



EDF analysis of the Action Plan of the EU Pillar of Social Rights

European Disability Forum Paper

By Haydn Hammersley | March 2021

What does the new Action Plan of the EU Pillar of Social Rights mean for persons with disabilities?



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Table of Contents

Table of Contents	2
Introduction.....	2
Executive Summary	2
Headline Targets of the Social Pillar Action Plan.....	3
The Social Scoreboard.....	3
Planned Actions where EDF will Focus its Advocacy	4
Other Actions we will follow	8
Document credits	10

Introduction

The European Disability Forum

The European Disability Forum is an independent NGO that represents the interests of 100 million Europeans with disabilities. EDF is a unique platform which brings together representative organisation of persons with disabilities from across Europe. EDF is run by persons with disabilities and their families. We are a strong, united voice of persons with disabilities in Europe.

Executive Summary

On the 4th of March 2021 the European Commission launched its Action Plan for the European Pillar of Social Rights. The European Pillar of Social Rights (sometimes referred to as the “Social Pillar” or just the “Pillar”) was proclaimed in 2017. It contains 20 principles to deliver a more social Europe, which the EU and its Member States committed to implementing. Principle 17 of the Social Pillar is specifically about fostering the social inclusion of persons with disabilities.

This Action Plan sees the Commission set out its plan for how to advance social progress on the Pillar’s 20 principles. Here we will analyse what the Action Plan proposes to do, what potential it has to advance the rights and quality of life of persons with disabilities in the EU, and what things EDF will need to pay particular attention during its implementation.

Headline Targets of the Social Pillar Action Plan

The Social Pillar Action Plan has three headline targets, which are then elaborated by a series of more precise targets. They are the following:

- 1) At least 78% of the population aged 20 to 64 should be in employment by 2030:
 - at least halve the gender employment gap compared to 2019
 - increase the provision of formal early childhood education and care (ECEC)
 - decrease the rate of young people neither in employment, nor in education or training (NEETs) aged 15–29 from 12.6% (2019) to 9%

- 2) At least 60% of all adults should participate in training every year
 - at least 80% of those aged 16-74 should have basic digital skills
 - early school leaving should be further reduced and participation in upper secondary education increased.

- 3) The number of people at risk of poverty or social exclusion should be reduced by at least 15 million by 2030
 - at least 5 million should be children

The Social Scoreboard

One of the big steps forward in this Action Plan is the revision of the Social Scoreboard. The Scoreboard is a tool to measure social progress in the Member States. It tables data in a number of different categories but, until now, never had an indicator on persons with disabilities. This is something EDF has been advocating for since the launch of the original Social Scoreboard, arguing that it is illogical to have an entire Principle in the Social Pillar dedicated to persons with disabilities, and yet no indicators in the Social Scoreboard to measure if the Member States are actually taking sufficient action.

We now see a new indicator to report on Member States' progress on reducing the "Disability Employment Gap". This refers to the difference in employment rates between persons with and without disabilities. The

inclusion of this new indicator should help us gauge to what extent policies for improving employment rates after the COVID-19 are also reaching persons with disabilities who are trying to find work in the open labour market. It should also be an incentive for Member States to pay extra attention to facilitating the entry to paid employment for persons with disabilities with the aim of reducing the gap in employment rates. The aim for all Member States should be to get the difference in percentage points between the employment rates of persons with and without disabilities as close to zero as possible.

The section of the Action Plan on the Social Scoreboard also states that there will be a breakdown of the social indicators by age group, gender, country of birth and disability status to complement analysis where relevant. Disaggregation of data by disability status would be extremely valuable in all of the Social Scoreboard indicators, but particularly the following:

- At risk of poverty or social exclusion rate
- Risk of poverty for children under 7 years old
- Share of early leavers from education
- Youth NEET rate (young people neither in employment, education or training)
- Level of digital skills
- Gender employment gap
- Long-term unemployment rates
- Housing cost over-burden
- Self-reported unmet need for medical care

This proposal by the Commission to disaggregate the data along these lines would also be a valuable means to monitor the situation of women with disabilities, who face greater barriers and typically experience lower outcomes according to these social indicators.

