



## REIF contribution

### Action plan to implement the European Pillar of social rights

November 27, 2020

The Representation of the French Social Security Institutions to the EU (REIF) and its members, the national institutions in charge of social security for France's general and agricultural schemes, have been working on the Pillar since the first public consultation in 2017 and are closely involved in implementing its social principles, both as institutions belonging to France's statutory and compulsory social security scheme and as drivers toward the creation of social programs which go above and beyond statutory protections.

This contribution to the public consultation on the Commission's Action plan includes a series of general recommendations and remarks on the Pillar's current framework as well as an initial review (1). It also spells out the steps that need to be taken in order to make the Pillar's principles a reality and identifies the areas in which REIF's members can contribute with their expertise (2). Finally, the document highlights some topics that don't yet appear to have been incorporated or fully incorporated into the guarantees that come under the Pillar and proposes potential avenues for bringing these topics on board (3).

#### 1. General recommendations:

Competence with regard to social security matters belongs to the Member States. However, the EU has the ability to support Member States' social policy in those areas where the EU can come in and is able to provide the most viable course of action. In addition, the Commission is in charge of monitoring the implementation of the Pillar. The tools it has put together to accomplish this (indicators in a Social Scoreboard and monitoring as part of the European Semester) have potential for further development and more widespread use (b).

##### a. Putting existing tools in the field of social protection to work in an efficient and effective manner

Toward this aim, the Commission could improve:

1. The open method of coordination for social protection and social inclusion (Social OMC), by boosting and promoting the use of Social OMC tools, in particular by recognizing national best practices, coordinating how they are exchanged through the peer review or benchmarking mechanisms, and helping to share them through the use of the appropriate channels of communication (certain platforms already exist but require an operating upgrade – see discussion on the EPIC Platform below).

2. European funds ought to be made systematically accessible to social protection providers that are developing social action programs.

Certain calls for projects are too restrictive as to who can apply: in practice, this excludes social security providers, which have a unique status in France, from participating (French national Funds are public entities while the local funds are private entities that are entrusted with a public service mission). Yet, social security has a very wide reach that quite often coincides with the scope of European funding (social programs, social and solidarity-based economy, overcoming external barriers to employment, social inclusion programs, and more).

As things currently stand, European funding eligibility rules do not always allow Social security Funds to initiate a project themselves (whether or not they have partners on the project) and sometimes require the project to be initiated by a partner (membership organization, company, social and solidarity-based economy operator, university, etc.). This cuts off financing for programs that could have contributed to social experimentation and innovation and supported vulnerable populations, who could have benefited from the type of programs social security providers puts forward. An example of this is the work accomplished by France's social protection providers to promote job retention, social inclusion through employment, and preventive healthcare for medically underserved populations.

Therefore, we ask that social protection providers, in the largest sense of the term, be included in the list of qualifying recipients for the relevant funds (ESF+, Erasmus+, FEADER, etc.).

It would also be advisable to cut down on the administrative burden for the management of these funds, in order to facilitate access by project carriers.

These two tools are fundamental instruments the EU can use to recognize the crucial role played by social protection providers as safety net to crisis: this has been demonstrated yet again since the Covid-19 pandemic began through the rapid adoption of the necessary measures to offset the impact of the pandemic (medical leave for high-risk individuals and those taking care of children, partial unemployment, adjustments to procedures and verifications to benefit from social allowances, payment of emergency assistance to those most at risk, etc.).

The EU has a responsibility to support these national social security systems and must emphasize the need for effective and universal social protection systems.

b. Improving the tools specifically created to monitor the Pillar's implementation

i. Adding to and standardizing the available social indicators

The Scoreboard that was introduced in 2017 alongside the Pillar lacks the indicators that would be needed to establish a common basis with which to accurately monitor social conditions in the Member States, especially if this is to be considered as the reference document to be used for monitoring.

It would therefore be beneficial:

- To develop new social indicators that can be associated with each of the Pillar's principles (the 37 currently existing indicators do not come close to covering all principles).
- To reduce the fragmentation of available social indicators by formally incorporating them into the Scoreboard. Indeed, while the EU's agencies and various research institutes<sup>1</sup> are monitoring social indicators, these are spread out over their websites and throughout their own resources/ publications.
- To ensure that these indicators are effectively monitored and used as part of the European Semester.

ii. Actively assessing how the principles are implemented

The Pillar requires multi-level implementation as it applies both to the Member States and to the EU as a whole. In both cases, closer monitoring and an assessment of the actions that have been taken to foster social rights would be needed.

