

# Consultation on the European Pillar of Social Rights

Fields marked with \* are mandatory.

Welcome to the European Commission's online public consultation on the "European Pillar of Social Rights".

Are our social rights fit for the 21st century? The Pillar will identify a number of essential principles to address the challenges in the field of employment and social policies.

We want to involve everyone in shaping the European Pillar of Social Rights. We welcome contributions from citizens, social partners, organisations and public authorities, so have your say!

Please submit your contribution below until the end of 2016.

## I. Questions for the identification of the respondent

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**\* Are you replying as an individual or as an organisation?**

- Individual
- Organisation

**What is the type of your organisation?**

- Business
- EU level organisation
- National level organisation

**Your national level organisation is a(n)**

- NGO
- Trade Union
- Employers organisation
- Think tank/academia
- National administration
- Regional/local administration
- Other

**\* Name of your organisation or institution:**

*500 character(s) maximum*

Convention of Scottish Local Authorities (COSLA)

**\* Respondent's first name:**

Judith

**\* Respondent's surname:**

Macgregor

**\* Respondent's email address:**

Judith@cosla.gov.uk

**\* Postal address of your organisation or institution:**

*500 character(s) maximum*

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19 Haymarket Yards  
Edinburgh, EH12 5BH

## Country

For individuals: country of residence.

For organisations: country where the organisation is based or country where the organisation's headquarters are.

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Netherlands
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- UK
- EU level
- Other

### Register ID number (if you/your organisation is registered in the Transparency register):

If you would like to register, please refer to the following webpage to see how to proceed : <http://ec.europa.eu/transparencyregister/info/homePage.do>

**\* Your reply:**

- Can be published with your personal information** (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication)
- Can be published in an anonymous way** (I consent to publication of all information in my contribution except my name/the name of my organisation and I declare that none of it is under copyright restrictions that prevent publication)
- Cannot be published - keep it confidential** (The contribution will not be published, but will be used internally within the Commission)

## II. Questions for the consultation

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The Commission invites all interested parties to reply to the questions set out in the questionnaire below, together with any additional comments, by 31 December 2016. (*See also [Commission communication "Launching a consultation on a European Pillar of Social Rights", COM\(2016\) 127 final](#)*)

### On the social situation and EU social "acquis"

## 1. What do you see as most pressing employment and social priorities?

*2000 character(s) maximum*

At local level in Scotland, the most pressing priorities are tackling inequalities, planning for an ageing workforce and adapting to technological change. These factors are important to our role as employers and service providers, but also for local economic development, employability services and community wellbeing.

The employment rate in Scotland's most deprived areas is considerably less than the rest of the country. In fact, while employment is rising elsewhere, in the 15% most deprived areas it is decreasing. Medium-low or low skill occupations remain most common in deprived areas.

Despite efforts to tackle discrimination and inequality in the workplace, unemployment rates in Scotland are still significantly higher for non-white minority ethnic groups compared to white ethnic groups. Ethnic minorities experience the highest rates of poverty and asylum seekers often face additional barriers to employment at a time of upheaval.

Youth employment rates have not yet returned to their pre-2008 levels, despite progress. There is continued need to invest in services for young people and for schools and employers to work together to identify areas of need. This is especially important given concern about the quality of jobs, in work poverty and skills mismatch.

Increased lifespan coupled with decreasing birth-rate is leading to a gradual overall ageing of the population in many countries including Scotland. This will bring not only increased pressure on health services and social care, pensions and education but also negative consequences for local economies and local workforce through lack of available working-age people.

Digital transformation in the workplace must be carefully managed. New kinds of jobs with different skills combination' needs will require new skills and retraining. At a time of decreasing public spend, any reduction in the workforce and introduced efficiencies must be matched with new skills and expertise.

## 2. How can we account for different employment and social situations across Europe?

*2000 character(s) maximum*

Poor economic performance and the introduction of economic austerity programmes by national governments has had a catastrophic effect on public and social expenditure in Europe. Public spending cuts are often passed to Local Government making it difficult to deliver basic public services. At the same time, it is increasingly shown that cuts to public services and erosion of key welfare safety nets affect the most vulnerable in society, and deepen social inequality in the longer term.

