**EUROPEAN PILLAR OF SOCIAL RIGHTS 2017**

*EAPN Briefing for Members*

*May 2017*

**Useful links and information**

**Overall webpage of the initiative:**

* <https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en>
* <http://ec.europa.eu/social/main.jsp?catId=1226&langId=en>

**Main documents:**

* [Commission communication on the European Pillar of Social Rights](https://ec.europa.eu/commission/publications/commission-communication-european-pillar-social-rights_en)
* [Commission recommendation establishing the European Pillar of Social Rights](https://ec.europa.eu/commission/publications/commission-recommendation-establishing-european-pillar-social-rights_en)
* Draft joint proclamation for the European Parliament, Council, and Commission
* [Staff Working Document – Explanatory fiches on each principle](https://ec.europa.eu/commission/publications/staff-working-document-explanatory-fiches-each-principle_en)
* [Staff Working Document – Methodology behind the “social scoreboard”](https://ec.europa.eu/commission/publications/staff-working-document-methodology-behind-social-scoreboard_en)
* [Staff Working Document – Summary report on the public consultation](https://ec.europa.eu/commission/publications/staff-working-document-summary-report-public-consultation_en)

**Additional information:**

* Press [Release](http://europa.eu/rapid/press-release_IP-17-1007_en.htm): Commission presents the European Pillar of Social Rights

**Delivering on the European Pillar of Social Rights:**

* [First phase consultation of Social Partners under Article 154 TFEU on a possible revision of the Written Statement Directive (Directive 91/533/EEC) in the framework of the European Pillar of Social Rights – C(2017) 2611](http://ec.europa.eu/social/BlobServlet?docId=17614&langId=en)
* [SWD: REFIT Evaluation of the ‘Written Statement Directive' (Directive 91/533/EEC) – C(2017) 2611](http://ec.europa.eu/social/BlobServlet?docId=17615&langId=en)
* [First phase consultation of Social Partners under Article 154 TFEU on a possible action addressing the challenges of access to social protection for people in all forms of employment in the framework of the European Pillar of Social Rights – C(2017) 2610](http://ec.europa.eu/social/BlobServlet?docId=17616&langId=en)
* [Working Time Directive: Interpretative Communication on Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time – C(2017) 2601](http://ec.europa.eu/social/BlobServlet?docId=17617&langId=en)
* [Investing in Children Recommendation - SWD on implementation: Commission Staff Working Document - Taking stock of the 2013 Recommendation on ‘Investing in children: breaking the cycle of disadvantage'](http://ec.europa.eu/social/BlobServlet?docId=17618&langId=en)
* [Active Inclusion Recommendation - SWD on implementation: Commission Staff Working Document on the implementation of the 2008 Commission Recommendation on the active inclusion of people excluded from the labour market](http://ec.europa.eu/social/BlobServlet?docId=17619&langId=en)

**Additional information:**

* [MEMO: Delivering on the European Pillar of Social Rights – Questions and Answers](http://europa.eu/rapid/press-release_MEMO-17-1005_en.htm)
* [Factsheet: A NEW START TO SUPPORT WORK-LIFE BALANCE FOR PARENTS AND CARERS](http://ec.europa.eu/social/BlobServlet?docId=17583&langId=en)
* [Communication: An Initiative to Support Work-Life Balance for Working Parents and Carers](http://ec.europa.eu/social/BlobServlet?docId=17604&langId=en)

**Reflection Document on social dimension of Europe**

* [Reflection document on the social dimension of Europe](https://ec.europa.eu/commission/publications/reflection-paper-social-dimension-europe_en)

**Background**

The European Pillar of Social Rights is a flagship initiative of European Commission President Jean-Claude Juncker, who first announced it in September 2015 in his State of the Union address. It is part of a larger effort to further strengthen the internal single market and to better integrate social considerations into it, thus guaranteeing a “Social Triple A” for Europe. On March 8, 2016, the European Commission presented a Preliminary Outline of the European Pillar on Social Rights, to underpin launched a public consultation, which ran till 31 December 2016. The report on the consultation is part of the package (see below). On the 26th April 2017, the European Commission launches its package on the European Pillar of Social Rights, together with a Reflection Paper on the social dimension of Europe, part of the proposed discussions on the Future of Europe White Paper. This briefing provides an overview of the main proposals (soft and hard law) and an initial assessment of each proposal.