- As concerns implementation by the Member States, there is little visible monitoring as part of the European Semester. Few references to the Pillar have been made in the series of country-by-country Recommendations adopted since 2017. Indeed, it is not clear whether the Commission is actually in a position to assess the achievements that are being made.

On the other hand, in response to the Covid-19 crisis, the Commission has adopted the Recovery and Resilience Facility (RRF), which will offer financial support for reforms and investments made by the Member States. This is a new instrument that requires the Member States to draw up multi-annual Recovery and Resilience Plans (RRP) that address the country-specific challenges identified as part of the European Semester. This makes it crucial for the Commission to guarantee that social welfare objectives also appear in these plans and allow Member States to qualify for the facility in the same way as for programs focusing on green and digital priorities.

- As regards its authority to monitor the implementation of social principles, it appears advisable for the Commission:
  1. To conduct a concrete assessment of progress being made in implementing the Pillar, by assessing each country's recovery and resilience plan against the Pillar's principles and on the basis of relevant indicators;

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<sup>1</sup> Including Eurostat, Eurofound, OSHA, EIGE, etc.

2. To adopt any necessary Recommendation to steer each country's social strategies toward an effective implementation of the Pillar;
3. To grant the funds available through the new RRF for social welfare spending.

- Regarding European social initiatives:

The Commission also has a role to play in supporting the Member States with regard to social welfare, and some of its legislative and non-legislative initiatives can have a positive impact on the development of national social welfare strategies. However, the correlation between these European initiatives and the improvement of social welfare entitlements in the Member States is not always obvious; in any case, this ought to be better highlighted (in particular, please refer below to principle 17 – Inclusion of people with disabilities). This would strengthen EU citizens' feeling of belonging to the European Union.

**2. Assessment of how the principles and recommendations are being implemented:**

This contribution will only look at the principles in which REIF and its members have expertise, in order to bring concrete added value to the Commission's Action plan. This mainly involves Chapter 3, Social protection and inclusion, and the principles on gender equality, work-life balance, and occupational health and safety.

❖ **Principle 2 – Gender equality.**

While European legislation establishes extensive gender equality guarantees, it has not yet been able to ensure gender equality in all areas.

With regard to social security, we recommend that the Commission:

- a. Modernize Directive 79/7/EEC and draw the necessary conclusions from the assessment of this directive as of December 21, 2021, in particular:
  - By updating the Directive's vocabulary (e.g. in article 7) to take account of diversity in family makeup (same-sex couples) and changes in child-rearing responsibilities (which fall to fathers and mothers alike);
  - By expanding the material scope of the Directive to include survivor's benefits, family benefits, maintenance allowance collection, and social welfare benefits;
  - By codifying European Court of Justice case law with regard to equal treatment and social security entitlements;
  - By explicitly prohibiting the use of gender-based actuarial factors.
- b. Take up the gender equality guidelines that were set forth in the [report](#) by the International Social Security Association (ISSA) and adopted on June 4, 2019. In line with the UN's 2030 agenda and its sustainable development goals (goal No. 5 in particular), these guidelines are based on the observation that social security systems are likely to reproduce gender inequalities that already exist in society. They propose that social security and family policy be designed in such a way as to offset and prevent gender inequality.

- c. As regards implementation of the new European gender equality strategy, the Commission could:
  - Ensure that it is actively supported by the European funds;
  - Draw up a concrete action plan to counteract the stereotypical assignment of general roles in society (including family chores and responsibilities and working arrangements) and boost initiatives to promote a good work-life balance.
- d. Establish a European strategy on “care”<sup>2</sup> to boost the development of healthcare and early child care services.
- e. Assess the impact of the Covid crisis from a gender-equality standpoint, in particular as concerns the work-life balance for mothers and family caregivers.
- f. With regard to retirement: draw up a European model or studies that can be used to assess the cost of healthcare services and infrastructures in order to assess the value/ amount of unpaid, informal care work that is being provided by family caregivers, the majority of whom are women.
- g. With regard to the available follow-up indicators:
  - Find a solution to the fragmentation of the sources of data and indicators within the various instruments being used;
  - Develop an indicator to assess the share of public investments dedicated to promoting a work-life balance;
  - Develop indicators on long-term care using a model similar to the one use to develop indicators for childcare services, with the Barcelona objectives (to be included in a European strategy on “care;” see below).

