



CONFEDERATION OF FAMILY ORGANISATIONS IN THE EUROPEAN UNION

FAMILIES EUROPE

Laying the foundations for a European Pillar of Social Rights

DISCUSSION PAPER

September 2016

Contents

Laying the foundations for a European Pillar of Social Rights	3
I. Essential principles for families in the proposed Pillar	4
1. Skills, education and lifelong learning	4
2. Gender equality and work-life balance	4
3. Disability	5
4. Long-term care	5
5. Childcare	6
6. Access to housing and essential services	6
II. Building a strong policy architecture for the Pillar	7
1. Scope of the Pillar: gaps to be filled to ensure social inclusion of all families	7
2. Bridging the gap between EU and local needs	8
3. Ensuring horizontal coherence with relevant parallel EU initiatives	9

Annex: Programme of the COFACE Families Europe reflection seminar on 27th September 2016

Laying the foundations for a European Pillar of Social Rights

COFACE Families Europe, representing 25 million families across 23 countries, wishes to actively participate in shaping the future European Pillar of Social Rights (hereafter referred to as “Pillar”). We know from the experiences of our wide membership the concerning absence of a Social Europe which puts its citizens first. Unfortunately, in recent years, the European Union has failed to adequately take into account the increasing vulnerability of families across the EU, which has resulted in increasing levels of poverty and homelessness, falling short of the 2020 poverty target.¹

The Pillar will be a unique opportunity to improve the monitoring of the employment and social performance of EU countries. It must also allow social policy stakeholders to rebalance the political agenda of the EU Semester towards an equal focus on inclusion, employment and growth, driven by a strong rights-based social policy agenda for Europe to effectively prevent poverty and social exclusion.

This brief discussion paper sets the context for our reflection seminar taking place on 27 September 2016 in Brussels (see programme in Annex), hosted together with the European Economic and Social Committee. The seminar is bringing together key influencers to reflect openly on the strengths and challenges of the Pillar, and address any potential gaps this year, before the Pillar takes shape in 2017. As a key stakeholder in the EU political arena, COFACE Families Europe is interested in discussing both content and process, which are essential foundations of a strong and forward-looking Pillar.

The first section of our discussion paper focuses on the content of the future Pillar, drawing out the policy principles which in our opinion are most relevant to address the immediate needs of families and challenges related to demographic changes in the last decade. The second section discusses process-related elements of the future Pillar, with a focus on the scope of the Pillar, on ways to make the Pillar relevant at local level, and how to ensure the link with other ongoing EU legislative processes.

This year, during the official [EU public consultation](#) on the Pillar from March to December 2016, COFACE Families Europe aims to assess the challenges and review the proposed principles. Following our seminar, we will formulate recommendations and continue to encourage our member organisations to respond to the consultation. Next year, as the Pillar takes shape, we will take a closer look at the possible instruments and good practices to drive positive change for families in the framework of the Pillar.

¹ See recent Eurostat figures on the Europe2020 targets: <http://ec.europa.eu/eurostat/documents/2995521/7566536/1-19072016-BP-EN.pdf/126e6fa2-7412-43af-b0a2-2e7bf8a0747a>

Essential principles for families in the proposed Pillar

All the twenty policy domains outlined in the 2016 [Communication of the European Commission on the Pillar](#) are impacting the lives of European families in one way or another. Here below we highlight six of the twenty principles which we believe would be useful to address the most urgent challenges of families, and we reflect on the necessary steps to improve their situation. These are also principles where COFACE Families Europe could actively support progress across countries and at EU level, through the knowledge and expertise of its members (civil society organisations representing families and providing a wide range of support services to families).

1. Skills, education and lifelong learning

The principle on skills, education and lifelong learning is very important for families, as family environment and school environment are the primary and secondary socialisation areas for children. Furthermore, COFACE Families Europe recognises the growing **role of new technologies and ICT**, as a third area to impact education of children and adults, which requires special attention from policy makers. Family environment is an important factor in determining school achievement, thus family members should be involved in their child's education, especially in early ages. **Early school leaving**, the **lack of accessible quality early childhood education and care services**, and the **lack of inclusive education** are the most concerning trends that our members highlight in the area of education.

We would like to see that the future Pillar provides guidance to Member States on how to make their school system more inclusive to all children, including children with disabilities, Roma children and children with a migrant background. This is a prerequisite to ensure skill development of children and adults, as well as the well-being and social inclusion of the whole family. **Segregation of vulnerable children** in the education system may lead to institutionalisation of children from a young age, and have devastating long-term effects, including the risk of poverty and social exclusion. Europe 2020 targets should be better monitored by collecting disaggregated data on vulnerable children who are falling out of the mainstream education system.

