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**NOTE**

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From:	Council General Secretariat
To:	Permanent Representatives Committee/Council
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Subject:	Enhancing Community-Based Support and Care for Independent Living - Council Conclusions

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Delegations will find attached the draft Council conclusions on the above subject. The text, tabled at the initiative of the Estonian Presidency, was finalised by the Social Questions Working Party after preparatory input from the Social Protection Committee (SPC).

The Permanent Representatives Committee is invited to forward the draft Conclusions to the Council (EPSCO) for adoption at its session on 7 December 2017.

# Enhancing Community-based<sup>1</sup> Support and Care for Independent Living

## Draft Council Conclusions

### NOTING THAT

1. Promoting economic and social cohesion, combatting social exclusion and discrimination and promoting a high level of employment and social protection are objectives of the European Union enshrined in the Treaties. The Charter of Fundamental Rights of the European Union furthermore provides that the EU institutions, as well as the Member States, when implementing Union law, should respect personal, civic, political, economic and social rights;
2. The European Union is not just a union of its Member States, but a union of their peoples. All human beings are born equal in dignity and rights, and all life is of equal worth. People facing particular challenges, difficulties and disadvantages should be given the opportunity to enjoy and benefit from needs-based support that encourages their active participation in society and in the labour market. Enabling individuals to fulfil their potential so that they can take an active part in social and economic life entails supporting people at critical junctures throughout their lives;
3. The European Union and its Member States have made a visible commitment to protect the rights of vulnerable people and to enhance independent living and community involvement, including by ratifying the United Nations Convention on the Rights of Persons with Disabilities that recognises the equal right of all persons with disabilities to live independently and be included in the community, with choices equal to others;

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<sup>1</sup> In the context of these Council Conclusions, the term "community-based" should be interpreted in the spirit of the Common European Guidelines on the Transition from Institutional to Community-based Care.

## **STRESSING THAT**

4. The future of European social and labour policy is notably shaped and affected by demographic trends, the digitalisation of the economy, the speed and scope of changes in the world of work and various crises;
5. The shared European values of human dignity, equality and respect of human rights must guide our societies, form part of the continued development of social models and support structures that are fit for the 21st century. The Member States, their public authorities, the EU institutions, the social partners and civil society at all levels share, in accordance with their competences, the responsibility for working towards a more prosperous and fairer Europe, in which economic and social developments go hand in hand;
6. While the legal responsibility and competence for social policies mainly lies with the Member States and while the implementation of adequate reforms of care systems needs to take place at the national level, a more wide-ranging discussion at the EU level in the framework of the Open Method of Coordination can make a solid contribution to the development of common approaches. The European Pillar of Social Rights, expressing several key principles and rights, including the right to affordable and quality long-term care, supports that line;
7. The successful development of a welfare state requires smart interaction between social and economic policies, encouraging innovation, the promotion of entrepreneurship, and investment in human capital and in the working and living environment. Millions of people are still unable to fulfil their potential owing to personal, societal and institutional constraints, which can make it more difficult for people to lead an independent life. Besides providing financial protection against major social risks, policies should focus on the adoption of measures to enhance the activation and empowerment of people of all ages, from children to older persons;

8. The choice of care setting should be an autonomous decision of the individual that ought to be respected. A change in mind-set is needed to secure wider recognition of the principle that everyone has the right to live independently within their community, to play an active part in society and to take part in decisions concerning their lives. In this context, employment opportunities for persons with disabilities and older workers play a vital role in ensuring that everyone can fulfil their potential;
9. Although there are still a large number of segregated residential institutions across the Union, there is a clear and significant move towards community-based support and care options in the Member States. However, it is evident that the scale and number of existing residential institutions cannot be reduced before affordable and high-quality community-based solutions are in place. A clear strategy and strong investment should be provided to develop modern high-quality community-based services and to increase support for caregivers, especially family carers. In particular, the focus should be on creating and extending opportunities for independent and active living by prioritising greater empowerment of people in all relevant areas. The remaining residential institutions should support residents' autonomy, provide high-quality personalised care and cater in particular for the needs of dependent persons for whom community care is not the preferred option. It is essential to ensure safety, dignity and a non-discriminatory environment in all care settings;
10. The gender dimension needs to be systematically addressed in the area of independent living and community-based care and support. On the one hand, as a substantial part of care is provided by informal family carers, primarily women, it is important to ensure wider recognition of unpaid care work. Support should also be provided for better reconciliation of care responsibilities and paid work throughout the life course of both men and women for more equal sharing of care responsibilities between them. On the other hand, there is a need to combat the gender pay gap and gender stereotyping in paid jobs, so that, for instance, more men are encouraged to work in the care sector;