❖ **Principle 9- Work-life balance.**

a. On the recent “Work-life balance” package

While it will take time for the Directive on work-life balance for parents and carers to be incorporated and rolled out at the national level, it would be beneficial for the Commission to continue working toward the implementation of the non-legislative measures that appear in its Communication “Initiative to support work-life balance for working parents and carers,” in particular by:

- Financing programs that are designed to improve professional child- and healthcare services (childcare, after-school care, and long-term care);

In this respect, the Commission could increase the budgets allocated by European funds (ESF+, the Recovery and Resilience Facility, etc.) to work-life balance programs, which include but are not restricted to childcare services and facilities. Indeed, the Commission’s current approach to implementing principle 9 appears too binary: either promoting workforce entry for women or combating extreme poverty.

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<sup>2</sup> The concept of “care” translates to “soin” in French or “cuidado” in Spanish

In addition, it would be really important for the funds' potential beneficiaries to include "social protection providers" that are engineering family-oriented social programs (management and financing of a range of best practices supporting such areas as parenting or providing specific support to groups that are particularly underserved).

- providing guidelines and best practices aimed at removing disincentives to a second household income which are keeping women away from the workforce or from full-time employment.
- In addition, the Commission should also take a look at the circumstances faced by parents with non-standard work schedules and by rural populations in order to draw up guidelines and promote best practices to make it easier to find a child care solution when parents are on a non-standard work schedule or child care facilities are located too far from home (rural areas).

b. With regard to the available indicators and the Barcelona objectives:

There is a need to:

- Gather data that can be used to differentiate among formal, collective, and individual child care solutions in the statistics.
- Establish shared age ranges throughout the EU: (0-3) and (3-6).

❖ **Principle 10- Healthy, safe and well-adapted work environment.**

French social security providers (health insurance and old-age insurance authorities) cover workers for "industrial accidents and occupational illnesses" and thus affected by occupational health and safety (OHS) issues.

On this basis, they are asking the Commission to:

a. Implement the [Conclusions of the Council of December, 2019](#), in particular:

- To adopt a 2021-2027 framework strategy that takes account of the challenges identified in this document;
- To set and monitor binding exposure limit values for hazardous substances (carcinogens and mutagens), with work on identifying further hazardous substances continuing to be a priority (also see point b below);
- To set aside EU funds to promote the efficient implementation of OSH, by supporting programs including awareness-raising, education, and training;
- To collect and compile data and information on OHS and improve statistical methods to include indicators that are comparable across the EU (see point h below);
- To issue a communication on psychosocial risk factors that stands independently from a more overarching mental health strategy (REIF members find that this Recommendation from the Council needs to be made more ambitious with dedicated European legislation that would legitimize the social security funds' social action programs).

- b. With regard to hazardous substances, once these have been identified, to establish a detailed framework to provide support and education on their use. To consider setting up a possible early warning system.
- c. To support the Member States and competent authorities in implementing the coordination regulations as they apply to Industrial Accidents/ Occupational Illnesses, e.g. by engaging the Administrative Commission for the Coordination of Social Security Systems to work on this issue;
- d. To help make European OSH initiatives more effective: resources are available but they are not made optimum use of; to support the use of European funds to develop tools/ data/ programs; these funds do appear to be underused and/or underpublicized:
- e. To work on a European definition of occupational illnesses and industrial accidents; potentially drawing on the work that has been already done by certain stakeholders that have shown particular engagement, such as [the EUROGIP study](#) or the classification work that has been done by ISSA;
- f. To take better account of gender perspectives in studies and activities that focus on OHS, particularly for pregnant and postpartum women and their entitlement to substitution in small and medium-sized businesses or in agriculture;
- g. To roll out programs to take account of the special circumstances of migrant and seasonal workers and their access to information on OHS;
- h. To consider a mission on accounting for OHS by the European Labour Authority (training for parties involved and as part of workplace inspections);
- i. With regard to the available indicators:
  - To connect the available European data to the social indicators on the Scoreboard;
  - To develop specific indicators
    1. On occupational medicine
    2. On workplace inspections
    3. On the number of deaths, industrial accidents, or occupational illnesses
    4. On psychosocial risks in general, including but not limited to burnout and depression
  - To work on the European level on the issue of underreporting.
- j. To highlight national best practices such as:
  - [Agri-Ecoute](#), a suicide prevention hotline that has been set up by France's Agricultural Social Mutual Fund (MSA) to support those experiencing emotional distress. Callers, who remain anonymous, get a listening ear as well as follow-up services from professionals who can come to their farm or farming business to help them overcome psychosocial barriers.
  - MSA's [National Europe day](#), which includes an OHS component highlighting transnational training programs and positive experiences, as in 2019.