**EAPN action so far**

* November 2015: [*PeP 2015*](https://voicesofpoverty-eu.net/2015pep/) and June 2016: [*EAPN Annual Policy Conference*](http://www.eapn.eu/eapns-2016-annual-conference-from-the-delors-white-paper-1993-to-the-eu-pillar-of-social-rights-2016-what-future-for-the-fight-against-poverty-in-europe/) 2016
* September 2016: EAPN [*Response to the consultation*](http://www.eapn.eu/wp-content/uploads/2016/09/EAPN-Response-EPSR-Questionnaire-submitted-EAPN-596.pdf)
* September 2016: EAPN[*Position Paper on the European Pillar of Social Rights – Last Chance for Social Europe?*](http://www.eapn.eu/wp-content/uploads/2016/09/EAPN-2016-EAPN-Position-European-Pillar-Social-Rights-600.pdf)
* Feb 2017: [*Letter and Statement to President Juncker: The time for timidity is over*](http://www.eapn.eu/the-eu-needs-an-ambitious-european-pillar-of-social-rights-eapn-letter-to-president-juncker/)*!*
* Letters
* March/April 2017: Social media campaign 2
* April 2017: EAPN [*Press Release initial response to EPSR package 2017*](http://www.eapn.eu/eapn-welcomes-the-good-intentions-behind-the-european-pillar-of-social-rights-but-is-it-enough-to-save-social-europe/)

**Overall Framework and Timeline**

* The pillar is a *framework of rights and principles* developed as a Communication and Commission Recommendation. The aim will be to get fuller ownership from EU institutions, through an *interinstitutional proclamation* adopting/amending the Recommendation (between European Parliament, European Council and European Commission) by the end of the year.
* *Policy guidance and recommendations* on the principles will be pursued through the European Semester and through social dialogue; EU funds will also be used in support, and a *social scoreboard* will monitor progress**.**
* Although the main responsibility for delivery is seen to be national governments, the package includes several concrete *proposals for legislative initiatives* on work-life balance, access to social protection, access to information on employment rights, and changes to the working-time directive.
* 2 *Staff Working documents* are also produced looking at implementation on *Active Inclusion* and *Investing in Children* Recommendations.
* At the same time *a Reflection paper* on the *social dimension of Europe* proposing 3 scenarios – part of the Future of Europe initiative is launched.
* The *Gothenburg Summit on the 17 November*, will be a key moment to build consensus and get agreement on the interinstitutional proclamation and take stock of reactions to the reflection paper, with some first results at the end of the year, feeding into the European Elections in 2019.

**Overall initial assessment**

* The package offers an impressive array of documents which attempt to take forward the European Commission’s commitment to upward social convergence and delivering a Social Triple A for Europe.

**Positive elements**

* + Strong rhetoric on the need for social progress by reinforcing social standards.
	+ Some improvements on the 20 policy domains that underpin key principles and rights showing the added value the pillar can bring: including the recognition that children have a right to protection from poverty, a proposal of a new right to social protection to apply to all workers, the right to adequate unemployment benefits for reasonable duration, and an explicit statement of the right to a minimum income that ensures a life in dignity; access to social housing or housing assistance, and adequate shelter and services to the homeless.
	+ Some more clarity on implementation through the Semester, with the use of a new social scoreboard to monitor progress through national reporting mechanisms and suggestion that EU funds will be targeted accordingly.
	+ The *legislative proposals on work-life balance*, supporting shared caring responsibilities and parental leave with particular emphasis on the role of the father, and access to social protection extended to atypical work seem to offer a positive step forward, as well as reaffirmation of employment rights in the Written Statement and Working Time Directive.
	+ The *staff working documents* on Active Inclusion and Investing in Children provide useful assessment of implementation of these key principles, highlighting the importance of the EU actions as agenda-setters, particularly when linked to EU funding.
	+ The *reflection paper on the social dimension* recognizes the growing inequality between and within MS, significant risk of poverty, particularly child poverty and the key need for growing convergence underlining the key need to ensure social rights in the new world of work, particularly through education and effective social protection. The paper makes clear that the implementation of a stronger social pillar is fundamentally linked to opting for the 2 or 3rd scenario – which will allow for “progress together’’ on raising social standards.

**Negative/missing elements**

* + The pillar remains fundamentally a framework of voluntary principles rather than rights as binding obligations.
	+ It is initially only focused on the Euro area, although it says it wishes it to be extended to the whole EU.
	+ Poverty and social exclusion (beyond children) has a lower profile and no explicit link is made to Europe 2020 and its targets.
	+ The implementation of the principles is unclear, with the main burden falling on the European Semester, which is already struggling to deliver on its social objectives with reduced CSRs.
	+ There is a lack of concrete benchmarks in the area of minimum income and social protection.
	+ The legislative initiatives are primarily focussed on employment and work-life balance, and will enter their first stage of consultation with social partners. There is a risk that the proposals will not succeed because of resistance from employers and several Member States (eg mirroring the failure of the maternity leave directive)
	+ Currently there are no concrete proposals that will have an impact for the large amount of people in poverty who are not in work or in low paid/quality jobs. ie no proposal on Framework Directive on minimum income, or EU framework on minimum wage.
	+ Civil dialogue is not given much profile and is not considered on a par with social dialogue – although more mention is made in the Staff Working Document.
	+ There remains an overriding fear, also for the Reflection Paper, that the major objective remains ‘modernization and restructuring’ of labour markets and social protection to pursue a new version of ‘Flexicurity’ in order to promote growth, with the EPSR as the sweetener…
	+ The lack of detail about how the pillar will intervene to ensure that macroeconomic policies support and not undermine social rights.