In the UK, there is a current process of welfare reform, making it more difficult to access support and more common for claimants to face sanctions. It is often Local Government who assists in these cases and research has shown that we are experiencing increased demand for services “as a direct consequence of the austerity measures”, with increased social risks, deteriorating domestic situations and increased unemployment and debt. We are of the view that investing in local services has multiple economic and social benefits and are concerned that we have yet to see a reverse trend on reducing budgets.

While austerity and deficit reduction may go some way to explain differences within Member States, the key trends identified by the Commission are better placed to explain divergence between Member States. It is clear that the financial and economic crisis has had far-reaching social consequences, employment conditions are being transformed, Europe is experiencing demographic change and that some Member States have lacked flexibility to encourage investment and growth, in line with their specific labour market and welfare system.

### 3. Is the EU "acquis" up to date and do you see scope for further EU action?

*2000 character(s) maximum*

COSLA supports the view that the Pillar should be an occasion to revisit the existing set of EU policies (the "acquis") and conduct a sort of stocktake. While it is often argued that the EU provides employment and social protection, there is little definitive knowledge among the general public of what those protections are.

COSLA is encouraged that the Commission has recognised Member States are primarily competent for the definition of their employment and social policies, in line with subsidiarity. We see the scope of EU action to remain largely focussed on coordinating the activities of Member States and ensuring that EU citizens have access to fundamental rights wherever they are in the Union.

We welcome further acceptance that cooperation between different sectors and importantly levels of government is necessary to create a culture of high quality work and social standards. Guidance for different actors, especially at local level, to contribute to EU employment and social objectives is welcome. We ask that the Pillar also builds on the common values and principles shared at regional and local level and that subnational governments are included in discussion about future work patterns.

We are concerned that when the Pillar was first announced it was suggested that it would possibly be of legal nature, most especially in regard to 'essential services' which can be interpreted differently across the EU. While acknowledging that the preliminary outline is broad to ensure effective consultation, the Pillar should set out more clearly where competence lies and hence also responsibility.

The evolving incremental nature of the acquis means that it is up to date in line with the ambition of Member States. However public attitude surveys suggest citizens want more and local experience suggests that new business practice is affecting employment patterns. Therefore, a fitness check could be beneficial and be done in line with the Better Regulation agenda.

### On the future of work and welfare systems

**4. What trends would you see as most transformative? [Please select at most three from the list below]**

*between 1 and 3 choices*

- Demographic trends (e.g. ageing, migration)
- Changes in family structures
- New skills requirements
- Technological change
- Increasing global competition
- Participation of women in the labour market
- New ways of work
- Inequalities
- Other

## 5. What would be the main risks and opportunities linked to such trends?

*2000 character(s) maximum*

All of the above factors are having a transformative effect on Scotland's economy and labour market. Demography, technology and increasing inequalities are proving among the most transformative for the Scottish Local Government workforce and human resource management.

Ageing demographics are particularly problematic as they presents increased demand, budgetary and operational pressures. As people live longer, the most common need is not for acute healthcare, but rather for care related to long-term conditions such as dementia. The number of older workers has also doubled since 2004 requiring new flexible retention, redeployment and upskilling policies.

With an increased number of elderly people requiring community care assistance, we will see services being stretched beyond what is manageable. To ensure that the vulnerable continue to receive support, proper assessment of social services with full consideration of budgetary and workforce pressures is required. For the Social Pillar to be relevant in practice additional resource will be required.

Policy makers must ensure that the digital transformation is inclusive, particularly in terms of supporting digital infrastructure in rural areas and increasing the digital skills of more segments of the population. Public employers must support the workforce by retraining and attracting employees with digital skills while monitoring closely developments of digitalisation on the labour market.

Life chances continue to be adversely affected by protected characteristics and socio-economic status.