❖ **Principle 11 – Childcare and support to children.**

In this area, and in connection with the child guarantee and [REIF's contribution](#) to the Consultation of the Commission on this project, it would be advisable for the Commission:

- a. To renew and step up the political commitment and to publicize the implementation of the 2013 Recommendation as a political priority by:
  - Adopting a Council Recommendation;
  - And/or putting together a dedicated working group within the Social Protection Committee;
  - Monitoring more closely implementation as part of the European Semester, in light of the fact that the ESPN report shows that monitoring has weakened since 2013.
- b. To support the political commitment towards European funds dedicated to achieving the objectives in this area as well as to training for childcare staff.
- c. With regard to the available indicators: data broken down by children's age need to be gathered, using the monitoring indicators set forth in Recommendation 2013/112 and detailed in the appendix, incorporating them into the EPS Scoreboard and monitoring them as part of the European Semester.
- d. As part of the European Semester, actions need to include:
  - Recommending balanced geographical availability of child care solutions;
  - Promoting universal public financing systems (in France, financing is granted to all child care facilities that have been licensed according to a single standard); plus additional (bonus) financing that is paid to facilities located in underserved areas and/or enrolling children with disabilities or from a disadvantaged background;
  - The work that was begun in 2020 by the Social Protection Committee to establish a framework on "childcare and support to children" needs to be continued.
- e. To conduct a thorough assessment of the work accomplished by the European Platform for Investing in Children (EPIC) and draw the necessary conclusions in order to make the measures selected as best practices more representative (UK-based expert assessors are overrepresented; requirement to put a measure through a costly outside assessment in order to meet the best-practice requirements, etc.);
- f. To promote the sharing of each country's best practices such as:
  - France's workforce-entry childcare centers ("crèches à vocation d'insertion professionnelle"/ [\(AVIP\)](#)): these are financed by the Family branch of the French social security system to provide parents who are currently unemployed with daycare and specific support to help them enter the workforce on a long-term basis;
  - France's programs to increase childcare financing in areas with the greatest need;



- France's dedicated website <http://www.monenfant.fr> that parents can use to find the child care solution that best fits their needs;
- France's innovative solutions to childcare such as "micro-crèches"<sup>3</sup>, registered childminders' houses ("Maisons d'assistante maternelle"/ Mam).<sup>4</sup>, parent-child interaction areas ("lieux d'accueil enfants-parents (LAEP)<sup>5</sup> or registered childminders' centers ("Relais d'assistants maternels"/ Ram)<sup>6</sup> in addition to such solutions as access to services for parents on non-standard work schedules or mobile services.

❖ **Principle 12 – Social protection.**

a. The Council's Recommendation for access to social protection for workers and the self-employed:

This Recommendation, which was adopted in 2019, is a key instrument that has recently been incorporated into the EU's guaranteed social rights. Hindsight is needed to assess its implementation and its impact.

It would however be beneficial for the Commission to conduct a due assessment of that implementation, including monitoring the progress of the Member States as part of the European Semester.

In addition, the Commission should ensure that social security providers are on board with the shared-learning workshops and projects conducted by the issue clusters on implementing the Recommendation. The "Social Security" approach may be different from the one put forward by the providers in charge of "Employment" issues.

b. The EU is expected to support measures designed to gain knowledge on the phenomenon of platform workers:

- By providing studies on social security coverage for platform workers, as it has become obvious that this group is not a uniform category of workers;
- By studying the mechanisms by which social security contributions are collected in the various Member States as well as outside the EU;
- By assessing the relevance and feasibility of making it easier to share social security-relevant tax-related information on platform-generated income through the single digital platform program, or of developing an equivalent system for social security; supporting planned experiments along these lines among several Member States, including through EU funds.

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<sup>3</sup> A "micro-crèche" is a child care facility with at least 100 m<sup>2</sup> of floor space that can serve up to 10 children under the age of 6 at a time.

<sup>4</sup> Registered childminders ("assistants maternels") can choose to work at a MAM (Registered childminders' house): this is a facility that can be shared by up to 4 professionals who can provide childcare there rather than in their own home.