**Communication on establishing a European Pillar of Social Rights**

**Main elements**

* Setting out key principles and rights to support fair and well-functioning labour markets and welfare systems, also essential for a resilient economy, and to build better convergence towards better working and living conditions.
* Deepens 20 principles and rights in 3 categories: equal opportunities and access to the labour market, fair working conditions and social protection and inclusion. The proposal is drawn from the consultations.
* Primarily conceived for the eurozone, but open to all EU Member States.
* Communication accompanied by a number of legislative and non-legislative initiatives related to work-life balance, information for workers, access to social protection, and working time arrangements.
* Also accompanied by a Staff Working Document, outlining detailed explanations on each of the principles put forward in the context of the Pillar, as well as a social scoreboard to monitor progress on the ground and to inform policy guidance in the context of the European Semester.
* Member States have primary or exclusive competence on labour law, minimum wage, education, healthcare, and social protection systems – so it is up to them to implement the principles in the Pillar, and also bear the bulk of financing the initiatives.
* The implementation of the Pillar will be supported by the European Social Fund, the European Structural and Investment Fund, the Youth Employment Initiative, Erasmus +, European Globalisation Adjustment Fund and the Fund for European Aid to the Most Deprived – basically, what this means is that no new sources of funding will be made available; however, it mentions that the Pillar will help shape the post-2020 financial perspectives.

**Positive elements**

* Poverty in many part of Europe is acknowledged explicitly and quoted as part of the rationale for putting forward the Pillar (p. 3)
* Clear rights-based approach, where the Pillar aims at delivering new and more effective rights for citizens (p. 4) and upward convergence (p.2) as well as reinforcing and improving take-up of existing rights (p. 7)
* Strong message that ‘every citizen has a right to access to adequate education and effective social protection, including a ‘social protection floor (p.5).
* Civil society clearly identified as actor for the implementation, alongside local, regional and local authorities, authorities, and trade unions. (p. 2), and the role of the public consultation responses in building the current proposal is also acknowledged (p. 4) – however, it is only mentioned once.
* The European Semester is explicitly mentioned as the framework for assessing, monitoring, and comparing progress made towards the implementation of the Pillar, through the social scoreboard proposed, with benchmarking and exchanges of best practices in a number of areas (employment protection, unemployment benefits, minimum wage, minimum income, skills).

**Missing/negative elements**

* While social protection is mentioned, as well as adequate education and performing labour markets, nothing is said in the communication about other services, and the document misses an integrated Active Inclusion approach.
* While civil society is mentioned once in the opening, further references to stakeholders and implementation only include public authorities and social partners (p 7, 10); a whole section is dedicated to social dialogue (p. 9), with no mention of civil dialogue.
* The approach is rather heavily tilted towards a macroeconomic logic, where social issues, though not explicitly said, seem to matter only because of their negative impact on economic growth and resilience.
* While the European Semester is mentioned, there is absolutely no reference to Europe 2020 and its targets, or to other previous initiatives (such as the Social Investment Package).

**Staff Working Document Accompanying the Communication on Establishing a Pillar of Social Rights – Explanatory Fiches on Each Principle**

This 78-page document follows the structure of the three chapters of the European Pillar of Social Rights, detailing the contents of each principle or right. Each one of these is presented in three main sections, covering the existing social acquis, an explanation of its content and scope, and suggestions with regard to its implementation.

For each principle or right, the first part of this document outlines the Union social acquis, starting with the relevant provisions of the Charter of Fundamental Rights of the European Union, and recalling the legislative powers and their limits set out in the Treaty on the Functioning of the European Union (TFEU). It concludes by recalling the key legislative and non-legislative measures already in place which are contributing to the implementation of the principle or right in question. This section is not exhaustive as it presents the most relevant instruments, both legally binding measures and Council or Commission recommendations providing guidance.

Given the legal nature of the Pillar, these principles and rights are not directly enforceable and will require a translation into dedicated action and/or separate pieces of legislation, at the appropriate level. This is explained in the third part of this document, which addresses how each principle or right could be effectively implemented by Member States and the social partners, which have the primary responsibility for making social principles and rights operational on the ground. Additionally, this section outlines how the Union actions would contribute to implementing the Pillar.

The European Semester mechanisms and process are highlighted as the key vehicle for implementation. While the role of social partners is heavily emphasised several times, there is also a paragraph saying: “*In addition, civil dialogue at both national and Union level is vital for broadening participation in policy-making and further mobilising social actors to help deliver the principles and rights of the Pillar. Civil dialogue involving civil society organisations allows for a range of civic stakeholder interests to be represented and reinforces the transparency, accountability and legitimacy of public decisions.”*

In the upcoming weeks, EAPN will perform a preliminary comparative analysis between the fiche dedicated to each of the 20 policy fields under detailed in this document, and our own contribution to the public consultation during 2016, which addressed all of the 20 domains.