The benefits of a diverse workforce are well-known to public organisations, and to society at large. Addressing inequality in the workplace has tangible economic benefits. Flexible working is a means by which to tap into this productivity potential, but yet more is required to make flexible working standard practice.

**6. Are there policies, institutions or firm practices – existing or emerging – which you would recommend as references?**

*2000 character(s) maximum*

Scottish Councils are at the forefront of providing fair work with unique responsibilities in employability, education and employment, and support workers through career and lifelong learning, work life balance policies, support for childcare and early years' initiatives and health and wellbeing campaigns.

The Fair Work Framework was developed in 2015 as a blueprint of best practice for fair work best practice in Scotland. It aims to improve understanding of fair work, benchmark existing practice and identify possible improvements, across the public and private sector and with employee and employer representation. The Framework is built on five pillars of effective voice, opportunity, security, fulfilment and respect which form basic principles to help guide practice. Fair work guarantees these principles and balances the rights and responsibilities of employers and workers to generate benefits for individuals, organisations and society. Through research and consultation, the Fair Work Convention has considered trends impacting future working patterns, discussed above in question 5.

The added benefit of this approach is it is a cross-sectoral framework which both employees and employers can jointly buy into. The EU could take a similar approach and offer a definition of high quality employment. A set of guiding principles for fair work could possibly win support of more EU Member States as it would allow for more flexibility. We also believe this could be helpful in beginning a debate on what fair and decent work in Europe should look like. There are different approaches in the public and private sectors and a set of guiding principles, with best practice exchange, could help raise employment standards overall.

## On the European Pillar of Social Rights

**7. Do you agree with the approach outlined here for the establishment of a European Pillar of Social Rights?**

- I strongly agree
- I agree
- I disagree
- I strongly disagree

Please specify:

*2000 character(s) maximum*

COSLA welcomes in a broad sense the preliminary outline of the Social Pillar. We agree with the overall objective - to boost economic recovery and compliment economic progress with social provision. Although initially for the euro area, there is benefit in creating a rights based social agenda for local communities and the Pillar is an important step in assessing existing rights with view to improving enforcement.

The scope can also be agreed - the 20 policy domains cover extensively elements that provide a good standard of social security. There are several overlaps between existing rights and policies, but it should have the added benefit of allowing Member States to identify gaps in provision flexibly, in line with labour market change and with subsidiarity.

It is less clear what form the Pillar will eventually take, and it is noted that some policy areas are not strictly national government competence. Also in some areas (such as wages) the EU is restricted. We would support the settings of basic principles as a means to have further detailed discussion in each domain. An approach based firmly in equality and human rights is key, but so is one that is bottom-up. As many of the areas relate directly to the competence of Local Government it is requested that multi-level governance is underscored in future rounds of negotiation, encouraged in implementation strategies and subnational guidance to support Social Pillar objectives is also developed.

It is concerning that the Social Pillar is focused primarily at the euro zone. This could in fact increase social divergence in the EU and undermine the very purpose. It is also contrary to European solidarity which will be required if high quality jobs and workplaces are to be created across the EU. There is also concerning lack of policy coordination with other international initiatives such as the 2030 Agenda and UN SDGs.

**8. Do you agree with the scope of the Pillar, domains and principles proposed here? (If you wish to provide detailed comments on any of the 20 domains, please see the section "Detailed comments by domain" below)**

	I strongly agree	I agree	I disagree	I strongly disagree
1. Skills, education and life-long learning	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Flexible and secure labour contracts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Secure professional transitions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Active support for employment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Gender equality and work-life balance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Equal opportunities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Conditions of employment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Wages	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Health and safety at work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. Social dialogue and involvement of workers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. Integrated social benefits and services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Health care and sickness benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. Pensions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. Unemployment benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. Minimum income	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16. Disability benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. Long-term care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18. Childcare	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
19. Housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
20. Access to essential services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Are there aspects which are not adequately expressed or covered so far?