<sup>5</sup> Parent-child interaction areas ("LAEP") are areas where children can play freely while their parents have the opportunity to speak either among themselves or with professionals. These solutions provide children with opportunities for stimulating play and socialization while offering support to parents.

<sup>6</sup> Registered childminders' centers ("Relais d'Assistants maternels"/ RAM) are places for parents and registered childminders to meet, get together, and exchange information.

❖ **Principle 15 – Old-age income and pensions.**

When it comes to retirement pensions, the EU has assigned high priority to the benchmarking of systems that can evolve to keep up with demographic changes.

Along these lines, the Commission should:

- a. Enhance the role of public pensions (known as first pillar pensions). First pillar pensions have once again proven their importance in offsetting a crisis during the current Covid situation;
- b. Promote initiatives on the right to pension information:
  - By helping to coordinate highly diverse national systems,
  - By studying those national systems that offer single-claim mechanisms.
- c. Work on topics of shared interest such as early retirement on the basis of arduous work:
  - By benchmarking the prevention account that has been rolled out in France;
  - By drawing up a shared EU-wide definition and an overview of the criteria used by the Member States to recognize arduous work;
  - By turning this into an in-depth topic in the next Report on pension adequacy;
  - By providing a study on the benefits of early retirement;
  - By monitoring this issue as part of the European Semester.
- d. Update the social Scoreboard to incorporate the indicators used to monitor the situation around retirement,
  - Including developing subindicators by age
  - As well as differentiating pensioners' circumstances by sex.
- e. Promote each country's best practices such as those rolled out by the general and agricultural schemes in France, which include:
  - Issuing career history records from the age of 35;
  - A pension forecasting mechanism that can be used from age 55;
  - Offering in-person appointments (the "one-on-one pension appointment") for access to personalized information and entitlements;
  - Holding transnational pension information days which bring French pension providers, those of another Member State, and affected pension fund members together (by way of a fair, a forum, or an appointment) to clarify what steps they need to take if they have portable entitlements;
  - The way France's pension providers are structured to also provide social action programs: this brings the Family branch in-depth familiarity with its members and allows it to provide appropriate services to the population and assess needs on an individual level (for more information on this topic, please refer to MSA's practices with its local charters for the elderly ("[chartes territoriales des aînés](#)");
  - France's 2017 reform which instituted the single pension claim for aligned scheme members (liquidation unique des régimes alignés/ ([LURA](#)): this facilitates the application process for multiple-pension claimants and provides easier access to entitlements for people who have belonged to more than one social security scheme over the course of their career.

- The [Toit+Moi](#) program: this student-senior housing platform is a mutually beneficial arrangement through which members of two generations can live together under the same roof. It receives European cofinancing.

#### ❖ Principle 16 - Healthcare.

When it comes to healthcare, REIF members have experienced first-hand how complicated the European acquis is to implement due to the fact that Member States can set differing scopes of action or define concepts differently; this can include age limits or whether or not ascendants are included among beneficiaries for health insurance benefits.

First and foremost, the Commission needs to take the necessary measures in order to put the conclusions from its latest [report on the application of Directive 2011/24/EU](#) to work and conduct its assessment (scheduled for 2021) with that goal in mind.

The EU will also need to put some supportive measures in place in order to:

- a. get clear and transparent information on healthcare services that are available in a given Member State in order to improve access to care and citizens' ability to exercise their rights, in particular:

- On how well cross-border care, including scheduled care and prior authorizations, is working, along with the rules and timeframe for coverage/reimbursement;
- On the price of treatments country by country as well as any out-of-pocket or "copay" portion;
- On how well the European Health Insurance Card is working, e.g. through training for hospital staff (allocation of EU funds);
- On the steps that need to be completed before going abroad (European Health Insurance Card, prior authorization, rules for reimbursement);
- On reimbursement rates and the possibility to choose between the rates paid by the State of care or those paid by the State of affiliation;

The contact points have reported obstacles to implementing the 2011 Directive which include the following: no existing lists of reimbursable care in each country, a lack of familiarity with the reimbursement rates that are applicable in each Member State along with the copayments that are due, difficulties in getting reimbursement of care from supplementary insurance providers, difficulties in finding information on healthcare providers and on quality/ safety of care (e.g. identifying approved companies that can provide oxygen therapy services in France); a lack of familiarity with the rules of coverage for care in connection with chronic or pre-existing conditions during a temporary stay outside of the competent State, or finally difficulties making direct payments and with the language barrier.