*Equal Opportunities and access to the labour market*

1. Education, training and lifelong learning
2. Gender Equality
3. Equal Opportunities
4. Active Support to employment

*Fair Working Condition*s

1. Secure and adaptable employment
2. Wages
3. Information about employment conditions in case of dismissals
4. Social dialogue and involvement of workers
5. Work-life balance
6. Healthy, safe and well-adapted work environment and data protection

*Social Protection and Inclusion*

1. Childcare and support to children
2. Social Protection
3. Unemployment Benefits
4. Minimum Income
5. Old age income and pensions
6. Health care
7. Inclusion of people with disabilities
8. Long-term care
9. Housing and assistance for homeless
10. Access to essential services

**Commission Recommendation on the European Pillar of Social Rights**

The Recitals are mainly the same as the Communication, put in Recommendation format, but largely the same wording + details on each of the 20 policy domains.

**Positive elements**

* The Recitals lists Treaty articles that support social progress, the fight against social exclusion and discrimination, social justice and adequate social protection, equality between women and men, solidarity between generations, protection of the rights of the child, high level of education, protection of human health, and social dialogue.
* States that the Pillar only presents minimum standards, while Member States are encouraged to go further, and in no way should the Pillar act in a restrictive way on existing rights
* No mention of civil society; conversely, it states more than once that “Delivering on the European Pillar of Social Rights is a shared commitment and responsibility between the Union, its Member States and the social partners”, and the role of social dialogue is further reinforced.
* Positive statements on:
* quality and inclusive education (however, linked only to the labour market);
* gender equality and combatting the gender pay gap;
* equal opportunities and combatting discrimination;
* support to employment (including the Youth Guarantee, and personalised support); combatting precariousness and segmentation on the labour market and decent working conditions (including access to social protection for all);
* fair wages that provide for a decent standard of living, fighting in-work poverty
* employment rights and protection against employment, social dialogue
* work-life balance, but only insofar as caring responsibilities are concerned
* working conditions (including adapted environments for older workers)
* affordable, good quality early childhood education and care, and protection from poverty
* adequate social protection (though not explained what adequate means) and adequate activation support (though they should not constitute disincentives to returning to work) and adequate minimum income (throughout the lifecycle, though again combined with incentives to work for those of who can work) and adequate pensions
* quality and affordable healthcare, and timely access to affordable and quality long term care
* adequate income support and adapted work environments for people with disabilities
* access to social housing of good quality and protection against eviction for the most vulnerable, as well as adequate shelter and services
* quality services – water, sanitation, energy, transport, financial services and digital communication, including support for those in need to access them.

**Missing/negative elements**

* Poverty is only mentioned once in the Recitals, as ‘risk of poverty’; in the body of the Recommendation, child poverty only is mentioned
* No vision of education aside its usefulness for employment
* Adequate minimum wages are promoted insofar as they safeguard incentives to keep work – so seen as a tool to get people into jobs, rather than a right; same for social security benefits (unemployment, minimum income), which must not constitute disincentives to work

**Interinstitutional Proclamation on the European Pillar of Social Rights**

This document uses the wording of the two above documents, put in a different format – but not really new information.

**Staff Working Document – Social Scoreboard**

**Key elements**

* The Social scoreboard will track trends and performances across EU countries in 12 areas and assess progress towards a social triple A, this will feed into the European Semester.
* There are 12 headline indicators divided into the 3 areas: (indicator in brackets)
	+ **Equal Opportunities, access to the Labour Market**
		1. Education, skills and lifelong learning (Early leavers)
		2. Gender equality in the labour market (Gender employment Gap)
		3. Inequality and upward mobility (Income inequality S80/S20)
		4. Living conditions and poverty (People at risk of poverty and/or social exclusion – AROPE (3 indicators)
		5. Youth (Young people neither in employment nor education/training (NEET).
	+ **Dynamic Labour markets and fair working conditions**

6. Labour Force Structure (Employment rate)

7. labour market dynamics (Participants getting activation support)

8. Income, including employment related (Real gross disposable income)

* + **Social Protection and Inclusion**

9. Impact of public policies on reducing poverty (Impact of social transfers on poverty)

10. Early childhood care (Children aged less than 3 years in formal childcare

11. Healthcare (self-reported unmet need for health care)

12. Digital Access (Individual level of digital skills)

**Positive elements**

* Introduces more social indicators into the Social Scoreboard
* Potential of better visual presentation and systematic mainstreaming.
* Broadens approach to key social areas eg early childhood care, health care, whilst retaining core Europe 2020 indicators on poverty, inequality, impact of public policy.

**Negative/missing elements**

* Concerns about how this will link to Europe 2020 targets and indicators, and may involve a reduced priority to poverty.
* Missing indicators – around quality of work, in-work poverty, but also unmet housing need etc..
* There remains an unclear connection with the 20 principles? Will these have further indicators developed?