11. Innovation, including ICT solutions, should be used to enhance the quality of community-based support and care. However, new and creative solutions do not necessarily need to be based on technological innovation. They can also be based on social innovations such as co-creation, the collaborative economy and person-centred service design;
12. The European Structural and Investment Funds (ESIF) make an important contribution to the implementation of reforms. They support the social economy and ensure a more effective delivery of policies. The programming period 2014–2020 offers an exceptional opportunity to promote a more focused use of the European Social Fund, the European Agricultural Fund for Rural Development and the European Regional Development Fund for supporting the transition from institutional to community-based care under the thematic objective of promoting social inclusion and combatting poverty. In this context, several Member States have programmed respective policy alternatives under the most relevant investment priorities;

## **THE COUNCIL OF THE EUROPEAN UNION**

### **- INVITES THE COMMISSION TO**

13. Promote discussion, steer in-depth reflection on the most topical issues in relation to the transition to community-based services and facilitate the practical implementation of the Common European Guidelines on the Transition from Institutional to Community-based Care and of the Toolkit on the Use of European Union Funds for this purpose;
14. Continue to enhance the exchange of evidence-based and innovative solutions, promising practices and expertise between Member States, experts and civil society in order to extend the provision of community-based services;
15. Continue its analytical work on collective households and encourage the Member States and Eurostat to examine the possibility to include in Eurostat pilot studies the analysis of the feasibility of including collective households in the surveys or other appropriate data sources, taking costs and resources into account;

16. Continue to support the launching of structural reforms and testing new models and tools for care delivery through, for instance, financing innovations and start-ups that accelerate the development of community-based support and care and foster opportunities for independent living through the use of ESIF, the Structural Reform Support Programme (SRSP) and other appropriate funding schemes (e.g. the European Union Programme for Employment and Social Innovation (EaSI) and Horizon 2020);

- **INVITES THE COMMISSION AND THE MEMBER STATES, in accordance with their respective competences, and taking into account specific national situations, TO**

17. Initiate an open public debate on increasing the availability of community-based support and care options in order to raise public awareness, and regularly monitor changes in public opinion. Engage actively in public debate involving the media, experts, civil society, communities and target groups, encourage work with local communities in order to eliminate stigmas and taboos, address perceived risks, achieve a common understanding and mutual respect, and prepare all stakeholders for the development and improvement of community-based services;

18. Follow closely the monitoring of the use of ESIF and other relevant EU funding mechanisms to encourage the transition from institutional to community-based care;

- **INVITES THE MEMBER STATES, taking into account their specific situations, TO**

19. Take steps, as appropriate, to reduce dependence on institutional care solutions, develop an independent living approach in all care settings and accelerate the transition from institutional to community-based care by encouraging and promoting home-based living and the provision of high-quality support, and by ensuring greater involvement in decision-making of the persons concerned;

20. Enhance the development of community-based services in accordance with the needs of the persons concerned and their immediate environment;
21. Continue to empower their responsible authorities to develop innovative tailor-made support, based on appropriate needs assessments, and taking into account the expectations of the persons concerned as well as of their families in the design and provision of services. This includes granting the right to choose the service provider and care setting from among a range of options;
22. Continue to support the establishment and availability of the necessary regulatory framework, infrastructure, qualified personnel and services that enable independent living. Investments into training, safe working environments and appropriate working conditions are of crucial importance for caregivers providing community-based support and care as well as working in residential institutions;
23. Better involve and empower communities in the design and the provision of policy measures through, for instance, the use of smart solutions such as the shared economy, and create synergies between different policy fields in order to achieve increased cost-effectiveness and sustainability in the long term;
24. Bearing in mind the changing world of work, promote increased educational and employment opportunities for people who have worked in residential care institutions, and address employment and skills needs within the care services sector. Appropriate retraining and upskilling for specialists working in residential care institutions as well as appropriate training for caregivers providing support and care outside institutions are needed to smooth the transition to new forms of work in the context of community-based care;
25. Where possible, collect comparable data, broken down according to the services provided or special need, the reason of stay, age and sex, on the number of persons living in different types of residential institutions or receiving other forms of care;

