to be a framework promoting a holistic approach to policy making, taking into account social and employment priorities, contributing to the implementation and monitoring of the Europe 2020 targets and the UNCRPD. However, so far it has not been such a framework, and the impact of economic and fiscal policy recommendations on such priorities have not been taken into account. This has encouraged policy decisions across Europe that decreased investment in social protection and services, leading to increased challenges in ensuring social rights are upheld.

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<sup>8</sup> For more reflections on this topic please consult EPR's briefing paper "Long-term Care: Older People and Disability", found here: <https://www.epr.eu/what-we-do/policy-analysis/disability/>

## The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The UNCRPD should be mainstreamed in actions to implement the Pillar and in monitoring implementation, and links should be made to the European Disability Strategy. To improve the implementation of initiatives and goals of the European Disability Strategy, EPR calls for a greater recognition of the role of services to PWD and a greater involvement of service providers for PWD in its actions.

### Social investment

Social investment is essential to implement the EPSR. Expenditure in social and health care services must be seen as an investment with positive long-term gains. However, in recent years, in many countries the focus has been on reducing costs of social services in order to reduce public debt rather than ensuring the quality, accessibility, affordability and availability of these services, which would promote social and labour market inclusion and mitigate the social and economic impact of poverty and social exclusion. Short term cuts to financing of services can lead to longer term costs and in some countries have exacerbated the crisis.

The European Commission should take into account the positive impact of social investments and consider them "eligible for favourable treatment when assessing government deficits and compliance with the 1/20 debt rule assessing (ex-post) possible deviations from the Stability and Growth Pact requirements". (The "silver rule" proposed in the draft EMPL committee report from the European Parliament, Committee on Employment and Social Affairs, on a European Pillar of Social Rights (2016/2095(INI))<sup>9</sup>.

Therefore, EPR recommends that:

- **The social investment approach is promoted in EU policy initiatives** and processes to facilitate sufficient financing of social protection schemes and social and health services. Sufficient financing of services including care, education and training is essential for people to access their rights;
- **Investment in quality social services is promoted** as it enables people to live independently, in dignity, reduces unemployment and the risk and impact of poverty and social exclusion.
- The European Commission delivers on its **commitment to align some of the financing priorities with delivering on the Pillar.**
- The European Commission fulfils the commitment to **consult and engage civil society** including networks of service providers, including **providing funding to activities that support the Pillar coordinated at European level.**
- The social scoreboard and monitoring process is promoted in such a way that it encourages **upward convergence**, and not inadvertently encourage Member States to settle for a minimum benchmark.
- The European Pillar of Social Rights is linked to other EU key initiatives like the European Semester, including the CSRs, to ensure **policy initiatives** and processes to facilitate its principles are implemented.
- The European Pillar of Social Rights links and engages with the 2030 Agenda and the implementation of the SDGs.

As work is being put in place to define the future of Europe and as we reach 2020 without meeting the targets of Europe 2020, the European Pillar of Social Rights has become a new hope to deliver on a more social Europe and EPR will work continue to work with partners to promote and implement it.

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<sup>9</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML%2BCOMPARL%2BPE-589.146%2B02%2BDOC%2BPDF%2BV0//EN>