- b. Concrete progress could be made in border areas, in particular through the use of cross-border agreements.

Indeed, the European Commission and the Administrative Commission for the coordination of social security systems should put together a set of tools designed to make it easier to

coordinate coverage of care under cross-border circumstances. This should include promoting the conclusion of cross-border agreements (based on a model framework agreement which they will draw up): this would help to organize complementarity of care between Member States and to free patients from the obligation to get prior authorization. This freedom would mean simplifying patients' access to their entitlements.

c. With regard to the available data and indicators:

The Commission has only selected three indicators, and these cover a fairly large scope (self-reported unmet needs for medical care, healthy life expectancy at age 65, and non-reimbursed health care expenses).

In its [Communication](#) of November 11, 2020, "Building a European Health Union: Reinforcing the EU's resilience for cross-border health threats," the Commission foresees that the social Scoreboard "will further help to detect key problems, including in healthcare and skills and deliver on implementation of the EPSR."

This new commitment from the Commission will need to be made a reality as the European Semesters are completed, be reflected in how the national Resiliency plans are monitored and be based on shared indicators which will need to be integrated into the above-mentioned Scoreboard.

As a result, we would like to ask the Commission to develop indicators to gather comparable data in order to:

- Be able to draw up a map of healthcare delivery;
- Assess and compare waiting times for medical appointments;
- Have qualitative indicators on healthcare;
- Improve how statistics on Directive 2011/24/UE are collected, as many of the Member States are not in a position to provide accounting or qualitative statistics on the impact of this instrument;
- These indicators also ought to be incorporated into the resilience Scoreboards which the Commission announced in its Communication on Building a European Health Union.

❖ **Principle 17 – Inclusion of people with disabilities.**

REIF's members participated in the public consultation on the evaluation of the EU disability strategy for 2010-2020 via the European Social Insurance Platform (ESIP) and used this opportunity to identify gaps and areas for improvement in the current European disability policy.

a. Access to early childcare and educational services is very important for children with disabilities:

- While access to high-quality early child care and educational services is not specifically covered in the EU strategy, this is crucial in order to support children with disabilities, ensure that they are included in society at an early age and learn the skills they need for future independent living and employability. Toward this aim, France offers Resource Centers ("Pôles Ressources") which work with families to find appropriate child care solutions, if possible in a mainstream environment. The website

[www.monenfant.fr](http://www.monenfant.fr) also provides specific information for parents of children with disabilities.

- These services are also helpful to families of children with disabilities as they promote respect and acceptance of differences; including children with disabilities in standard child care is an important step toward their future inclusion.

The EU needs to incorporate this issue into its next strategy and take measures that will guarantee:

- Practical access to affordable, high-quality early childhood care facilities (ECEC);
  - That a culture of equality and respect for diversity is made a part of all ECECs' educational and instructional programs,
  - That ECECs are open to all children, and to children with disabilities in particular, who may be recognized as entitled to priority access;
  - That specific training is provided to staff who care for children with disabilities in the child care system and that they will work hand-in-hand with outside experts such as health care professionals;
  - That all inside and outside professionals involved have support in liaising together,
  - A smooth transition between ECEC and the school system;
- b. The need to gather robust evidence of the connection between the implementation of the EU strategy and improvements in the lives of people with disabilities:
- The correlation between the initiatives that have been adopted as part of the EU strategy for people with disabilities and their possible results cannot be established due to a lack of statistical data;
  - This means that more relevant statistical data and a better notification and assessment of the results of the initiatives that have been implemented are needed in order to be able to conduct a robust and objective assessment of EU strategy.

#### ❖ **Principle 18 – Long-term care.**

With regard to long-term care, REIF's members would like to re-emphasize the best practices that have come out of their social action programs: this non-statutory involvement in social welfare has given them an in-depth understanding of the insured persons whom they provide with social security coverage.

On the European level, the institutions should aim to:

- a. Adopt a shared, precise, EU-wide definition of long-term care. The work that has come out of the Social Protection Committee and appears in the [report](#) from the European Social Policy Network (ESPN) could be used as a basis.<sup>7</sup>
- b. Support the Member States so that any person (patient, caregiver, etc.) affected by long-term care can access the information they need, including by way of non-digital channels. European funding needs to be able for meeting this goal.