2. Gender equality and work-life balance

Despite educational attainments and measures to support female employment, the percentage of women in paid employment is still lower than men's and far from the EU2020 target of 75%. There are multiple explanations and factors behind the low occupational rates and the concentration of women in low paid positions. Furthermore, **gender inequalities and the perceived role of women as primary carer** for children, elderly or family members with disabilities inevitably slow down progress in supporting women to enter and stay in the labour market.

The **recognition of work-life balance** also as one of the principles to be developed within the Pillar towards a Social Europe is a positive signal.² COFACE Families Europe would like to stress two major principles that are key for successful work-life balance and to support women to enter, remain and progress in paid employment. The first is that work-life balance policies and legislation should support families along the life-cycle as needs change and evolve together with families. The second principle to bear in mind is that **reconciliation policies and legislation** should be transversal and be looking at guaranteeing (1) **sufficient leave schemes and flexible working arrangements** for women and men to avoid unnecessary and unwanted drop out or reduction of working hours, (2) setting and monitoring the provision of **quality affordable and accessible care services** for children, elderly and family members with disabilities and (3) support the revision towards a **more equal and non-discriminatory fiscal system**.

² COFACE Families Europe coordinated the European Alliance on Reconciling Work and Family Life in 2014, which resulted in the European Reconciliation Package: <http://www.coface-eu.org/en/Publications/European-Reconciliation-Package>

3. Disability

The EU ratified the **UN Convention on the Rights of Persons with Disabilities (CRPD)** in 2010, therefore the Convention is part of EU primary law and shall be implemented across EU laws and policies. In the proposed Pillar, the text on disability mostly reflects persons with disabilities as recipients of social protection and benefits, instead of taking a cross-cutting approach and mainstreaming the CRPD across the document. Beyond employment (Article 27), adequate standard of living and social protection (Article 28), the Convention covers a broad range of areas, including education, **independent living, accessibility of goods and services**, equality before the law, access to justice, freedom of movement, health, and others. The mentioning of 'benefit traps' is a good sign that the Commission recognises that persons with disabilities and their families face **complex, socially constructed barriers**. Children, women and persons with complex, or multiple disabilities are in a particularly vulnerable situation in Europe, especially when it comes to **parental, or reproductive rights**.

COFACE Families Europe takes a **life course approach towards disability** and calls for the development of **high-quality community-based support services** for those needing care, or support. Persons with disabilities should have the opportunity to choose the form of care, or support they want. We also want family carers, who give their time and help free of charge, to be recognised through a certain number of rights, social and other benefits. These rights should also enable them to make an informed choice on caring arrangements, in agreement with their relative who has care needs and still preserve the quality of family life. **Inadequate social protection floor**, the lack of access of persons with disabilities to the mainstream school system, open labour market, support services, or health system leaves a lot of families at risk of poverty and may lead to human rights violations and **institutionalisation of persons with disabilities**.

4. Long-term care

Members of COFACE Families Europe are greatly affected by current social and demographical changes that are highlighted in the proposed Pillar, such as the growing ageing population, changing family structures, the situation of intergenerational families, or women's increased participation in the labour market. Leaving **family carers** to provide all the care for dependent elderly people, or their relatives with disability, undermines the social inclusion (poverty risk), health (physical and/or mental exhaustion) and gender equality (most family carers are still women) of these families. However, we find the **persistent existence of institutional care** another threat, as they violate human rights and isolate people with care needs from their families and communities.

As co-chairs of the European Expert Group on the Transition from Institutional to Community-based Care, COFACE Families Europe is advocating for the investment in community-based services that would provide person-centered support, instead of maintaining institutional care. We would like to highlight that long-term care should never take place in institutional settings, but in the form of **home-based care, or community-based care**. People with care needs should be provided with a flexible system in which they can use a **combination of informal and formal care**, and have access among other measures to a **personal budget and personal assistance system**. COFACE-DISABILITY published the [European Charter for Family Carers](#), a reference tool that contributes to reconciling family and working life by allowing an informed choice by the person with care needs and the carer too and provide them with adequate financial compensation, as well as social rights and benefits (pension, respite care etc.).

5. Childcare

More than 20% of children under 16 years are poor in Europe³, and the highest rates of **poverty** are observed in some of the countries that are unfortunately not covered by the proposed Pillar (e.g. Romania, Bulgaria). Children are mostly poor because they live in a poor family. Either the **family income is too low** (low salaries, unemployment, job instability, part-time occupation), or there are too many family members sharing one (e.g. in the case of a single parent) or two incomes. Countries offering a higher level of social protection reduce partially the risk of poverty.