- **INVITES THE SOCIAL PROTECTION COMMITTEE TO**

26. In cooperation with the Commission, continue to facilitate and stimulate the gathering and sharing of ideas, expertise, experiences and promising practices in the movement towards community-based support and care within the framework of the Open Method of Coordination for Social Protection and Social Inclusion;
27. Organise thematic reviews of positive developments and results achieved in the movement towards community-based support and support options being available, including within the Peer Review in Social Protection and Social Inclusion Programme;
28. In cooperation with the Commission and the Indicators' Sub-Group of the Social Protection Committee, determine the main impact areas, initiate discussion and explore the possibility of developing appropriate common indicators for the availability, affordability and quality of long-term care provision in different forms of care.

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**REFERENCES****European Union**

- Charter of Fundamental Rights of the European Union (OJ C 326, 26.10.2012, p. 391);
- Europe 2020 Strategy for smart, sustainable and inclusive growth (EUCO 13/10);
- ESIF legislative framework, in particular Regulations 1303/2013 (CPR), 1304/2013 (ESF) and 1301/2013(ERDF), OJ 347 of 20/12/2013;
- Structural Reform Support Programme 2017-2020 (PE-CONS 8/17);
- Interinstitutional Proclamation on the European Pillar of Social Rights<sup>2</sup>.

**Council**

- Council Conclusions on Dignified Ageing (15955/09);
- Resolution of the Council of the European Union and the Representatives of the Governments of the Member States, meeting within the Council, on a new European Disability Framework (10173/10);
- Council Conclusions on the support of the implementation of the European Disability Strategy 2010-2020 (11843/11);
- Council Conclusions on the European Pact for Mental Health and Well-being: results and future action (OJ C 202, 8.7. 2011, p. 1);
- Council Conclusions on Social Governance for an inclusive Europe (15070/15);
- Council Conclusions on an Integrated Approach to combating poverty and social exclusion (10434/16);
- Council Conclusions on Accelerating the Process of Roma Integration (15406/16);
- Conclusions of the Council of the European Union and the representatives of the governments of the Member States on the protection of children in migration (10085/17).

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<sup>2</sup> [https://ec.europa.eu/commission/sites/beta-political/files/social-summit-european-pillar-social-rights-booklet\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/social-summit-european-pillar-social-rights-booklet_en.pdf)

## Commission

- White-paper process on the future of Europe (Social Dimension of Europe (8717/17), Harnessing globalisation (9075/17), Deepening of the EMU (9940/17);
- Commission Recommendation of 20 February 2013 Investing in children: breaking the cycle of disadvantage (2013/112/EU);
- Commission Staff Working Document: 'Taking stock of the 2013 Recommendation on "Investing in children: breaking the cycle of disadvantage" (8712/17);
- Commission Staff Working Document; Social Investment Package, Long-term care in ageing societies Challenges and policy options (SWD(2013) 41 final);
- European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe (COM(2010) 636 final).

## Other

- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD);
- European Convention on Human Rights (ECHR);
- Common European Guidelines on the Transition from Institutional to Community-based Care and Toolkit on the Use of European Union Funds for this purpose (2012);
- UN Committee on the Rights of Persons with Disabilities, General comment on article 19: Living independently and being included in the community, 29 August 2017;
- UN Convention on the Rights of the Child;
- The United Nations Principles for Older Persons (1991);
- European Expert Group on the Transition from Institutional to Community-based Care (EEG);
- Report of the Ad Hoc Expert Group on the Transition from Institutional to Community-based Care (2012);
- European Network on Independent Living (ENIL);
- European Union Agency for Fundamental Rights Report "From Institutions to Community living", Part I - commitments and structures, Part II – funding and budgeting, Part III – outcomes for persons with disabilities (2017);
- Conclusions on the results of the conference "Dignity + Independent living = DI" (12-13 October, Tallinn, Estonia)<sup>3</sup>.

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<sup>3</sup> [http://www.sm.ee/sites/default/files/content-editors/Ministeerium\\_kontaktid/Ministeeriumi\\_tutvustus\\_ja\\_struktuur/conference\\_conclusions.pdf](http://www.sm.ee/sites/default/files/content-editors/Ministeerium_kontaktid/Ministeeriumi_tutvustus_ja_struktuur/conference_conclusions.pdf)