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<sup>7</sup> The document defines long-term care as "A range of services and assistance for people who, as a result of mental and/or physical frailty and/or disability over an extended period of time, depend on help with daily living activities and/or are in need of some permanent nursing care" (European Commission and Social Protection Committee, 2014: 11)."

- c. Publicize best practices that cut down on red tape for those affected so that they can access their entitlements. Toward this end, France has set up an automatic pension claim system for those drawing the disabled adult's allowance (AAH) that kicks in when the claimant reaches age 62;
- d. Develop indicators that allow for precise monitoring of such factors as:
  - The number of dependent elderly persons (by gender/ age);
  - The proportion of elderly persons in care facilities/ in their home;
  - The formal delivery of care by population/ geographical area, by type of service delivered.

### **3. New social issues: possible courses of action for the EU**

Since the European Pillar was adopted in 2017, the social situation in the Member States has evolved and new issues have become more significant.

REIF and its members find it appropriate for the EU to turn its attention to these new issues and are currently assessing how best to support national systems in adapting to these changes and/or in meeting these new challenges.

#### **a. In the area of mobility and migrations:**

The migrant population is diverse and is not a uniform group of persons. With regard to social rights, it appears crucial to develop an approach focusing on access to entitlements (i). Mobility within Europe constitutes a highly particular and specific facet of the EU as a regional organization and brings with it its own unique challenges (ii).

- i. The EU needs to promote and support national systems that approach migration with a focus on access to entitlements.

In this regard, the Commission needs to:

- Identify and publicize the national best practices that are already in place. France's social security providers have already acquired extensive expertise in this area (examples include the universal healthcare system (PUMA), ["rendez-vous des droits" \(entitlement eligibility appointments\), and the use of datamining](#) to cut down on the non-use of benefits;
- Finance social welfare experiments that are geared toward this objective;
- Help to educate on the issues of migration and access to entitlements.

In this respect, the non-use of benefits is a specific issue connected to access to social benefits. Nationwide studies have already been conducted: France's National Family Benefits Fund (CNAF), National Old-Age Insurance Fund (CNAV), Agricultural Social Mutual Fund (MSA), and National Health Insurance Fund (CNAM) already have resources on this topic but an EU-wide study could help learn more about this phenomenon and its causes and identify potential national-level best practices that have been implemented as a solution;

- Special attention needs to be given to rural areas, where social-welfare investment and measures to improve social programs' geographic reach are crucial. [By participating in the Commission's consultation](#) on a long-term

vision for rural areas, REIF has emphasized how important it is for all populations to be able to access local-level public services that can adapt to the populations they serve.

ii. On mobility within the EU:

1. Revising the social security coordination Regulations: REIF got on board as soon as the Commission proposed a revision of this crucial legislative corpus in order to guarantee mobility and safeguard social rights for mobile European citizens. Indeed, REIF has published a [legal guide](#) on workers' mobility in Europe, a [memorandum](#) to feed its expertise and that of its members into the EU-level discussions on revising workers' mobility rules, and shared memos on the various provisions of the Regulations that are under negotiation. While the negotiations are complicated, REIF would like to congratulate the institutions on the progress that has been made and reiterate how important it is that such a compromise agreement be adopted.
2. The Commission's withdrawal of funding for the RINA software solution: The EESSI program is an essential tool that is used in order to guarantee that the coordination rules are properly applied and thereby make mobility within the EU easier. The Commission's abrupt withdrawal of funding for RINA, which, for a large number of national social security providers, is currently the only available software solution, could jeopardize the safeguarding of social security entitlements for mobile European citizens. France's social security providers are asking the Commission to help look at alternative solutions and allow some extra time for the affected social security providers have enough time to develop a suitable substitute solution.
3. Seasonal workers' circumstances were further brought out during the discussions on revising social security coordination rules, with the Council's Conclusions on seasonal employment and in the context of the [Covid](#) crisis. With regard to the European acquis, the [Directive 2014/36/EU](#) on posting of seasonal workers mostly deals with employment and working conditions. Social security entitlements are only referred to through a simple cross-reference to the Coordination Regulations. In real terms, the first shortcoming appears to be the lack of information on these workers' circumstances. The EU needs to set up the following type of initiatives to bridge this gap:
  - Mapping out these workers' existing applicable legislation and effective access to social security. Toward this end, REIF can supply the EU with a practical guide to applicable legislation, co-authored with the Agricultural Social Mutual Fund and scheduled for release in 2021;
  - The Commission needs to conduct a study in order to gather data on and assess seasonal workers' mobility (number of incoming/ outgoing seasonal workers);

