

**European Social Fund Plus 2021-2027: Analysis of the final agreement**

Haydn Hammersley – June 2021

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## **ESF+ agreement February 2021**

## **Main outcomes regarding disability and EDF advocacy**

In February 2021 an agreement was reached between the co-legislators on the Regulation for the European Social Fund Plus (ESF+) 2021-2027. The package was finally approved by the co-legislators in June 2021. Below you can find the agreed wording for several key sections of the Regulations EDF has been advocating on. Amendments to the original Commission proposal are shown in bold and italic. Where text has a strike through, this indicated that wording proposed by the Commission has been deleted.

## **What is the European Social Fund Plus?**

The Social Fund Plus is money that goes towards different EU Member States to promote principles of social inclusion, provide a helping hand to youth, foster social inclusion and innovation, and will ultimately help further the integration of marginalised persons in the EU.

## **Successes**

EDF advocated actively at all stages of the legislative process. Our recommendations were taken on board in the final wording of the following parts of the Regulation.

**NEW Recital 15**

Recital 15 now clarifies that one of the ESF+ should be used to reinforce accessibility for persons with disabilities. The recital now reads as follows:

“[…] The ESF+ should provide targeted support to learners in need and reduce educational inequalities, including the digital divide, prevent ***and reduce*** early school leaving, foster permeability between education and training sectors, reinforce links with non-formal and informal learning and facilitate learning mobility for all ***and accessibility for persons with* disabilities** […]”

### **NEW recital 16**

Persons with disabilities are now mentioned explicitly in recital 16 as one of the target groups for increasing employability and career transition. The recital now reads as follows:

“[…] In line with the Skills Agenda for Europe and the Upskilling Pathways Recommendation 11 , the ESF+ should support flexible pathways, including accessible short targeted modular training leading to credentials, with a view to providing people with skills adjusted to labour market and industrial ecosystems needs, green and digital transitions, innovation and social and economic change, facilitating reskilling and upskilling and employability, career transitions, geographic and sectoral mobility and supporting in particular low-skilled, ***persons with disabilities***and/or poorly qualified adults […]”

### **Recital 18**

Recital 18 on poverty reduction now makes specific reference to persons with disabilities as a target group and stresses the need for the inclusion of persons with disabilities. The recital now reads as follows:

“The ESF+ should support Member States’ efforts to *~~tackle~~* ***contribute to the eradication of*** poverty with a view to breaking the cycle of disadvantage across generations and promote social inclusion by ensuring equal opportunities for all, ***reducing barriers,*** tackling discrimination and addressing health inequalities. This implies mobilising a range of policies targeting the most disadvantaged people regardless of their ***sex, sexual orientation*,** age, ~~including children,~~ ***religion or belief, racial or ethnic origin, in particular*** marginalised communities such as the Roma, ***people with disabilities or chronic diseases, homeless people, children*** and *~~the working poor~~* ***elderly people****.* The ESF+ should promote the active inclusion of people far from the labour market with a view to ensuring their socio-economic integration. The ESF+ should be also used to enhance timely and equal access to affordable, sustainable and high quality services ***that promote the access to housing and person-centred care*** such as healthcare and long-term care, in particular family and community-based care services. The ESF+ should contribute to the modernisation of social protection systems with a ***particular focus on children and disadvantaged groups and with a*** view**,** in particular**,** to promoting *~~their~~* ***the*** accessibility ***of the systems including for persons with disabilities****.”*

### **Recital 28**

As well as making reference to the United Nations Convention on the Rights of Persons with Disabilities, Recital 28 now stresses the need to promote accessibility for persons with disabilities to improve integration in education, training, employment and all spheres of life. It reads as follows:

“[…] They should also ensure that the ESF+ promotes equal opportunities for all, withoutdiscrimination in accordance with Article 10 TFEU and promotes the inclusion in society of persons with disabilities on equal basis with others and contributes to the implementation of the United Nations Convention on the Rights of Persons with Disabilities. ***The ESF + should contribute to promote accessibility for persons with disabilities with a view to improving integration into employment, education and training and thereby enhancing their inclusion in all spheres of life*** *[…]”*

### **Article 4 – Specific Objectives (Paragraph 1.v)**

Article 4 outlines the specific objectives of the ESF+. It now includes as an objective the need to invest in improving accessibility for persons with disabilities. The new wording is the following:

“promoting equal access to and completion of, quality and inclusive education and training, in particular for disadvantaged groups, from early childhood education and care through general and vocational education and training, and to tertiary level, as well as adult education and learning, including facilitating learning mobility for all ***and accessibility for persons with disabilities****;”*

**Article 4 – Specific Objectives (Paragraph 1. ix)**

Article 4 now also makes reference to investing in person-centred care for groups including persons with disabilities. The Article is worded in the following way:

“enhancing the equal and timely access to quality, sustainableand affordable services**, *including services that promote the access to housing and person-centred care including healthcare*** *;* modernising social protection systems, including promoting access to social protection***, with a particular focus on children and disadvantaged groups****;* improving accessibility ***including for persons with disabilities****,* effectiveness and resilience of healthcare systems and long-term care services;”

### **Article 6 Equality between men and women and equal opportunities, and non-discrimination (paragraph 2)**

Article 6 on gender equality and non-discrimination now refers to the need to ensure accessibility for persons with disabilities, including through accessible ICT, and to promote community-based services as an alternative to institutions. It reads as follows:

“The Member States and the Commission shall support specific targeted actions to promote the principles referred to in *~~paragraph 1~~* ***paragraphs 2 and 3 of Article 6a CPR and Article 29a of this Regulation*** within any of the objectives of the ESF+ *~~including~~.* ***These actions* *may include actions for ensuring accessibility for persons with disabilities, including in terms of ICT, and promoting*** the transition from *~~residential/~~*institutional care to family and community-based care.

***Through the ESF+, Member States and the Commission******shall also aim at increasing the participation of women in employment as well as conciliation between working and personal life, combating the feminisation of poverty and gender discrimination in the labour market and in education and training.”***

### **Article 7 Consistency and thematic concentration (Paragraph 3)**

In the end an agreement was reached that 25% of the money from the ESF+ would go towards actions advancing social inclusion:

“Member States shall allocate at least 25% of their ESF+ resources under shared management to the specific objectives for the social inclusion policy area set out in points (vii) to **(x)** ~~(xi)~~ of Article 4(1), including the promotion of the socio-economic integration of third country nationals.”

### **Article 29a Horizontal Principles: (paragraph 2)**

A new Article on Horizontal Principles was introduced into the text which again urges against any discrimination towards persons with disabilities, and stresses the needs to invest in accessibility measures. The new text reads as follows:

***“The Commission shall take appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of the operations supported by the Employment and Social Innovation Strand. In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of the Employment and Social Innovation Strand.”***

### **Annex II**

Persons with disabilities are now specifically mentioned in the Annex where it refers to the indicators used to analyse the actions funded by the ESF+. This means that the recipients of funding must report on how many participants with disabilities are included in the action. This section of Annex II reads as follows:

***“Common indicators for the ESF+ actions targeting social inclusion of the most deprived within specific objective (x) of Article 4(1), in line with the first subparagraph of Article 7(4) ESF+***

***All personal data are to be broken down by gender (women, men, 'non binary'[[1]](#footnote-1) ).***

***(1) Common output indicators related to operations targeting people:***

***(1a) Common output indicators for participants[[2]](#footnote-2)***

***- total number of participants;***

***- number of children below 18 years of age\*;***

***- number of young people aged 18-29 years\*;***

***- number of participants 65 years of age and above \*;***

***(1b) Other common output indicators***

***Data collection is only necessary when applicable and in relevant cases. Values on these indicators can be determined based on informed estimates by the beneficiary.***

***- participants with disabilities\*\*,***

***- third country nationals\*,***

***- number of participants with a foreign background,\* minorities (including marginalised communities such as the Roma);\*\*,***

***- homeless or affected by housing exclusion\*”***

## **Disappointments**

### **Article 8 - Partnership paragraph 2**

Unfortunately, while we had been hoping o secure a high percentage of funding to go towards building the capacity of civil society and social partners, the result was disappointing. EDF had been advocating for 2% of ESF+ to be allocated to civil society organisations. The final agreement was only 0.25% of the funds, as mentioned below:

***“When capacity building of social partners and civil society organisations is identified by a relevant country-specific recommendation adopted in accordance with Article 121(2) TFEU and Article 148(4) TFEU, the concerned Member State shall allocate an appropriate amount of at least 0.25% of ESF+ resources for that purpose.”***

### **Article 40 - Committee under Article 163 TFEU (Paragraph 2)**

Our proposed amendment for Article 40 on the inclusion of civil society in the ESF+ Committee, and the position of the European Parliament, went as follows:

**“**Each Member State shall appoint one government representative, one representative of the workers' organisations, one representative of the employers' organisations, ***one representative of civil society, one representative of the equality bodies or other independent human rights institutions in accordance with point (c) of Article 6(1) of [the future CPR]*** and one alternate for each member for a maximum period of seven years. In the absence of a member, the alternate shall be automatically entitled to take part in the proceedings.”

Unfortunately, the adopted text was the following, which remains the same as the Commission’s original proposal and did not take into account our position:

“Each Member State shall appoint one government representative, one representative of the workers' organisations, one representative of the employers' organisations and one alternate for each member for a maximum period of seven years. In the absence of a member, the alternate shall be automatically entitled to take part in the proceedings.”

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This position paper does not necessarily reflect the opinion of the European Commission

1. **According to national legislation.** [↑](#footnote-ref-1)
2. **Values on these estimates shall be determined based on the informed estimation by the beneficiaries.** [↑](#footnote-ref-2)