It is very important to provide all children with **access to a variety of available and affordable childcare services in the communities**, including early childhood care and education, emergency childcare, drop-in part-time babysitting services, care services for sick children, multi-purpose childcare facilities, out-of hour's childcare, and employer supported childcare etc.⁴ These services have a dual function, on the one hand as 'child placement' to allow parents to work, and on the other hand as an important **educational role**. Furthermore, childcare arrangements, their availability, affordability, accessibility and quality are a pivotal factor for women's employment and for gender equality and reconciliation of work and family life. There is a need to make childcare professions attractive as a career path both to men and women with adequate compensation, and to empower childcare professionals with the necessary skills to promote **inclusion and non-discrimination of children coming from disadvantaged background, or those who have special needs**.

6. Access to housing and essential services

Exclusion from certain key services automatically translates into broader **social exclusion**. **Evictions from housing** often results in the **institutionalisation** of children and the homelessness of parents. **Lack of access to financial services results** in difficulties to find a job, receive and make payments including receiving social benefits. Such services as housing and financial services are therefore pre-requisites to any social policy aiming at tackling social exclusion. Access to housing is also directly linked to **financial inclusion**: without a basic bank account to pay rent or make mortgage repayments and access to credit, a family is de facto excluded from housing. This is especially an issue for the most vulnerable families. Single parent families, persons with disabilities, families with a low income, all of these are at risk of being denied **access to an affordable credit** to access housing due to the supposedly higher risk they represent.

Many **ethical mortgage initiatives** have proven, however, that such families can afford to repay a mortgage to access decent housing. In combination with **investment in quality social housing**, such measures can substantially reduce the risk of falling further into poverty and tackle social exclusion.

³ Eurostat (2010), see at: <http://ec.europa.eu/eurostat/documents/3217494/5723553/KS-EP-09-001-EN.PDF/beb36abc-ff29-48a0-8518-32b64ad73ca5>

⁴ The 2010 Barcelona childcare targets were not met by all Member States. The European Pillar of Social Rights might be an opportunity to revisit these targets. More here: [http://www.europarl.europa.eu/RegData/etudes/workshop/join/2013/493037/IPOL-FEMM_AT\(2013\)493037_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/workshop/join/2013/493037/IPOL-FEMM_AT(2013)493037_EN.pdf)

I. Building a strong policy architecture for the Pillar

We, at COFACE Families Europe are keen to see the following process-related elements clarified: firstly, the **scope of the Pillar**; secondly, the **channels for building bridges between the different levels of governance from the EU to the local level**; thirdly, the **mechanisms for linking the Pillar to relevant parallel EU initiatives** taken both in social policy and other fields.

1. Scope of the Pillar: gaps to be filled to ensure social inclusion of all families

The draft Pillar sets a very clear aim to overcome the long-term effects of the 2009 crisis and recession on the European economy and societies, and bring back EU citizens to the labour market to achieve “well-functioning and fair labour markets and welfare systems”. According to the European Commission, this is essential to boost productivity, growth, compete globally, and strengthen social cohesion. However, there is **little or no attention paid yet on how to bring the most vulnerable and deprived groups** (e.g. homeless people, persons with disabilities, family carers, etc.) **in the labour market** who may lack necessary skills to contribute to economic growth in the short term, due to the **long-term, structural exclusion** they have been facing, something started even before the economic crisis.

The Pillar must ensure that the needs of all EU citizens are sufficiently covered and **social rights are provided on an equal basis with others**. Those groups who cannot immediately contribute to economic growth, should still be able to get out of the benefit trap and to participate in the labour market. This can of course only happen through **respecting the rights and choices** of these groups and by providing them with **specific measures and support** (e.g. reasonable accommodation, accessibility, flexibility, non-discrimination measures), to improve their living standards and well-being.

For this reason, we feel this Pillar should be set firmly in a **social policy framework** rather than being an instrument to achieve a stable Economic and Monetary Union (EMU). Social rights should be the starting point; they should drive economic and monetary policy at EU level. We hope the Pillar’s strategic objectives (both transversal and thematic) will adequately reflect this ambition, at a time where Europe really needs to show it can support its citizens. The **Open Method of Coordination** in the social field (launched in 2000) and the priorities of the **EU Social Investment Package** (published in 2013) should provide relevant inspiration, while taking into consideration the opportunities and threats of 21st century trends like the digitalisation of our societies and economies.⁵

The link between **employment and social policy** made in the European Commission’s proposal is important for consistency and to create synergies wherever possible, and we fully endorse the dual key objectives of the Pillar to “support well-functioning and fair labour markets and welfare systems”. It should be clear from the outset that employment is an essential means to ensure social inclusion of families, but only if coupled with **strong social protection systems**. Finally, COFACE Families Europe is concerned that the scope of the proposed Pillar only covers EU citizens and legally residing third country nationals in the eurozone countries. Considering that the EU Social Acquis applies to all EU Member States and that the on-going migration crisis presents a great social and political challenge across the EU, we hope that the scope of the Pillar will be **broadened to cover also non-euro zone countries** and to **protect the social rights of refugees and undocumented immigrants** as well, among others.