- The European MoveS (Free movement and Social security coordination) network could also be tasked with a study on the coordination of social security entitlements for these workers.
  - REIF would like to mention its project which is currently underway to draw up a hands-on guide to a seasonal worker's career and their obstacles to accessing social security entitlements. REIF will share this work with the Commission once it has been published.
4. Multi-active workers: both the social security providers and the labor inspection authorities need more resources, particularly when it comes to knowledge about multi-activity.
- The European Labor Authority (ELA) needs to conduct a large, cross-border study on multi-active workers, focusing on social security fraud.
5. The growth of a new form of social dumping through the posting of third-country citizens:  
 The European Trade Union Institute (ETUI) has highlighted this new aspect tied to the application of worker-posting rules by which certain businesses set up legal optimization mechanisms to take advantage of European rules by posting citizens of third countries with a labor code that allows for social dumping.  
 The EU must take note of this new type of legal engineering and learn more about this phenomenon.

**b. With regard to autonomy**

Here again, persons with reduced autonomy do not make up a uniform group: their circumstances are very different and complex from a number of perspectives.

- On the lack of a shared, EU-wide definition of autonomy:  
 At EU level, the lack of a standardized, EU-wide definition of “loss of autonomy” and/or “dependency” makes it impossible to compare data and performances among national systems and initiatives.  
 The EU needs to adopt a shared definition along the lines of the one that applies to long-term care in the Regulations on the coordination of social security systems.
- The Commission could also propose a European strategy on autonomy and long-term care that would be accompanied by a set of specific objectives modeled after the Barcelona objectives on early childhood care;
- Along the lines of the Council's Recommendation on a quality framework for early childhood care, the Commission should assess whether it would be beneficial to draw up a European quality framework for long-term care.
- The Commission should also use peer review and benchmarking mechanisms to look at the social security systems that have set up a separate Branch on autonomy or developed



practices for autonomy coverage in order to assess how effective this has been and potentially share what has been done as best practices.

**c. Regarding digital transformation**

i. Finding the right risk/opportunity balance:

The development of digital tools means new channels which citizens and insured persons can use to access their social entitlements and services. This can make social security paperwork easier to complete online.

However, digital inequalities are a very real problem and the EU needs to ensure that this challenge is taken into account in all of its policymaking by ensuring that digital technology remains connected to social welfare and guaranteeing that those with limited access to digital services (the economically disadvantaged, the elderly, and those in areas with poor infrastructure) be able to take advantage of access to physical services.

ii. Social protection must not lose its human focus:

The unique nature of social protection, which prioritizes the human focus, cannot be emphasized enough. This means that the EU must commit to promoting a complementarity between a digital and a physical offer in all services to individuals and in all of its initiatives and seek the same commitment from its Member States.

iii. Digital solutions used in social security:

1. EESSI and RINA: see the section on Mobility within the EU above;
2. The European social security number (ESSN): the EU should conduct an in-depth feasibility study and could consider such goals as developing a card displaying the cardholder's ESSN and related information and designed to be an improved version of the European Health Insurance Card;
3. The electronic identification number: France is ahead of schedule in this area and REIF's members can offer their expertise on this topic. EU-wide harmonization would be an added value for all of Europe, assuming that the Commission lends it support to the Member States;
4. From a healthcare perspective:
  - The creation of a European platform listing the telemedicine programs that have been set up in each Member State would be a valuable European contribution;
  - For data-protection purposes, particularly as it pertains to medical confidentiality, the Commission needs to assess the feasibility of creating a European circuit technology platform that could be used to exchange medical information between health care professionals and with social security providers.

iv. Cybersecurity:

We believe that it is essential for the EU to continue working to strengthen data protection and cybersecurity for computer programs being used by social and health insurance providers.

The Representation of the French Social Security institutions to the EU (REIF) was created in May 2003. Since April 2015, REIF gathers all the Branches of the general scheme (salaried and independent workers) together with the scheme for farmers: the health insurance (CNAM), the old-age insurance (CNAV), the Family fund (CNAF), the social security collection body (ACOSS), the farmer scheme (CCMSA), the self-employed as well as the French University for Social Security (EN3S) and the Union of the National social security funds (UCANSS). France's Center for European and International Social Security Coordination (CLEISS) and the national complementary Pension Fund for Professional Air Crew in Civil Aviation (CRPN) recently joined REIF.

