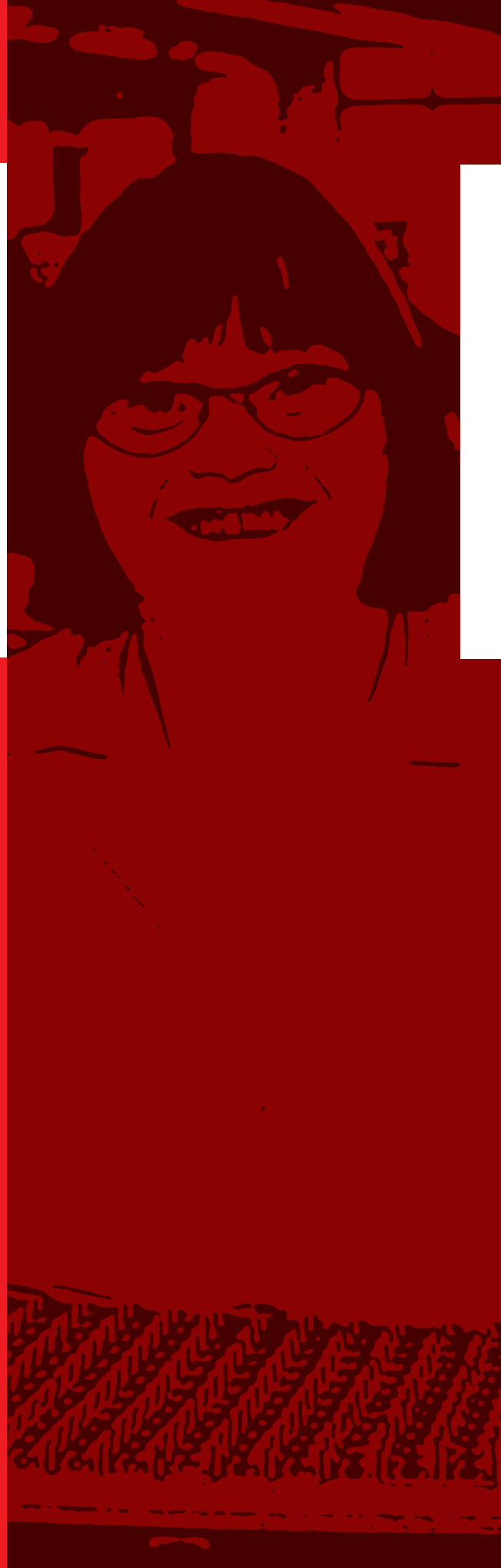


# From welfare to empowerment and participation

**TOGETHER FOR SOCIAL EUROPE**  
BRIEFING ON SOCIAL SERVICES OF GENERAL INTEREST

05





## Glossary

- Social services and their users have a number of **special characteristics** as compared to other services of general interest. That is to say that as services they aim to bring about the realisation of social policy objectives and social rights of individuals and groups and are an integral part of social protection systems. And their users are also often dependant – needing guidance and support – ill, handicapped or living under economically precarious conditions.

- **Sheltered workshop:** Employment opportunities for people with disabilities in a protective environment.

- **General interest:** A good or service that promotes the common good i.e. shared and beneficial for all (or most) members of a given community. They are subject to a public service obligation that should guarantee users access to quality services at affordable prices.

- **Open Method of Coordination (OMC):** A European policy method which relies on soft law mechanisms such as guidelines and indicators, benchmarking and best practice. Common policy objectives are defined and a system of national reports set up in view of policy coordination and convergence. It is used in policy areas where EU competences are restricted.



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## What are social services of general interest?

Social services of general interest (SSGI) are services provided directly to a person in need of support, care, training, counselling, empowerment, etc. and that play a preventative and socially cohesive role. Examples include old people's homes, long-term care, adult education and child care services, as well as services for homeless people and migrants.

These social, health and education services are provided by public authorities, commercial providers and not-for-profit NGOs, like SOLIDAR members. They are mainly financed by taxes and social security contributions.

## Context

Across Europe, social services have been going through a modernisation process since the 1990s. This means that providers are investigating how to better respond to users' needs, how to face societal challenges, such as an ageing population, and also how to respond to the increased contracting out of public services to the private sector.

