



## **European Commission Communication on Modernising social protection for greater social justice and economic cohesion: taking forward the active inclusion of people furthest from the labour market**

### **Position paper by Workability Europe**

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#### **Who are we?**

Workability Europe is the largest employer body representing providers of work and employment services to people with disabilities in Europe. The growing membership provides work programmes and VET and social services for about 1,250,000 disabled people. Today Workability Europe has over 35 umbrella as well as single member organisations located in more than 20 countries.

Workability Europe's **Vision** is for a European society in which equal employment opportunities are a reality for people with disabilities. Its **Mission** is to be recognised as the European leader in promoting and providing employment and work participation for people with disabilities.

#### **Introduction**

Workability Europe supports the Commission's approach as demonstrated in the current consultation, incorporating an integrated approach to social inclusion through positive activation measures, combined with adequate income and access to quality services. Workability Europe also appreciates the fact that the Commission has furthered its work on this dossier whilst continuing to engage in an open consultation process with stakeholders.

Workability Europe understands that the EU envisaged action will constitute the adoption of common principles for three key strands – (i) income support sufficient to avoid social exclusion; (ii) link to the labour market and (iii) link to better access to quality services. Adequate Minimum Income schemes are an essential element of the Social Protection System and access to Adequate Minimum Income must be a basic right at national level. However, in this position paper WE concentrates on the two strands which fall more within its core area of work, namely **link to the labour market** and **access to quality services** for people with disabilities as a group that is one of the furthest from the labour market.

## ***1. Link to the labour market***

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Employment of people with disabilities has been a priority area of EU disability policies for several years. It is a major instrument in the drive towards social inclusion and independent living, and is moreover essential for achieving the objectives of the Lisbon Strategy. Employment is considered as one of the main pathways to (re)integration and participation in society, as it provides status, financial means to be independent and in control, self-esteem, satisfaction and many social contacts to people with disabilities.

Yet, progress has been slow and the unemployment levels of people with disabilities remain high. In line with the philosophy of maximising the potential of each person with a disability, solutions for integration into the open labour market should be prioritised. Improved quality and access to vocational training, lifelong learning and rehabilitation services for people with disabilities are certainly issues that deserve more attention in this employment debate. Another new area that needs further discussion relates to 'Disability Management', a rather new concept that addresses employers, rather than the individual, to remove barriers to employment. Finally, strategies to increase job retention via empowerment of the persons with disabilities should be part of every policy debate.

Following the concept of mainstreaming, the entire European Employment Strategy (EES) relates to people with disabilities. However, all parties involved recognise that a continuous proactive approach is still needed in order to ensure that EES measures effectively impact on the employment rates of people with disabilities. Legal action needs to be complemented with political action, as well as with professional expertise on how to get and keep people with disabilities at work.

Workability Europe believes that the common principles to promote link to the labour market for people with disabilities should take into consideration the following key areas of engagement:

### ***1.1 Investing in vocational guidance, training and lifelong learning***

Context: Existing and new jobs will increasingly require a high level of education and professional training. Vocational guidance and assistance play an important role in helping people to identify activities for which they are best suited and to give training needs or future occupation. It is crucial that people with disabilities have access to assessments, vocational guidance and training to ensure they can attain their potential. Learning from the beginning and learning throughout life can make Europe's economies more productive and its labour market more inclusive.

Viewpoint: Lifelong learning must become an integrated part of education systems and VET and social service delivery. It must form the basis for Europe's economic performance, its high quality jobs strategy and its very conception of personal development. It is up to every citizen to take an interest in learning but up to collective institutions, providers and employers to create the right conditions and access for lifelong learning. Along with formal educational pathways, it is equally important to promote the recognition of informal and non-formal learning as disabled people often acquire skills, competences and experience precisely in such settings. The recognition of qualifications of both learners and trainers is also important as it facilitates transnational mobility.

## **1.2 Fostering e-Inclusion**

Context: Information and Communication Technologies (ICT) have an ever greater impact on all aspects of economic and social activity. In today's digital society, having no IT skills often means having no job. However, despite the increasing importance of ICT, millions of people in Europe do not avail of the benefits that ICT offers to social and economic life. This is especially true for people with disabilities who not only often lack the skills to benefit from the digital revolution but are faced with inaccessible formats and tools that stand in the way of participation.