**Staff Working Document - Report on the Public Consultation**

**Key elements**

* This document summarizes the results of the public consultation.
* 16, 560 replies were received, including 200 position papers. The vast majority (15,500) were a standard text from the ETUC and Spanish/Italian trade unions.
* 58% were individual responses, 26% national organizations and 11% EU level.
* Over 60 meetings were held with 2,500 participants at EU and national level.
* Targeted work stream discussion were held on 1) EU social aquis, 2) Future of work and welfare systems 3) Role of the Pillar in a deeper and fairer EMU.
* All stakeholders were involved – Citizens (through citizen dialogues at EU level), Member States (21), EU institutions, Social partners who played a special role with 2 hearings, also meetings of the institutional social dialogue, also research community and other organizations
* Civil Society had less organized involvement but participated in the consultation, also through the Annual Convention on Inclusive Growth, strategic dialogue meetings, also at ‘a meeting with people experiencing poverty, organized with Commission support (no mention of EAPN or role of the EU meetings!)

**Main findings**

* 4 priority trends identified:
	+ Social consequences of the crisis – increasing poverty, exclusion, inequalities and unemployment.
	+ Technological progress and automation -the future of work.
	+ Demographic developments with ageing population, modernisation of social protection systems.
	+ Economic divergence across Member States.
* The report analyses with quotes the discussions on the role and nature of the pillar, the scope, the legal nature, the implementation, the specific principles.
* In the area of Equal opportunities/access to the labour market investing in skills and education is seen as top priority, including lifelong learning, gender equality and work-life balance.
* In the area of fair working conditions: strong support for better conditions including adequate minimum wages and tackling in-work poverty, addressing the rising challenges of new forms of work, with a new focus on a safe and inclusive environment. Social dialogue and worker’s participation should be strengthened
* In the area of social protection – strong support for social protection to cover all workers and for minimum income to cover all those in need, as well as action on child poverty (including child guarantee).
* The report directly addresses the proposal of an EU framework directive on minimum income supported by a large list of organizations apart from EAPN, eg EESC, trade unions, EDF Solidar, EYF, AGE.
* No conclusions are made, or clear link to the final proposals.

**Positive elements**

* The report gives a good picture of the range of inputs, and a flavour of the key issues and different approaches.
* It’s easy to read and quite insightful.
* It positively highlights key examples from different organizations as well as listing organizations support for key approaches.
* EAPN is highlighted in several places, and particular the need for a new paradigm, our recommendations on quality work and conditionality, social protection and minimum income, but also proposal for a new EU funding programme to combat poverty and inequality.

**Negative/missing elements**

* It summarizes inputs rather than drawing conclusions, so it’s difficult to see the clear link with the Commission’s proposals.
* It doesn’t systematically list organizations support for different views, but gives examples.
* It gives little attention to strategic approaches to tackling poverty
* There’s a low focus on governance issues, although the issue of the low involvement of civil society is highlighted

**An Initiative to Support Work-Life Balance for Working Parents and Carers**

**Key elements**

* The proposal sets a number of new or higher minimum standards for parental, paternity and carer’s leave. These include:
* Existing right to 4 month’s parental leave can be taken for children up to 12 years old
* Parental leave becomes an individual right for mothers and fathers without a transfer system.
* Carer’s leave of 5 days is introduced, in case of sickness of a direct relative.
* All family related leave arrangements will be compensated at level of sick pay.
* Parents of children up to 12 and carers have the right to request flexible working including reduced/flexible working hours

**Positive elements**

* Most of the proposals seem positive.

**Negative/missing elements**

* Main concern is that they do not go far enough.
* Also that there is little appetite from employers and member states to support the proposal when the Maternity Leave Directive was blocked***.***

**Consultation Document – Revision of the Written Statement Directive**

**Key elements**

* This is a consultation to social partners only, and in line with their written role under the Treaties.
* It aims to modernize the rules on labour contracts and affects the Written Statement Directive which gives employees starting a new job the right to be notified in writing of key elements of their employment.
* In the light of new types of contracts, the Commission wants to try to achieve minimum standards for every worker, including those in non-standard employment.
* It aims to have a revision of the Directive by the end of the year.

**Positive/Negative elements**

* The proposal seems positive, particularly in trying to enforce minimum labour standards in new forms of work.
* However, the employers are rumoured to be reluctant, which may block progress

**Consultation Document – Action Addressing Challenges of Access to Social Protection in All Forms of Employment**

**Key elements**

* This is a first phase consultation under Article 154 TFEU with social partners.
* It aims to define new rules to extend access to social protection to all employment, based on workers’ contributions.
* This would apply particularly to people in new precarious forms eg self-employment and non-standard jobs who can miss out on coverage***.***
* It implements 4 key principles from the European Pillar of Social Rights – (4), active support to employment, (5) secure and adaptable employment and (12) on Social Protection.
* For principle 12 on social protection it states ‘*regardless of the type and duration of their employment relationship, workers and under comparable conditions, the self-employed have the right to adequate social protection*’.
* The consultation document underlines the challenges of definitions and raising social standards for ‘non-standard employment, self-employment and new forms of employment’
* Key aspects of insufficient access are underlined: inability to access social protection or on a par with standard contracts, leading to ‘under-insurance impacting on unemployment insurance, public pensions, sickness benefits and employment services. Youth are amongst the key groups most at risk.
* Lack of transferability and lack of transparency of rights are other key risks
* The consultation will consider different options of action on key principles– eg ensuring similar protection for similar work; tying social protection to individuals and making it transferable; simplifying administrative arrangements.
* A range of EU instruments could be considered – including legislative instruments with the legal base of Article 153 (1) © TFEU and Art 151 and 352 TFEU, but non-legislative instruments may also be considered eg benchmarks through the European Semester or reinforced mutual learning in the Social OMC.
* Following this first stage consultation with social partners, a 2nd stage consultation will be carried out on the specific content, should the Commission conclude on a need for action at EU level

