



CEMR Comment on the European Parliament Draft Report on the 'Future of Social Services of General Interest'

**Social Services of General Interest (SSGI's)**

1. SSGI's meet the social needs of societies, groups or individuals and which national, local and regional authorities consider to be essential in the light of the general interest. Local and regional authorities are best placed to know the needs of their communities concerned; this is vital especially during times of economic and social change affecting all citizens and institutions.
2. The Treaty (Articles 4(2) and 5(3) TEU, Protocol 26 TFEU) recognises that the national, local and regional authorities are responsible for deciding, providing, commissioning and organising services, in the interests of local citizens and users of the services. It should therefore be left up to the discretion of local and regional authorities on how social services of general interest are organised and monitored;
3. The CEMR emphasises the fundamental fact that local and regional services being of a non-commercial character<sup>1</sup>, and having in particular a social purpose, should not be considered as SGEI's, and therefore not be subject to European internal market rules. This, along with the definition of commercial and non-commercial services, is further stressed in our European Charter on Local and Regional Services of General Interest<sup>2</sup> ([de](#), [en](#), [fr](#)).
4. The CEMR points out that the delivery of quality and sustainable social services remains the main objective; therefore the local and regional authorities must be able to determine how best to deliver these services within their capacity, as acknowledged in the Treaty Articles 4(2) and 5(3) TEU.

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<sup>1</sup> Reference to Explanatory Statement 10 in the CEMR European charter on Local and Regional Services of General Interest

<sup>2</sup> Please note, this Charter was produced in March 2009, therefore references to the European Community Treaty may be outdated

5. National, local and regional authorities need clarification following recent challenges in order to provide these services in a correct manner without the threat of legal challenge. Existing interpretative material provided by the European Commission is helpful, but does not provide adequate security for authorities. We expect that the current revision of public procurement policies and State Aid to SGEI's will contribute to this objective, by maintaining the exclusion for social services of general interest. Therefore the debates should be aligned and lead to clarification, recognising the specific character of SSGIs.

### **EU Voluntary Quality Framework on SSGI's**

6. CEMR supports the Voluntary EU Quality Framework on SSGI's, based on already existing practices; this could help local authorities to move a step forward towards better quality public services in their respective communities.
7. Local and Regional Authorities are best placed to get to know the needs of the citizens and the users; and therefore a majority of Member States have already existing comprehensive quality systems in place. The organisation of social services across the EU is characterised by considerable diversity, and therefore this voluntary framework should concentrate on the use of common characteristics in a non-binding manner and serve as guidelines for Local and Regional Authorities when defining and organising their SSGIs.
8. The quality principles in such voluntary frameworks should be developed bottom-up, taking the perspectives of users as a starting point, respect the diversity of both needs and services across the EU, take into account the human and financial resources of the service providers and existing national regimes.
9. This framework should be complemented by further support from the Commission to facilitate the exchange of good practices and possibilities of training for service providers. This type of exchange would promote mutual learning between local and regional authorities.
10. It is imperative that local and regional authorities are consulted and contribute actively to any further debate on SSGI's. The CEMR, as the European umbrella organisation of Local and Regional Authorities reaffirms its willingness of local and regional authorities to be involved in the high-level taskforce proposed in the European Parliament draft report on SSGI's.