Viewpoint: An effective e-Inclusion policy requires a multidimensional and coherent approach as there is no single factor leading vulnerable groups to social exclusion. The Riga Declaration has outlined targets for using technology to overcome the different forms of social exclusion, including the commitment to accommodate the needs of older workers and people with disabilities and to improve digital literacy and competences. Creating new opportunities for people, whether they be unemployed or under-employed youth, elderly users discovering the internet, disabled users adopting new ways to use technology, or people accessing new or better jobs, will improve Europe's competitiveness and inclusion as a whole. Giving people these new possibilities can have a transforming effect on Europe.

## **1.3 Adopting the “twin-approach” of mainstreaming plus specialised solutions**

Context: Mainstreaming, by which it is meant the automatic inclusion of the disability dimension in all relevant Community policy areas, is a fundamental principle underpinning EU's disability policy. Mainstreaming is promoted as a much more socially-inclusive approach than one based on categorisation.

Viewpoint: Creating the conditions to maximise the employment of people with disabilities in the open labour market must coexist with equality of different work situations: open or sheltered labour market have the same value as long as the choice of the work situation is the most optimal for the individual person with a disability. It must be recognised that mainstream employment is not an option for many people with more severe or complex disabilities, either in the long or in the short term. Like everyone else, they should have the opportunity of contributing, through their work, to the economy of their countries, thereby reducing the number of disabled people who are economically inactive. It is proposed that special employment provisions (e.g. sheltered workshops or supported placements) should be strengthened and resourced for this purpose within a commercial environment which actively promotes progression to the mainstream whilst providing a secure base to return to, if it becomes necessary. Indeed, in many instances, disabled workers in sheltered workshops are more usually those with severe disabilities who cannot find a job in the open labour market. They are therefore even more in need of protection than disabled workers in the open labour market (e.g. no collective agreements to establish their rights, no involvement of social partners, no wage but some sort of social allowance, etc). In this context, it is equally important that the operators of sheltered enterprises receive adequate state aid. State aid incentivises employers to hire and retain disabled workers and enables them to fulfill their social mission. State aid has to be granted in a fair and transparent way in line with the provisions of EU Block Exemption Regulations.

## ***1.4 Developing strategies and services to meet demands of an ageing workforce***

Context: The EU is facing unprecedented demographic changes that will have a major impact on the whole of society. Current figures show that the number of older workers (aged 55 to 64) will increase by 24 million between 2005 and 2030. Moreover, many countries are raising retirement ages which will lead directly to an increase in the numbers of people with health or disability problems in the workforce. Given the demographic development in most European countries one can expect an increasing demand for all kinds of rehabilitation and employment services in the near future: a challenge but at the same time an opportunity for the service provision sector.

Viewpoint: The phenomenon of “ageing workforce” requires the development of innovative solutions and practices for two sets of different target groups but with similar needs: ageing people developing vocational disabilities and disabled employees getting older. The labour force is also ageing in sheltered employment and the aim of national governments is to keep people at work for longer periods. This is necessary for all businesses: a healthy workforce must be maintained if they are to continue to meet production requirements and market demand. It is also important to preserve the knowledge and experience of older employees. Later retirement is therefore necessary but this must then be made possible and attractive for both companies and for their older employees. The employment situation of older disabled people requires the reorganisation of the workplace in the final phases of the occupational career and vocational rehabilitation can play in maintaining and increasing the employment of older workers.

## ***1.5 Recognising the vital role of employers***

Context: The role of employers - the 'demand side' of the labour market - has not been fully addressed in analysis of disabled people and employment. A number of schemes are in place to help employers employ disabled people in different countries. But further thought needs to be given to the responsibilities of employers - what should they be required to do to remove barriers to the employment of disabled people? One well-travelled road and mainstay of many a CSR policy is 'equal opportunities'. Often placed somewhere between 'training and development' and 'health and safety' is a commitment to recruit staff from diverse ethnic origins, age groups, genders and backgrounds. However, all too often HR personnel are missing, or choosing not to follow the disability route.