**Positive elements**

* Positive attempt to look at ways to extend access to social protection to new precarious forms of work, particularly impacting on young people, women and excluded groups.

**Negative/missing elements**

* Severe challenges over common definitions and different scope of labour law, and to try to include new forms of work.
* Support from trade unions is likely with strong resistance from employers seeking to outsource and reduce costs, as well as uber-type companies.

**Staff Working Document – Taking Stock of the 2013 Recommendation on Investing in Children**

**Key elements**

* Sets out the state of play on the integrated approach – 1) access to resources, 2) quality services and 3) right to participate.
* Highlights the Recommendations’ key role as an agenda setter, and the Commission’s role in implementation. Analyses the impact on EU policy making and progress made in each pillar at MS level, including good practices. Assesses the actions of key stakeholders, including the European Parliament and NGOs
* Main Conclusions: Still work in progress. Although the Recommendation has gained important support, particularly amongst EP and civil society – still too little known at MS level. Big gaps between NW and SE Europe, partly due to the crisis and the response, including austerity.
* Most MS agree on a comprehensive, partnership approach, but slow progress on key elements eg 2002 Barcelona childcare targets. However stronger progress on priority 1 and 2, on resources and services than on 3, often due to ESIF financing.
* Underlines that child poverty was a strong priority in the consultation response for the European Pillar of Social Right, calling for the mainstreaming of the rights of the child, protection from poverty and work-life balance.

**Positive elements**

* Underlines that investing in children is one of best examples of social investment, also because of the strong multiplier effect on society as a whole and in transmission of disadvantage.
* Child poverty affects children’s economic and social rights, and has negative impact on health, education, jobs and well-being.
* Stresses the importance of an explicit child rights approach, ratifying the UN Convention of the rights of the child (UNCRC), and the integrated approach, also emphasizing the crucial role of participation with a strong focus on early years.
* Underlines the key barriers of badly designed tax-benefit systems and high childcare costs, inflexible work., particularly for single parents.
* Gives an important defence about the importance of universal policies aimed at promoting well-being for all children and part of redistributive policies to tackle poverty and social exclusion, with extra, tailored support to specific families and children ie targeted universalism. A key example is universal child benefit, combined with means-tested benefits.
* Adequacy of minimum income is seen as key to reduce intensity of child poverty, combined with child and family benefits and services. Highlights that some governments have failed to increase benefits in live with living costs
* Underlines key role of the European Semester, as well as mutual learning activities and importance of NGOs like Eurochild, EAPN, PICUM etc and specifically the EU Alliance for Investing in Children.
* Progress has been made in recognition of the importance of integrated approaches, although in reality objective 1 and 2 are given more priority.
* Work-life balance is seen as key to enable parents to work flexible or fewer hours, but warns against involuntary part-time
* It highlights key risks for specific groups of children/families – Roma, children living in institutions, homeless children, children of migrants and unaccompanied migrant.
* In the area of services, affordable quality childcare is seen as a win-win for social investment, and recognizes major problem of lack of accessible, affordable and quality childcare.
* Positive focus on need for more progress on children’s participation in decision-making, with examples of good practice and need to involve them in policy or service design.

**Negative/missing elements**

* Not enough attention paid to the impact of negative conditionality regarding access to family benefits, mainly focused on removing disincentives to work for parents..
* Little discussion of the overall rising costs and challenges for families including over-indebtedness.
* Little focus is given to the quality of work, particularly wage levels.
* The area of services focuses almost exclusively on childcare and early learning, not access to affordable housing, health, energy, broader education.
* Major weakness is the lack of a roadmap with recommendations for future action.

**Staff Working Document – Implementation of the 2008 Recommendation on Active Inclusion**

**Key elements**

* Includes an overview of the original 2008 Active Inclusion Recommendation and its provisions, as well as of the Implementation Report released in 2013 as part of the Social Investment Package – which highlighted shortcomings in the implementation and suggested both possible reasons for it, and possible solutions
* It also provides an overview of European Parliament and Council of the EU documents in support of the active inclusion integrated approach
* It lists initiatives of the European Union in support of an Active Inclusion approach: the Social Investment Package, the Youth Guarantee, the Long-Term Unemployment Recommendation, the European Pillar of Social Rights.
* The report also provides an overview of how active inclusion was reflected in the 2016 European Semester and CSRs, but it falls prey to a fundamental fallacy, including any separate mentions of income support, access to services, and labour markets in a broad sense, without an integrated approach in place – which is the key feature of the recommendation
* Finally, there is a chapter reviewing EU funding instruments which were used to support the implementation of active inclusion
* There are no concrete recommendations, but some lessons learnt. The key issue about the report is the willingness to consider any punctual measure under a single strand (for instance, improving childcare) as evidence of Active Inclusion, to the detriment of integrated approaches.