The next step is for the Member States to agree to this proposal to revise the Social Scoreboard. EDF will be working alongside the Commission in pushing for the approval of a strong Social Scoreboard that will allow us to effectively monitor social progress for persons with disabilities in the EU.

Planned Actions where EDF will Focus its Advocacy

The Action Plan outlines the activities the European Commission will commit to over the coming years, as well as its calls to the Members

States, the other EU institutions and a range of different stakeholders to take action on their side to compliment the work of the Commission. Below are some of the proposed actions that could be of particular benefit to persons with disabilities:

- Propose in Q4 2021 legislation to combat gender-based violence against women, including work harassment on grounds of sex:
 - This is followed closely by EDF and its Women’s Committee. A recommendations documents will be published in May along with input to the EC consultations on “violence against women and domestic violence – fitness check of EU legislation” and on “combating gender-based violence – protecting victims and punishing offenders.”
 - One of our priorities is the ratification of the Istanbul Convention by the EU or the adoption of alternative measures that would have the same impact – for example the addition of gender-based violence on the list of EU crimes and a directive on combating violence against women. We ask that all initiatives take into account the perspective, needs and rights of women and girls with disabilities.

- Following the White Paper on Artificial Intelligence, propose an EU regulation on AI in Q2 2021, for the uptake of trustworthy AI use in the EU economy, including in the workplace for all forms of work:
 - This will be one of EDF’s priority action areas in this Action Plan. This legislation should be in line with the CRPD, and all efforts should be made to ensure AI-based applications should not discriminate against persons with disabilities. Therefore, a clear framework needs to be put in place so that AI-based tools do not further exclude persons with disabilities. Applications made available to the public also need to respect accessibility standards to ensure persons with disabilities are not excluded from using them.

- Review in 2022 the Council Recommendation on the Quality Framework for Traineeships, notably as regards working conditions:
 - It will be crucial that that the Council Recommendations stress the need for traineeships to be of high quality, and to offer reasonable accommodation and workplace adjustments needed for young people with disabilities to take part.

- Adopt an Action Plan on the Social Economy in Q4 2021, and tap into the potential of the social economy to create quality jobs and contribute to fair, sustainable and inclusive growth:

- EDF will focus on the potential of the social economy to facilitate the transition towards the open labour market for persons with disabilities.
- Present in Q2 2021 a new Occupational Safety and Health Strategic Framework 2021-27, to update protection standards for workers and tackle traditional and new work-related risks:
 - EDF has already contributed to the Roadmap consultation on this initiative. Our focus here will be on ensuring accessibility of evacuation and warning procedures in workplaces, reducing to the greatest extent possible the need for assistance to be able to evacuate a building in emergency situations. We will also be focusing on the role reasonable accommodation plays in health and safety and facilitating working without risk of strain and injury to overcome inaccessible structures.
- Work with the European Labour Authority (ELA) on the proper implementation and enforcement of EU labour mobility rules, on capacity building for information and labour inspections at national level, and on the protection of mobile workers, including seasonal workers. In 2024, the Commission will evaluate the Authority's performance in relation to its objective and tasks and potentially re-assess the scope of its mandate:
 - Here, EDF will draw parallels with the EU Disability Rights Strategy, and the provisions for tackling the current issues of freedom of movement faced by persons with disabilities. EDF will aim to give input to this evaluation by underlining the persistent denial of the rights of workers with disabilities to retain necessary support when moving to another State, and the need for the ELA to make this a priority in their work in the coming years.
- Start a pilot in 2021 to explore by 2023 launching a digital solution to facilitate the interaction between mobile citizens and national authorities, and improve the portability of social security rights across borders (European Social Security Pass), building on the initiative for a trusted and secure European e-ID (Q2 2021):
 - Again, EDF will focus on this initiative with a view of exploring the portability of entitlement to disability allowance and support services when moving to another Member State. We will focus on shared responsibility between Member States in ensuring a smooth transition between attachment to different national social security systems, in a way that means nobody

is left deprived of the support they need, nor denied their right to freedom of movement within the EU.