Viewpoint: Like everyone else and wherever possible, most disabled people want to join mainstream employment, either directly or via another employment provision. Therefore it is vital that service providers understand the concerns, needs and demands of employers and engage them as committed partners in the (re)integration of people with disabilities into work. In line with the new concept of 'Disability Management', service providers should help employers with practical information on how to facilitate the employment of people with disabilities within their organisations, to raise awareness of the issues and to breakdown the barriers and negative preconceptions that may exist. It is imperative for companies as part of their CSR mission to mainstream disability throughout their organisations, through their HR functions, their training programmes and their recruitment practices. Inclusiveness is undoubtedly a reflection of a good society so, for the long-term benefit of all, good companies must strive to be representative of that society. At the same time, the worthy business case for employing disabled people must be articulated better.

## ***1.6 Placing Flexicurity within an Active Inclusion approach***

Context: Flexicurity which is conceived as a combination of flexibility and security is a welfare state model with a proactive labour market policy. The model - which was implemented first in Denmark - basically represents a combination of easy hiring and firing (flexibility for employers) and high benefits for the unemployed (security for the employees). As the EU looks for ways to modernise its welfare states in the face of globalisation, rapid technological change and an ageing society, more and more references are being made to flexicurity as the route to follow.

Viewpoint: Social welfare and security is entirely compatible with economic growth and competitiveness. Full, high-quality employment is a fundamental pre-condition for sustainable welfare states; and full, high quality employment cannot be achieved without an effective welfare state. Access to lifelong learning for all – through higher investment in education and training – is fundamental in an ever-more globally competitive economy. Social protection and social partnership are vital in helping manage change. Flexibility must go hand in hand with security, to enable citizens to face change successfully and with confidence in a globalised world. But one must stay alert that flexicurity is not used to introduce increased labour-market flexibility for the employer's rather than for the employee's benefit, undermining hard-won employment protection, without providing guarantees on security.

## ***1.7 Promoting Decent Work for all***

Context: All people have the right to work, to good working conditions and to sufficient income for their basic economic, social and family needs, a right that should be enforced by providing adequate living wages. In 1999, the ILO proposed the concept of 'Decent Work', endorsed as the overarching goal of the organisation. Today, ILO figures show that over 200 million children are in paid work, over 12 million people are in forced labour, over 2 million workers die every year due to work-related accidents and diseases and unacceptably large of people with disabilities are employed in substandard working conditions worldwide.

Viewpoint: The global drive for full employment and competitiveness should not be at the expense of good working conditions, guaranteed rights at work, fair social dialogue and social protection and an adequate level of income. Economic growth should not be considered as an aim in itself, but as a means to ensure decent work and a decent life for all the people of Europe and worldwide. An inclusive workplace is one that combines productivity and economic performance with security, stability and an empowering environment fostering personal development. Decent Work will be an essential tool for social and economic development across the world and a vector for the achievement of other development goals.

## **1.8 Supporting employability through EU programmes and resources**

Context: The European Social Fund, the PROGRESS and the Lifelong Learning Programme fund a range of actions supporting the employability of disabled people. These include addressing employment and economic activity issues, creating new jobs and attracting, increasing and retaining disabled people in employment in the framework of the European Employment Strategy. In addition, a variety of projects in the areas of (vocational) education and training can also be funded with EU money.

Viewpoint: EU funds must be channelled to support projects and organisations fostering research, development and innovation and contributing to growth and jobs but also promoting inclusion. At the same time, it is vitally important that EU funding programmes provide structural funding to European networks of employers and service providers in order to enable them to exchange best practice, to fund innovative projects, to provide information and analysis, to run awareness-raising and advocacy actions as well as to invest in capacity building activities for their members.

## **2. Link to better access to quality services**

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Before entering the debate on better access to quality social services it must be underlined that certain *pre-conditions* have to be in place. A major pre-condition for quality of social services is access to these services. Access to social services by people with disabilities means that those services are first of all available and also affordable, accessible and adaptable. Another pre-condition is the financial sustainability of delivery systems. Operating with highly qualified staff within a framework of HR development is important too. Finally, the right legal framework at both national and European level safeguarding the rights of users and providers must be achieved and enforced.

When discussing the issue of quality assurance in social services it is essential to address three questions:

- Why is there a need for quality assurance?
- What constitutes quality in the social sector?
- How to find and certify quality in social service delivery?