⁵ COFACE Families Europe will carry out a first assessment of such trends at its conference in Berlin on 7-8th November: “The impact of digitalisation on 21st century families”: <http://www.coface-eu.org/en/Events/Digitalisation-and-families/>

2. Bridging the gap between EU and local needs

The principles highlighted in the first section of the paper are policy areas which, we believe, can genuinely impact the lives of EU citizens. The Pillar should be strong enough to address both **emergency needs** and **build sound welfare systems** to prevent poverty/exclusion, and hence ensure better monetary and economic stability in the future. Funding mechanisms like the **Fund for European Aid to the most Deprived (FEAD)** should be mobilised to **support families in distress**, while the **European Structural and Investment Funds (ESIF)** should be directed at projects **supporting labour market and social inclusion pathways** (under the European Social Fund) and **supporting community-based social, health and housing infrastructure in line with deinstitutionalisation principles** (under the European Regional Development Fund). These European funds (coupled with national funding schemes) will be instrumental to ensure the Pillar has an **impact at local level**. The Pillar objectives should not only ideally be aligned on these funds where appropriate, but could potentially drive the **new generation of funds post-2020**.

How to fund the future Pillar initiatives is a central question. As well as the FEAD and ESIF for direct funding towards local projects, the **Employment and Social Innovation (EASI)-PROGRESS financial framework** should be strengthened pre-2020 and **maintained post-2020** to provide enough scope for transfer of innovation across countries to support the implementation of the Pillar objectives. The EASI fund currently supports actions such as comparative research, peer review programmes for national governments, and European networks of stakeholders to channel such innovation transfer. EASI-funded European networks, like COFACE Families Europe, serve not only as important channels for transnational policy and service exchanges across countries, but also to ensure two-way watchdog functions (informing national/local organisations about EU developments, and informing EU institutions about emerging local needs which need to be addressed).

While the national governments of the EU Member States (represented for instance in the EU Social Protection Committee) need to build consensus and find compromise solutions to make progress at EU level towards the 2020 targets and beyond, we would like to **ensure the future Pillar is directly relevant for the organisations we represent, who work daily on the ground to prevent and address the increasing vulnerability of families**. The current **anti-poverty policy objectives** of the EU are built into the Semester process, which is a difficult process to follow and mostly driven by the economic and finance ministries of the Member States. The current architecture is even arguably difficult for the labour and social affairs ministries to fully benefit from EU cooperation. Without **formal consultation channels for civil society**, it makes it hard to secure ownership and ensure meaningful participation. We would like their voice to be more systematically listened to in the future.

In order to reach out to a broad stakeholder base, motivate social advocates and ensure they identify fully with the values of the Pillar, it would be important to maintain the proposed social and employment policy concepts set out in the principles, maintaining the clear link with the rights set out in the **EU Charter of Fundamental Rights** and developing **clear social policy targets** like the Europe2020 poverty reduction target. It would also be important to set up **structures for official dialogue channels with key European civil society partners such as European networks of NGOs and local authorities**, who do not benefit from official dialogue opportunities in the European Treaties, as is the case for the social partners (i.e. trade unions and businesses). In addition, European civil society partners could complement benchmarking and policy development under the different principles outlined in the Commission's proposal. European networks de facto participate in shaping policy both at EU and national levels, in line with social policy traditions in many countries. Recognition of this role and working towards the **use of co-production methods** would only improve the legitimacy and quality of the future Pillar.

The fact that Eurostat has taken recent steps to improve the availability of timely and sound social statistics in the future⁶, including data from the **EU survey on Income and Living Conditions (EU-SILC)**, will hopefully strengthen the capacity of the Pillar to enforce social rights through **effective monitoring of the social and employment performance of Member States**. Benchmarking, policy guidelines, national reporting and recommendations, should be the **basic minimum framework** for each of the twenty principles. Where relevant, **enhanced cooperation or EU legislation** should be encouraged if indeed there is added EU value. The next section briefly looks at some examples of parallel legislative developments which overlap with the ambitions of the European Pillar of Social Rights, and which go beyond benchmarking of policies and good practices.