*2000 character(s) maximum*

The 20 policy domains cover key elements of social security, however at this stage and without a concrete proposal we can only welcome well-evidenced initiatives developed in line with subsidiarity and with the involvement of Local Government. Initiatives stemming from each policy domain will require careful analysis.

We anticipate Chapter III to be the most significant for Local Government as public service providers. Particularly, integrated social benefits and services, long-term care, childcare, housing and access to essential services are of utmost importance to us. We foresee potential challenges at Member State level for Chapters I and II.

While the preliminary outline covers a number of important areas, there is not enough attention given to addressing poverty, assisting those at risk of poverty or supporting the increasingly number of in-work poor (rather wages, where there is no legal competence for the EU is included instead). There is little mention of inclusive economic growth or sustainable development, although it is key to the Europe 2020 strategy. High poverty levels imply not only poor social protection and security but a need for increased spending on public services (health, education, children's services, housing and police and justice). We miss also significant reference to social or human rights despite mention of the Charter of Fundamental Rights.

The issue of low pay raises a variety of equality issues, particularly for women who are more likely to be in part-time employment. This has a subsequent impact on 'women in work's poverty, and poverty in retirement, as well as impacting lone parents and the elderly. There is considerable political support in Scotland to provide a level of income which employees can achieve a socially acceptable standard of living. A number of Local Authorities already have a Living Wage policy in place to voluntarily 'bottom load' those at the lower end of pay scales and ultimately alleviate poverty.

**9. What domains and principles would be most important as part of a renewed convergence for the euro area? (Please select maximum 5)**

*between 1 and 5 choices*

- 1. Skills, education and life-long learning
- 2. Flexible and secure labour contracts
- 3. Secure professional transitions
- 4. Active support for employment
- 5. Gender equality and work-life balance
- 6. Equal opportunities
- 7. Conditions of employment
- 8. Wages
- 9. Health and safety at work
- 10. Social dialogue and involvement of workers
- 11. Integrated social benefits and services
- 12. Health care and sickness benefits
- 13. Pensions
- 14. Unemployment benefits
- 15. Minimum income
- 16. Disability benefits
- 17. Long-term care
- 18. Childcare
- 19. Housing
- 20. Access to essential services

*Comments:*

*2000 character(s) maximum*

**10. How should these be expressed and made operational? In particular, do you see the scope and added value of minimum standards or reference benchmarks in certain areas and if so, which ones?**

*2000 character(s) maximum*

We are supportive of minimum standards and reference benchmarks that would allow flexibility within and between Member States. We are against a unnecessarily legally prescriptive approach that could diminish Local Government's role to deliver services or the role of Elected Members and communities to shape and influence their local environment. Economic recovery in Europe will depend on supporting local economic development and enhanced public expenditure will be required to improve outcomes at local level.

In Scotland, the public sector is committed to tackling discrimination, advancing equality and fostering good relations through the Public Sector Equality Duty. This model requires public bodies to report on progress to mainstream equality and has helped coordinate public sector action and increase awareness of the link between equality and demand for public service use.

There is potential benefit of having a similar model - a set standard of social rights at EU level to act as a framework for all. COSLA believes that better coordination of economic and social policies between the EU and national governments, with the involvement of Regional and Local Government should be a focus to make the domains and principles operational.

If the purpose is to better "social rights" there should be coherence with other social rights provision. For example, there is currently no mention of the Council of Europe Charter of Social Rights which could be a useful basis particularly when considering enforcement shortfalls. Further analysis, public communication and awareness raising around where social rights are guaranteed (national, international, EU) could help citizens to know and enforce their rights.

**Detailed comments by domain**

If you wish to provide detailed comments on any of the domains, please select one or more from the list below and fill the table(s) and comment box(es) underneath. (A detailed description of the domains and principles is available in the [Annex "A European Pillar of Social Rights - Preliminary Outline"](#) to the [Commission communication "Launching a consultation on a European Pillar of Social Rights", COM\(2016\) 127 final](#)).