### **2.1 Why quality?**

The demand for quality and quality assurance of social services has gained real attention in recent years at both national and the European level. The rationale for quality is essentially driven by an increased focus on service delivery outcomes and cost-effectiveness, the need to provide improved person-centred services and the growing competition between service-providers. Additional reasons for adoption of quality assurance mechanisms include the growing the trans-national dimension of service delivery in a context of divergent economic development and social cohesion between Member States and the general push for modernisation of the social sector.

It has become increasingly clear that these developments require a European approach to quality. As the legal, economic, cultural and social contexts between Member States differ considerably, it is neither feasible nor desirable to operate detailed, specific and

prescriptive minimum quality standards at European level. However, the key stakeholders in the social sector agree that a practical Quality Framework at EU level, based on a Total Quality Management approach that starts from rights, values and principles of excellence that can be complied with in different ways, is a route that should be taken at European level.

## **2.2 What is quality?**

It should be mentioned that a list of common key features and corresponding criteria for quality of social services to people with disabilities has already been adopted by the EU High Level Group on Disability. These features include Rights, Person centredness, Comprehensiveness and Continuity, Participation, Partnership, Results Orientation and good governance.

In addition, a closely convergent list of quality Principles of social services of *general interest (SSGI)* has been drafted by the Social Platform together with Workability Europe and other members. These are: Rights of users and empowerment of users; Affordability; Person centred; Comprehensiveness and continuity; Participation; Protective; Partnership; Results orientation and Governance. This list does not include the basic principles that all *services of general interest (SGI)* should comply with such as: universality, proximity, continuity, transparency, financial sustainability, right to redress, etc. These principles are of course also important to the quality of personal SGI (social/health/care services). However, the above elements underline the specificity of social services.

## **2.3 How to find and certify quality?**

Workability Europe supports the argument that quality of services is not to be made dependent on organisation of services/nature of the provider (public body/NGO/commercial provider, for-profit/not-for-profit). Quality of services should be a question combining choice of the individual user, availability/affordability of services with some basic quality guarantees. In this respect, Workability Europe stands for quality social services which are:

- *Multifaceted* - providers should offer a wide range of services to cater to individuals in a holistic way throughout their lifespan
- *Human-rights/person-centred* - personalised and non-standardised services are required, which take time, understanding and respect to respond to each person's particular situation, condition and needs
- *Non-discriminatory and inclusive* - services are conceived in a way that meets the particular needs of persons who are among the most vulnerable and excluded
- *User-empowering* - enabling people to get involved in defining their personal needs and capacities helps guarantee that their needs will be served adequately and contributes to their independence
- *Protective* - mechanisms need to be in place to prevent physical, mental and also financial abuse of vulnerable people
- *Ethics-based* - respecting the dignity of the users and their families and carers

## **2.4 Recommendations**

Workability Europe **calls on the European Commission** to support the quality of services to people with disabilities and others experiencing disadvantage by:

- Including “Quality” as one of the cross-cutting issues in all future actions concerning social services of general interest.
- Considering and endorsing the key elements of quality intrinsic to social services developed by stakeholders (see above)
- Reviewing the common key features for quality of social services to people with disabilities developed by the Disability High Level Group and checking to what extent they might be applicable to all social services.
- Developing and promoting a practical Quality Framework at EU level, based on a Total Quality Management approach starting from rights, values and principles. This European Quality Framework could then be implemented at national level through quality systems according to national context and diversity of structures and respecting the subsidiarity principle.
- Analysing and highlighting examples of good practice in the sector such as the European Quality Assurance for Social Services (EQUASS) – a system operated by key stakeholders in the sector.
- Providing adequate funding opportunities in the framework of PROGRESS or the Lifelong Learning Programme to research and develop innovative quality assurance models, practices and approaches.

Workability Europe **calls on public authorities** to incorporate quality and sustainability criteria in tendering mechanisms and to consider granting higher marks to contractors that have achieved an external certification quality label such as ISO, EFQM, EQUASS, or relevant national certifications.

Finally, Workability Europe **calls on its members and on other social service providers** to engage in an external certification process at European level, by which they assure the quality of their services to service users and to other stakeholders.

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**Contact us:**

Workability Europe

Rue de Spa 15, B-1000, Brussels, Belgium

Tel +32 2 235 66 64; Fax +32 2 736 8622

E-mail [publicaffairs@workability-europe.org](mailto:publicaffairs@workability-europe.org)

Website [www.workability-europe.org](http://www.workability-europe.org)