3. Ensuring horizontal coherence with relevant parallel EU initiatives

The twenty principles of the Pillar, as proposed by the European Commission, already go beyond the social policy field, by addressing employability issues, skills/education, and not only social welfare domains. This should enable strong **synergies between social rights and other related areas**. In general, many social and employment policy fields, in accordance with the EU Treaties, are supported through **soft law instruments** such as policy guidelines, transnational exchanges, peer reviews, and research. Yet, under a number of the principles proposed by the Pillar there is either already EU legislation, or a proposal for EU legislation underway, or discussions on potential EU legislation.

Among these, to mention a few, there is the current **EU legislation on social security coordination and free movement**, which regulates the portability of benefits for people moving between the countries of the EU (some of the benefits are covered under the suggested Pillar principles). This is an important European dimension of social policy which affects families on a daily basis, with entire families moving between EU countries or transnational families whose family members reside in different countries. The discussions on Brexit and free movement are likely to bring this to the fore in the coming years, and the Pillar should take this into account as a core area for added EU value in the social field.

A second area addressed in the proposed Pillar, where action has already been taken to strengthen Europe's role, is the field of disability: the European Commission recently published a proposal for a **European Accessibility Act (EAA)**, which is currently going through Council and Parliament. The EAA aims to improve the functioning of the internal market for accessible products and services by removing barriers created by divergent legislation. The Act by covering a number of products and services, including among others computers and operating systems, audiovisual media services, or telephony services has a great potential to impact the life of persons with disabilities and older people.

A third area of the Pillar which is likely to receive much attention in 2017 is **gender equality and work-life balance**. Following an open public consultation in 2015, and this year's two-phase social partner consultation, the European Commission is likely to propose a package in the coming months to support the increase of women's employment through a mix of legislative and non-legislative measures.

A fourth area which has, until now, only been the subject of feasibility studies and political discussions is the idea of setting up a **European Unemployment Benefits Scheme**, as an automatic stabiliser for the Economic and Monetary Union. Further afield, but just as relevant as social and employment initiatives, are the initiatives of the EU in the areas of **consumer policy and financial services**. While consumers now have the right to a basic bank account as a result of the EU directive adopted in 2014, access to other essential financial products such as insurance, mortgage loans or insolvency remains a challenge. At the moment, two key discussions at the EU level might have a major impact on access to these services. The EU Commission is

⁶ See European Commission proposal for an EU Regulation on new, integrated ways to collect and use data from social surveys so as to better support policy making in general and social policy in particular http://europa.eu/rapid/press-release_IP-16-2867_en.htm

currently envisaging to issue either a recommendation or a Directive on **Insolvency for SMEs** which might extend to individual consumers as well, which could mean the guarantee of a minimum set of rights to an insolvency procedure for all EU citizens. The discussion on the use of consumer data and clarification of what data is needed for creditworthiness assessments can impact access to services such as credit (including mortgage loans) and insurance as it might allow further consumer segmentation and therefore exclusion of the most vulnerable consumers from accessing such services or on the contrary, promote more socialisation of risk.

Given these parallel developments, the **Pillar could serve as a general framework to monitor progress and implementation of these different EU laws and initiatives**. Will it serve to mainstream social rights in these overlapping areas? Can the Pillar be even more ambitious, and become a checklist to set standards in other areas of EU policy and law? COFACE Families Europe believes the President of the Commission (initiator of the Pillar) should be ambitious and put in place the right internal and external structures (e.g. a Commission Inter-DG taskforce on social rights, EU consultative stakeholder groups for each of the twenty principles, etc.) to ensure the Pillar becomes a true **2030 social agenda for Europe**, making the link with UN Treaty obligations, and the 2030 Sustainable Development Goals where relevant.

Our COFACE membership needs more information on the different issues raised here, to be in a better position to assess the potential impact of the Pillar on the development of laws and policies at national and local level. For now, let this discussion paper provide a first indication of the way COFACE Families Europe perceives the challenges and potential of the proposed European Pillar of Social Rights.

For further information, please contact Magdi BIRTHA, Policy and Advocacy Officer mbirtha@coface-eu.org

Information about the COFACE seminar on the European Pillar of Social Rights held on September 2016: www.coface-eu.org/en/Events/European-Pillar-of-Social-Rights



This publication has received financial support from the European Union Programme for Employment and Social Innovation "EaSI" (2014-2020). For further information please consult: <http://ec.europa.eu/social/easi>
The information contained in this publication does not necessarily reflect the official position of the European Commission.