



SSGI in the EU context – EPSU reflections, requests and recommendations

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Key messages

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The following points reflect key statements from a from an EPSU background paper entitled “SSGI in the EU context – EPSU reflections, requests and recommendations”, prepared for the hearing of the EMPL Committee on the EP own-initiative report ‘The future of social services’ (rapporteur: Proinsias De Rossa) on 25 January 2011 in Brussels (<http://www.epsu.org/a/7310>).

1. Social services are public services and ensure the development of a cohesive and fair society. All public services (SSGI and network industries / economic and non-economic) need to be organised on the basis of public services principles and obligations.
2. EPSU recalls that we need to get the reference points for policy development and legal initiatives right at EU-level
 - There is a need to shift from a predominant orientation on compatibility of modalities of organisation, regulation and financing of local SSGI with Community law (one could call ‘compliance mania’) to an approach that gives priority to the realisation of objectives of SSGI and of specific missions of general interest taking due account of the specificities of SSGI and their users
 - For SSGIs this means to start with the question how to take due account of the specificities of social services and their users and how to best translate recognised specific characteristics of the social services and their users into adapted rules and procedures at EU-level.
 - For EPSU it is essential that community legislation should be instrumental to the objectives of social, health, employment and housing policies, and not the other way around. In case of conflict the realisation of these policies and their objectives have to prevail over the application of Community rules and procedures.
3. EPSU calls upon the relevant bodies in the member states and competent European institutions to make full use of art. 14 TFEU and Protocol Nr. 26 when shaping the legal, policy and quality frameworks for social and health services of general interest. EPSU is in favour of a sectoral directive on SSGI. If need be existing strategies and policies in the field of internal market, competition, state aid and public procurement should be adapted to allow for the delivery of quality social services, regulated competition on social markets on a level playing field, quality jobs and decent working conditions.
4. EPSU calls upon the European institutions to develop at EU-level a ‘general interest statute’ as way of strengthening the regulatory framework / criteria, applicable to both social economy and public services providers and accommodating their specificities.
5. EPSU suggests enlarging the notion of ‘in-house’ to include service providers who meet specific general interest criteria (building on recent the ECJ case law on inter-municipal cooperation), public authorities or enterprises and private (as a rule not-for-profit) ones.

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6. EPSU has argued that the EU public procurement directives need to be improved to strengthen possibilities to include social criteria and social clauses in public contracts. The Commission Guide on Socially-responsible Public Procurement (October 2010) has to be used to encourage the use of social considerations and the pursuit of objectives of social, health, employment and housing policy
 7. EPSU is in line with the objectives and principles included in the current European Voluntary Quality Framework on SSGI that relate both to the characteristics of the service provided (availability, affordability, continuity) and to quality criteria. We now need to put flesh on the bones and do first concrete steps, in particular in the field of elderly care/long-term care. EPSU calls on the responsible actors to give appropriate support by means of action programmes at different levels (local, regional, national) underpinned with realistic targets in view of improving the quality of services and jobs.
 8. There are no specific targets that providers have to meet and no formal monitoring procedures in the European Voluntary Quality Framework on SSGI. This is particularly difficult when issues of training and professional development are mentioned, which should be mandatory. It does also not contain a separate section on framework requirements for quality (such as sufficient financing, qualified staff, cooperation and partnership in delivering services on the ground) and only a few elements on decent working conditions and quality jobs are being dealt with. However; the importance of achieving good employment conditions, a key concern for trade unions; is recognised.
 9. For EPSU improving the quality of work must be a high priority when implementing the European Voluntary Quality Framework. EPSU insofar considers important to foresee a prominent place to working and pay conditions (that are/have to be mandatory) when developing and implementing policies to ensure and to improve the quality, effectiveness and efficiency of SSGI. We would also recommend add a clearer reference to the respect for workers' rights when implementing and further developing this framework.
 10. EPSU is in favour of initiatives to support the professionalisation of the social services workforce. We call for a strengthening or development of social dialogue and collective bargaining in the health and social services sector both within member states as at European level as this would facilitate addressing and negotiating relevant issues related to qualifications and training, professional standards, decent work and pay conditions.
 11. EPSU suggests giving priority in the years to come to the elaboration of specific sectoral policies with tangible goals – e.g. EU action plans on elderly/long-term care, care for people with disabilities, mental health, child care or housing in order to illustrate the potential EU added value of joint work and of common quality frameworks at EU-level.
 12. EU policy should encourage member states to design 'action plans' (with clear objectives; to be monitored involving the social partners) setting out how employment growth and the promotion of the quality of employment is going to be improved. This tool should support social partners and public authorities in promoting professionalisation of the social services workforce. In the context of workforce development low pay must be addressed, migrant workers' right respected and collective bargaining and social dialogue be developed. Volunteers cannot substitute for a professional workforce; guidelines could be developed on the appropriate use of volunteers.