Increased contracting out of tasks to the private sector brings up one of the pivotal issues in the field: whereas within Member States, governments have set up social markets where there is competition between providers for high quality and innovative services, at EU level, social services - defined as an economic activity - have to operate under EU rules on competition, public procurement and internal market, like all business. And therefore the special characteristics\* of social services and their users tend not to be sufficiently taken into account and lack a formal recognition.

In 2004 the EU started a process to identify these special characteristics\* and also clarify the principles and rules under which providers operate. As an outcome of two consultations launched in 2006 and 2008 the Commission concluded that Community rules as applicable to these services do not endanger their provision and financing but are often not well known or misunderstood by public authorities and service providers.

As of 2008, the policy process on social services of general interest has been structured around two broad strands:

- **The legal framework**

The Commission created an Interactive Information System where stakeholders can send in questions on the application of Community law to their service of general interest to obtain legal guidance.

- **The question of quality**

A process was initiated to establish a voluntary quality framework at European level setting out common quality principles to inform both public authorities and service providers on the ground.

## Coming up

Common principles on active inclusion have been endorsed, which include a pillar on access to quality services, as part of a broader strategy to promote the integration of vulnerable or disadvantaged people into the labour market and society. This endorsement will have an impact on the further development of the voluntary quality framework of Social Services of General Interest.

The main policy challenge will be balancing competition in national social markets in the broader EU framework of the internal market, with the realisation of general interest\* goals and social policy objectives.

SOLIDAR is closely monitoring and continuously contributing to European consultations and has released a number of publications on this topic. Please visit our website [www.solidar.org](http://www.solidar.org) to view them.

## About Arbeiterwohlfahrt

Arbeiterwohlfahrt (AWO) is a SOLIDAR member from Germany. It provides a broad range of high quality social services and deals with all types of social policies. AWO is a membership-based organisation made up of 430,000 members and 100,000 volunteers. AWO associations operate as a public utility and are characterised by being not-for-profit, reinvesting profits in activities with a social objective, and offering services to all groups of the population.

In the field of handicapped care AWO runs 2,100 institutions, including homes for physically and mentally handicapped persons, supported housing for people with disabilities, and sheltered workshops\*. AWO also runs a number of counselling services. [www.awo.org](http://www.awo.org)

### Meet Gökhan

Gökhan, now 32, was born in Germany of Turkish parents. He finished secondary school and went on to get a vocational training certificate in management. His parents got divorced and this affected him greatly. After starting to take drugs, Gökhan got fired from his internship position and started to suffer from depression, lack of self confidence and self esteem, and planned to commit suicide.

Gökhan was hospitalised and stayed in institutional psychiatric care. He followed a drug rehabilitation scheme and then moved to supported housing run by Arbeiterwohlfahrt. Social workers concluded that he needed support in learning more about his own skills and competencies, in defining a structure to manage his everyday life, guidance with daily activities and practical issues, as well as assistance in building up a social network.

As a first step, Gökhan started to work in the restaurant of his daytime institution and in the evenings he received guidance in his supported home. When he became comfortable with this, Gökhan started working in a sheltered workshop\* run by Arbeiterwohlfahrt for people with a psychiatric handicap. Here he makes use of the skills that he learnt when studying for his certificate and has even opted to lengthen his daily working time.

#### For Gökhan, inclusion means:

- The right to self-determination and independence
- The right to comprehensive inclusion and participation in society
- Being entitled to an adequate standard of living
- The right to being valued by society

## What the social workers think

“People like Gökhan do not need to stay in an institution, but instead need regular support and guidance with which they can progress to having a regular job. This in turn helps them with their self esteem, confidence and people skills. The other major point is that people like Gökhan generally want to live in their own home and make their own social contacts, whilst at the same time maintaining regular guidance sessions, something which is often difficult to find.

Social workers need to actively adapt the environments of people like Gökhan to address their individual needs, like some tailored guidance to support them with daily activities.”

“I hardly ever accomplish anything that is recognised by others and that makes me sad.”