- Propose in Q4 2021 a Transformation Agenda for Higher Education to unlock the full potential of higher education institutions for a recovery geared towards a sustainable, inclusive, green and digital transition:
 - This Agenda needs to focus on the inclusivity of higher education for learners with disabilities, who remain largely underrepresented. The improved potential of higher education institutions should be reflected in their ability to offer adjustments and necessary support for learners with disabilities to continue their studies, reach their full potential, and give them the best chance to follow the professional or personal paths they choose in life.
- Propose a Council Recommendation on minimum income in 2022 to effectively support and complement the policies of Member States:
 - EDF has already prepared a position on minimum income and minimum wage, with a strong focus on adequate disability allowance and compatibility with other forms of income such as salary, inheritance or the income of a partner or spouse, in order to reduce the risk of poverty and social exclusion.
- Launch in Q2 2021 the Affordable Housing Initiative piloting 100 renovation districts:
 - EDF will be keen to feed into this with a clear emphasis on the need for affordable housing that is also accessible to persons with disabilities and reduced mobility. This will thus address the issue of lack of accessible housing stock and the extra costs incurred for renting or buying accessible properties. It will also address the issue of sustainability of this renovation work in line with an ageing population with increased accessibility requirements.
- Present in 2022 an EU report on access to essential services:
- Propose an initiative on Long-Term Care in 2022 to set a framework for policy reforms to guide the development of sustainable long-term care that ensures better access to quality services for those in need:
 - For both of the action points above, EDF will focus strongly on the alignment of this initiative with Article 19 and General Comment 5 of the CRPD. The emphasis should therefore be on deinstitutionalisation, community-based services and

support for independent living to enable persons with disabilities to leave institutional care in line with the wishes and requirements.

- Launch a High-Level Expert Group to study the future of the welfare state, its financing and interconnections with the changing world of work and to present a report by end 2022:
 - EDF will push for this expert group to include representation of persons with disabilities to bring to the table the issues around welfare faced by persons with disabilities. Of key importance will be for the Expert Group to work on the issue of the compatibility of disability allowance with other forms of income, such as salary and inheritance, and the “cost of love” whereby persons with disabilities lose disability support on the basis of being married.
- By the end of 2021, adopt a delegated act to define a methodology for reporting on social expenditure under the Recovery and Resilience Facility:
 - We will advocate for a methodology including indicators on the social inclusion of persons with disabilities, disaggregated according to age, gender and type of disability. It will be particularly important to have indicators on employment levels and risk of poverty and social exclusion.
- Propose a revision of the Non-Financial Reporting Directive in Q2 2021 including stronger requirements for company reporting on social issues:
 - EDF has already begun its advocacy work on this. We are pushing for a review of the Directive that requires large companies to report on how they ensure diversity and a representation of workers with disabilities in their companies, including in higher positions within the hierarchy. We also want to see reporting on how reasonable adjustment is offered, and how the services/products the company offers are made accessible to clients with disabilities.

Other Actions we will follow

- Propose in Q4 2021 a Skills and Talent package, including a revision of the Long-term Residents Directive (Directive 2003/109) to create a true EU long-term residence status, a review of the Single Permit

Directive (Directive 2011/98) to simplify and clarify its scope (including admission and residence conditions for low and medium skilled workers), as well as setting out the options for developing an EU Talent Pool for third-country skilled workers.

- Publish in Q1 2021 a joint report on the application of the Employment Equality Directive and the Racial Equality Directive and present, by 2022 any legislation required to address shortcomings, in particular to strengthen the role of equality bodies.
- Present in Q2 2021 Guidance Notices on Public Procurement of Innovation and on Socially Responsible Public Procurement.
- Propose new tools to better measure barriers and gaps in access to healthcare (2021–2022).
- Present in 2022 a revision of the Barcelona targets on early childhood education and care.
- Launch in Q2 2021 a European Platform on Combating Homelessness to support Member States, cities and service providers in sharing best practices and identifying efficient and innovative approaches.
- Propose in Q4 2021 the European Health Data Space to promote access to health data for better healthcare, research and policy-making, and to foster the development, deployment and application of digital services for the provision of healthcare.

Document credits

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