- 1. Skills, education and life-long learning
- 2. Flexible and secure labour contracts
- 3. Secure professional transitions
- 4. Active support for employment
- 5. Gender equality and work-life balance
- 6. Equal opportunities
- 7. Conditions of employment
- 8. Wages
- 9. Health and safety at work
- 10. Social dialogue and involvement of workers
- 11. Integrated social benefits and services
- 12. Health care and sickness benefits
- 13. Pensions
- 14. Unemployment benefits
- 15. Minimum income
- 16. Disability benefits
- 17. Long-term care
- 18. Childcare
- 19. Housing
- 20. Access to essential services

### 17. Long-term care

	I strongly agree	I agree	I disagree	I strongly disagree
Do you agree with the challenges described?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the principle addressing those challenges in the right way?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Should the EU act to put in reality this principle?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Do you have other comments or additional suggestions? For instance: how to address these challenges in the right way? How should the EU act to put in reality this principle?

*2000 character(s) maximum*

It can be agreed that ensuring access to adequate long-term care services, while guaranteeing financial sustainability is of crucial importance. Local Government has legal duties to deliver long-term care and needs, for financial and logistical reasons, to be involved in plans for the wider social care sector. There is also considerable expertise at local level. The Commission should play a coordinating cross-border role, raising standards through non-legislative means (service and financial planning tools, governance frameworks, social policy best practice, social dialogue, skills and professional qualifications). More financial autonomy for Local Governments would also be an improvement.

### 18. Childcare

	I strongly agree	I agree	I disagree	I strongly disagree
Do you agree with the challenges described?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the principle addressing those challenges in the right way?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Should the EU act to put in reality this principle?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Do you have other comments or additional suggestions? For instance: how to address these challenges in the right way? How should the EU act to put in reality this principle?

*2000 character(s) maximum*

The benefits of formal childcare can be agreed, most especially for preventing the worst effects of child poverty. Improvements in availability and affordability overall are required. An approach based on positive discrimination for disadvantaged children is in line with domestic research and policy.

The European Semester and country specific recommendations, while not accurately reflecting childcare provision in the devolved UK nations, have so far not led to the realisation of the Barcelona objectives. Therefore a more holistic approach that looks at public spending in the round could be beneficial. While new businesses in this sector must be supported and continue to receive business advice, private providers are often able to have lower running costs due to lower pay scales and workforce costs. The public sector needs to be aware of potential service gaps and additional challenges relating to delivery in rural and peripheral areas need to be considered. Local Government cannot be considered simply as an implementing agency by national governments when extending childcare as there are workforce, infrastructure and financial implications to take into account. This is additional to the need to preserve local flexibility and autonomy.

## 19. Housing

	I strongly agree	I agree	I disagree	I strongly disagree
Do you agree with the challenges described?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the principle addressing those challenges in the right way?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Should the EU act to put in reality this principle?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Do you have other comments or additional suggestions? For instance: how to address these challenges in the right way? How should the EU act to put in reality this principle?

*2000 character(s) maximum*

The private housing sector and increasing private rents are problematic and there is no mention of challenges relating to the private sector. Increasing housing stock and addressing some of the challenges in the private sector would decrease pressure on social housing. Local Authorities can play a key role in best practice exchange including measures that assist landlords to become social landlords, as they manage social housing and deliver homelessness support.

## 20. Access to essential services

	I strongly agree	I agree	I disagree	I strongly disagree
Do you agree with the challenges described?	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is the principle addressing those challenges in the right way?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Should the EU act to put in reality this principle?	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Do you have other comments or additional suggestions? For instance: how to address these challenges in the right way? How should the EU act to put in reality this principle?

*2000 character(s) maximum*

We are concerned that broadband provision, transport and energy policy require cross-sectoral partnership approaches which has not been recognised. Public sector action is often required to address market failures and ensure accessibility on an equal basis. Increasing the business and financial capacity of Local Governments in this regard is key. We also believe that citizens should know when there has been public sector intervention and where and how taxes are being allocated.

## Contact

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