GÖKHAN, 32



## Interview with member of staff at Arbeiterwohlfahrt

**AWO has been providing high quality social services for people with disabilities for over 60 years now – how have social services changed over this time?**

Since the 1990s social services have been going through a process of modernisation. Social service providers like us are therefore taking up the challenge to move towards providing more efficient and modern personal social services. This also means a shift in the concept of the services that we are providing for persons with physical and mental disabilities from welfare and assistance to self-determination and participation.

**What are your main objectives?**

To build up support networks in local neighbourhoods, giving priority to community-based and home-based support compared to institutional care. These measures should allow and support users' self-determination, choice and self-help as well as their participation in society, namely in housing, working and social contacts. Another key aim is the introduction and further development of diversity management and service provision in tune with the needs of people from different cultural backgrounds.

**In practice, how does it work?**

We are placing a stronger focus on the individual needs of each person by giving them a greater flexibility in the support measures that we provide as well as more integrated service provision. We also firmly believe that public authorities and providers at a regional level have a joint responsibility for social planning, quality

development and financial programming in order to build up integrated social service systems. It is only by having an obligatory cooperation and coordination of all stakeholders involved in the support network, that social services will become truly efficient.

**What would be your major demands to your federal government?**

The first and most important thing is that people with disabilities need to be involved in all decisions concerning their rights, interests, and living and working conditions. Secondly, inclusion only works when people with disabilities are integrated with non-handicapped people, in their workplace or leisure time. Thirdly, true self-determination and autonomy for people with disabilities means the reduction or abolition of barriers, either physical or on the level of communication. And finally, all actors have to work together to improve the labour market inclusion of people with disabilities.

**Are there any international laws on this topic?**

In this context the UN Convention on the Rights of People with Disabilities is of highest relevance. Its purpose is to ensure the recognition of people with disabilities as citizens enjoying equal rights and able to lead a self-determined life. It also aims to ensure that society works towards the full and effective participation in society and fights the discrimination of people with disabilities.

## Disability policy in Germany

In 2006 about 645,000 people received a package of services and cash benefits for people with disabilities (Eingliederungshilfe für behinderte Menschen). They were on average 32 years old and 40% of beneficiaries were women. This comprehensive package aims to do three things: firstly, making participation in society easier for the user; secondly, giving the user the possibility to work in an appropriate profession or activity; and thirdly, reducing the dependency on care and other forms of support.

Since 2008, a new instrument allows people with disabilities to choose whether they opt for a personal budget (a cash benefit to cover expenses for all measures of care and support according to the recognised needs of the individual) where users choose from a range of ear-marked benefits and types of support, including the service provider. This approach supports the new conceptual approach which strengthens user choice and involvement.





## View from a regional authority

### Jean-Louis Destans

Member of the Committee of the Regions and  
President of the Regional Council of Eure, France

The Eure Region in France has core key responsibilities in the area of social services, which account for almost 40% of the total budget. Whilst we have traditionally focused on providing assistance to people with special needs, at the beginning of 2005 the legislator accorded us overall responsibility for the implementation of a specific special needs policy. This involves a large number of stakeholders, encompassing organisations from both the public sector (the region itself and various state run services) and the private sector (primarily consisting of associations who represent people with special needs and their families, defend their interests and manage equipment and services aimed at people with special needs).

We are primarily responsible for administering the various financial aid measures to help people with special needs overcome their disabilities and enjoy a lifestyle as close as possible to that of people without special needs. This aid is then used to refund the purchase of equipment or services by people with special needs. The region also finances the operation of facilities and equipment for people with disabilities or special needs. Furthermore, we also ensure that the public services which we manage are accessible to those with special needs, especially public transport: in addition to adapting regional bus routes in the region, we have drawn up a regional plan for making the whole of the public transport network accessible for people with disabilities or special needs.

More generally speaking, the region coordinates and brings together the various stakeholders engaged in special needs policy. As President of the regional council, I chair the *Maison départementale des personnes handicapées* (Regional House for People with Special Needs – MDPH), which has a three-tiered structure comprising regionally elected representatives, state services and associations for people with special needs. Funded by the region, the MDPH is responsible for processing all applications for support submitted by people with special needs. It is supported by a network made up of departments from the region and associations specialised in providing material assistance and services in this area. The associations, which vary greatly in terms of their profile and legal structure, support the public service mission provided by the MDPH, by taking direct responsibility for a particular aspect of a disability or by operating in a specific geographical area.