**Positive elements**

* Poverty, social exclusion and inequality, including in-work poverty, referred explicitly and repeatedly from the beginning.
* Restates that the Strategy covers both those able and those unable to work, stresses quality, sustainable employment, and dignified living, as well as the importance of the mutually reinforcing, three-pronged integrated approach
* Explicit reference to the Open Social Method of Coordination, to the work of the SPC and the EMCO, and the SPC Annual Report.
* It points to the to the European Parliament resolution, which “regretted that national active inclusion strategies too often focused only on employment activation, thereby excluding people outside the labour market and for whom returning to it was not an option”, and “emphasised that active inclusion policies should be consistent with a life-cycle approach and be tailor-made, needs oriented and participative”, as well as “called for a systematic assessment of the impact of austerity measures on active inclusion policies for disadvantaged groups.”
* Explicit reference to the June 2013 Council conclusions, which “called for cooperation to look at whether and how reference budgets or similar instruments that respect national competences could add value to the design of efficient and adequate income support”, and the 2016 Conclusions, which “acknowledged that innovative active inclusion approaches combining adequate income support, access to quality services and inclusive labour markets, while ensuring equal opportunities for both women and men, were necessary to fight poverty and social exclusion effectively” and “called on the Member States to recognise the value of an integrated approach, to step up efforts to prevent and combat poverty and social exclusion, and to reach their respective national poverty and social exclusion targets”
* The document acknowledges that countries which have implemented the best integrated active inclusion approaches also have the lowest rates of poverty and social exclusion
* The report notes that countries who has ex-ante conditionality on active inclusion for Structural Funds have registered better results
* The introduction or upgrading of minimum income as an effective tool to fight poverty in Italy, Greece, Spain, and Romania is notes and praised, as well as links established to access to services, including labour market services and support for marginalised groups – but the focus on employment and labour markets, rather than dignified living, remains, and those unable to work rarely get mentioned again.
* The inadequacy of minimum income schemes to lift people out of poverty is noted, as well as the fact that many schemes are below the 60% poverty threshold
* The report acknowledges that, while links to employment services have been made, provision of social services significantly lags behind, not least due to austerity cuts: “With fewer resources to allocate to active inclusion activities, the focus has been on labour market activation at the expense of active inclusion in society. This partially explains why the provision of affordable quality services, especially housing, childcare and long-term care is the least developed strand of the Active Inclusion Recommendation”
* Very importantly, the text admits that not everybody is employment-ready, and that integrated support across all three strands of the strategy remains key, highlighting particularly access to health, to childcare, to housing, and support with overindebtedness
* It reaffirms a commitment to foster the social participation of those who can’t work: “Access to essential social services and income support are the key effective tools for fostering an adequate standard of living and social participation for people who cannot work.”
* The report correctly notes that “the involvement of key stakeholders in designing and implementing active inclusion measures has been limited in many countries”, and explicitly refers to non-governmental organisations
* Encouragingly, the report states: “The Commission also recognises that salaried employment is not the only route available for integration.”
* It depicts active inclusion as underpinning the European Pillar of Social Rights, as the need for integrated approaches across the three strands came out strongly from several stakeholders as a pre-requisite to fight poverty and social exclusion
* It explicitly mentions the EMIN project and the Reference Budgets project.
* In conclusion, the report recognises that “Introducing tougher conditions and rules on eligibility for income support without providing sufficient services and employment opportunities could lead to a lower take-up of benefits and potentially increase the risk of loosening the safety nets for some of those most in need.”
* There are three positive lessons learned: (i) the importance of an integrated, comprehensive approach; (ii) a clearer focus on adequate support for the social inclusion of those who cannot work; and (iii) the need for close cooperation among all partners, including at the local level, and for active involvement on the part of all relevant stakeholders. The other lesson learned, the need to reflect better on the link between employment and income support, could be very negative.