If our policy is effective, it is no doubt in large part due to the cooperation between the institution and the voluntary associations. We have based whole sections of our social policy around principles which should be included in the regulations at European level today, through a balance between the role of the public sector and that of the market.

## Issues prioritised by the PES Group in the Committee of Regions

The PES Group in the Committee of the Regions (CoR) underlines that social services of general interest (SSGI) are an essential element of the European Social Model. They contribute to the implementation of the Community's mission and in particular, to a high level of social and health protection, improved quality of life and the strengthening of economic, social and territorial cohesion.

The PES Group in the CoR considers that the right of citizens to access SSGI must be recognised and guaranteed as a fundamental right. What is more, it calls for a new stable and transparent legal framework to safeguard and clarify the legal status of public services throughout the EU, in accordance with the principle of subsidiarity, and more specifically, the responsibilities of local and regional authorities in defining the missions, management and financing of these services. This legal framework would also help ensuring that sectoral EU directives, such as those on health-care and social services, safeguard universal access to and provision of such services as well as solidarity in their financing.

## Together for Social Europe

is a one-year project which aims to demonstrate that a more social Europe is necessary for a socially sustainable and cohesive Europe. SOLIDAR seeks to demonstrate this by highlighting SOLIDAR members' experiences of working with socially and economically disadvantaged people and putting forward proposals to EU and national decision makers.

This briefing, coordinated by SOLIDAR, is supported by the Foundation for European Progressive Studies (FEPS) with contributions by SOLIDAR member Arbeiterwohlfahrt and the PES Group in the Committee of the Regions.

All Together for Social Europe briefings are available on [www.solidar.org](http://www.solidar.org)

SOLIDAR is a European network of 53 NGOs active in over 90 countries working to advance social justice in Europe and worldwide. SOLIDAR lobbies the EU and international institutions in three primary areas: social affairs (more social Europe), international cooperation (decent work for all) and education (lifelong learning for all).

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Printed on recycled paper  
 ©SOLIDAR  
 September 2009

## SOLIDAR's recommendations for EU decision makers on social services of general interest

1. **Develop and defend adequate legal and policy frameworks at European level and within Member States for accessible, affordable and quality social services by**
  - Bringing back the concept of general interest\* as the point of departure and main reference in the policy development in the field of social services of general interest (SSGI).
  - Recognising that social services and their users have specific characteristics\* and that all future policies must take this into account.
  - Advocating for competition to be based on quality and not low cost; SOLIDAR therefore supports the development of a voluntary framework of quality principles at European level.
  - Promoting the rights, choices and participation of the users of social services in how their services are designed and evaluated.
  - Using processes such as the Open Method of Coordination (OMC)\* to intensify exchange and transnational learning based on good practices.
  - Ensuring financial support from the European Social Fund to build up effective structures of support for people with disabilities at local level.
  - Calling upon European governments and the European institutions to make full use of article 14 and Protocol No. 9 on Services of General Interest in the Lisbon Treaty once it has entered into force; confirming the authority of all levels of national government to organise social services of general interest at a local level close to the needs of the users.
  - Supporting initiatives which help bring about a more social and green policy agenda by encouraging the European Commission to publish a guide on social procurement.
2. **Encourage employment creation and the growth potential of the social, health and education services sector by:**
  - Investing in further training for staff and creating an attractive environment for volunteers, as qualified staff and volunteers are essential for the provision of quality services.
  - Clarifying the interplay between European and national rules on the posting of workers and temporary work agencies.
  - Offering migrants (documented and undocumented) and EU citizens decent working conditions and access to comprehensive social protection systems.
3. **Implement the Commission Recommendation on Active Inclusion** and include additional principles under the "access to services" strand including non-discrimination concerning access and use, rights and empowerment of users, good working conditions, proper financing in accordance with local, regional and national circumstances, and continuous and timely delivery.