**Negative/missing elements**

* Cutting benefits is presented as a positive practice in the case of Denmark, where they were seen as too generous, and as such constituting a disincentive to work, while the Netherlands, Belgium, and Slovenia are praised for tighter eligibility and stricter work-related conditionality on minimum income – showing that social assistance, including that of last resort, is still seen as an activation tool, rather than a human right
* The rights-based approach of the text could be strengthened, as it limits itself to neutrally stating: “Some Member States give greater importance to the right to an income, to social integration and to the kind and quality of the jobs offered. Others give more weight to sanctions, making eligibility criteria stricter and increasing the number of checks on beneficiaries’ real willingness to work.”
* While progress in providing personalised, integrated approaches is noted, the section is very limited and refers exclusively to the long term unemployed
* While it deplores that Member States sometimes / often prioritise one strand or another over true integrated approaches, the document presents the Youth Guarantee and the Long-Term Unemployment Recommendations as positive example building on the Active Inclusion recommendation, while neither features income guarantee, and the Youth Guarantee provides no access to services beyond education and employment services
* It mentions that, since 2012, active inclusion has constituted an explicit part of the Annual Growth Survey and Country Specific Recommendations, and that the latter have been supporting better adequacy and coverage of minimum income schemes and unemployment benefits, improving access to social services (notably to childcare and healthcare) and getting more impact from social spending, among others – this is not EAPN’s assessment!
* While parts of the document seem to acknowledge the paramount importance of integrated approaches, the analysis of to what extent is active inclusion picked up in national and EU policy and initiatives is not underpinned by this, but rather mixes together any action taken on an individual strand, whether in the spirit of the original recommendation or not
* Several EU funded projects are showcased as best practices – some focus on bringing people back to work and make no mention of access to quality services beyond active labour market policies, while others have a heavy emphasis on access to services, while the inclusive labour market is only hinted at; how these projects also work alongside national social protection policies so that beneficiaries receive income support is not mentioned at all, hence none features a truly integrated approach

**Reflection Paper on the Social Dimension**

**What is it?**

* One of a series of reflection papers produced to deepen discussion on the White Paper on the Future of Europe.
* Will be part of a consultation process at national and EU level, which will lead to the Gothenburg Summit on the 17th November.

**Key elements**

* It firsts maps out trends and challenges – growing divergence across the EU – particularly employment, gender and social protection gaps, including poverty.
* Then prioritizes the main drivers of change - these are seen to be demographic change – declining birth rates and ageing populations; diversity of lifestyles and households; new world of work; new social risks and need to modernize welfare and lifelong learning.
* What way forward? Managing debt, increasing investment, but also employment, social security and minimum income, importance of social partners.
* Empowering citizens to create strong societies, particularly through investing in children, lifelong learning and supporting transitions in new types of work, promoting active inclusion, civic participation.
* Need to learn from the best performers – ie flexicurity (securiflex!) – look at basic income, personal training accounts.
* EU could play a role in supporting convergence of social standards as a key element of fair globalisation, support social and civil dialogue and through EU funds (although point out that currently EU social budget is only 0.3% of public social expenditure in the EU.
* It then proposes **3 scenarios** for the future.
1. **Limit the social dimension to free movement** ie scrapping EU legislation on health and safety etc and minimum standards, no EU mutual learning, and cut EU Social Funds!
2. **Enhanced coordination amongst a limited number of MS** ie within the Euro area/ at least 9 countries: includes proposals for higher unemployment benefits.
3. **The whole EU27 could deepen the social dimension together** – social values seen as ‘fundamental to the European project’: harmonize citizen’s rights in selected areas, focus on convergence of social outcomes with binding benchmarks – Child Guarantee, more funds for the fight against poverty, as well as skills and labour market.

**Positive elements**

* Recognition of growing inequality between and within MS – particularly unemployment, but also social protection” which combined with tax help narrow income inequalities”.
* Strong message of need to support growing convergence ‘ to make societies and the Union more cohesive and stable’.
* Risk of poverty seen as still significant, particularly child poverty, recognizes failure of Europe 2020 poverty target.
* Role of social security and minimum income to help people meet basic needs and live in dignity.
* Recognition that demographic change is also affecting healthy life years, although it doesn’t recognize inequalities,
* Need to progress on gender inequality.
* Stresses the insecurity of new more flexible ways of working, and risks of increasing polarisation between those with stable jobs.
* It underlines the new social risks and need to provide welfare systems which have better coverage and access – the need for systems which are ‘more geared towards the individual, more universal and more means-tested’.. and lifelong learning systems that are fit for purpose.
* Emphasizes the Eurobarometer Survey, with 8 in 10 Europeans consider unemployment, social inequalities and migration as the top 3 challenges in the EU.
* In the 3 scenarios, 2 and 3 offer some room for progress on social standards. Clear that the option 3 is seen as ideal.

**Negative/What’s Missing elements**

* Although the description of the challenges includes concern about growing inequalities, different levels of protection including social protection and poverty, the drivers of change are focussed on demographic change and globalisation and the need to ‘modernize employment and social protection systems, rather than reducing inequality and poverty through better distribution and redistribution.
* Approach to new ways of work sees flexibilisation as inevitable, and even desirable – the main proposal is flexisecurity or Securiflex! Major concern is ‘modernizing social protection systems – but unclear what the focus would be.
* Little discussion on ensuring adequacy of income, particularly wages or quality work.
* No mention of access to public services – particularly access to affordable housing, health, energy, transport etc, or specifically on social services, apart from childcare.
* Even in the 2 and 3 scenarios, positive proposals look at areas more to do with employment, or digital progress, mobility, rather than enforcing minimum standards on adequacy of income or social protection systems ie no mention of proposals for framework directives etc.