

ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work in order to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to make available any relevant information that they may have.

TITLE OF THE INITIATIVE	Council Recommendation for a Child Guarantee
LEAD DG – RESPONSIBLE UNIT	Directorate General for Employment, Social Affairs and Inclusion, Unit C3 – Disability and Inclusion
LIKELY TYPE OF INITIATIVE	Non-legislative initiative
INDICATIVE PLANNING	Q TBC 2021
ADDITIONAL INFORMATION	https://ec.europa.eu/social/main.jsp?catId=1428&langId=en&preview=cHJldkVtcGxQb3J0YWwhMjAxMjAyMTVwcmV2aWV3

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A. Context, Problem definition and Subsidiarity Check

Context

The Political Guidelines of President Ursula von der Leyen announced the adoption of a Child Guarantee to help ensuring that every child in Europe at risk of poverty or social exclusion has access to the “most basic of rights like health care and education”. According to the Commission Communication [A Strong Social Europe for Just Transitions](#), the Commission will adopt the Child Guarantee initiative in 2021. The Commission Communication [Europe's moment: Repair and Prepare for the Next Generation](#), issued in May 2020 in the context of the post Covid-19 recovery plan, confirms the adoption of a European Child Guarantee in 2021. The initiative will contribute to implementing Principle 11 of the European Pillar of Social Rights on childcare and support to children, and will one of the deliverables of the Action Plan to implement the Pillar. The Child Guarantee will also be an important instrument of the upcoming comprehensive EU Strategy on the Rights of the Child, also to be adopted during the first quarter of 2021. This strategy sets out to pool all existing and upcoming EU initiatives and actions protecting and supporting children in one coherent and coordinated policy framework.

The European Parliament, in its [Resolution of 24 November 2015](#) and confirmed in its [Resolution on the ESF+ of 4 April 2019](#), called for a European Child Guarantee, with a focus on children in need and emphasis on services. Furthermore, in 2017, the European Parliament requested the Commission to explore, via a multi-annual Preparatory Action, the feasibility of a “Child Guarantee” for vulnerable children. This Preparatory Action is on-going.

Pursuant to Article 3(3) of the [Treaty on European Union](#) it is the Union's aim to combat social exclusion and discrimination and to protect the rights of the child. Article 24 of the [Charter of Fundamental Rights](#) of the EU recognises that children are independent and autonomous holders of rights, and makes the child's best interests a primary consideration for public authorities and private institutions. Article 17 of the [European Social Charter](#), asks Member States to ensure that children have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose. The EU's commitment to the [Sustainable Development Goals](#) is also relevant in this context, especially Goal 1, which aims to halve the number of children, women and men in poverty by 2030.

The EU has developed in the past several policy instruments to combat poverty and social exclusion for children, as exemplified by the [2013 Commission Recommendation on Investing in Children](#). It has a three-dimensional strategy focusing on providing parents with adequate income, ensuring access to quality services such as childcare, and upholding children's rights to participate in play, recreation, sport and cultural activities as well as in decision-making that affects their lives. With regards to early education and childcare services, the EU adopted [The Council Recommendation on High-Quality Early Childhood Education and Care Systems \(2019\)](#), which calls on EU Member States to improve access to affordable quality early childhood education and care systems.

In 2017, [both the Commission and the European Social Policy Network](#), conducted separate evaluations of the implementation of the 2013 Recommendation on Investing in Children. These reviews concluded that there is

room for improvement in stepping up efforts to reduce child poverty.

The COVID-19 pandemic has a negative effect also on the health, social and material well-being of children, with the poorest children most likely to be affected. Urgent action is therefore needed to mitigate the harmful effects of this pandemic, in particular for children in already disadvantaged or vulnerable situations.

Problem the initiative aims to tackle

Although child poverty has been decreasing in the EU, close to [1 in 4 children](#) remain at risk of poverty and social exclusion. The overall problem that the Child Guarantee aims to tackle is that **not all children in the EU have access to the services they need for their wellbeing and development**. Numerous research articles confirm that poverty and deprivation in childhood have both short (e.g. hunger) and long-term effects (inadequacies with physical and cognitive development), causing an intergenerational cycle of disadvantage (see [Jensen, Berens and Nelson, 2017](#), for a comprehensive overview). The lack of access to basic services such as health care, nutrition and housing, as well as those that support children reach their potential such as access to **quality early childhood education and care (ECEC), education, culture and leisure activities**, means that the development and wellbeing of children is likely to be significantly impaired.

The Child Guarantee initiative will focus on **children in need**. Children from precarious households (precariousness due to economic fragility - in particular income poverty or material deprivation - household composition, or other social risk factors), children with a migrant background, children in institutions and children with disabilities are identified as being particularly likely to have limited access to these essential services. Without access to these essential services, children in need are less likely to do well in school and enjoy good health. Access to the afore-mentioned services would contribute to enabling children in need to break the cycle of disadvantage.

The [Feasibility Study of the first phase of the Preparatory Action for a Child Guarantee](#) has identified at Member State level poor implementation and enforcement of existing child-related provisions. While there are significant variations between and within the Member States, shortcomings in terms of national governance are, notably, the lack of overall political prioritisation and lack of efficient strategy, fragmentation of responsibilities at national, regional and local level, lack of data and monitoring of the children concerned. With regard to the services as such, the main drivers preventing access are unaffordable costs, lack of availability, or lack or poor quality of services.

Looking at each of the proposed services under the Child Guarantee initiative, the following access gaps have been identified:

Early childhood education and care (ECEC): only seven Member States (Denmark, Germany, Estonia, Latvia, Slovenia, Finland and Sweden) provide [a place in public facilities for all children from an early age](#) (6 to 18 months).

Health care: most Member States have policies for free healthcare for children, but the definition of “free” differs greatly – in some Member States all healthcare-related services for children are free, in others only some. Around 2% of all children in the EU suffer from unmet medical needs (Eurostat, ilc_hch14).

Education: although in all Member States compulsory schooling is free of charge, families still have expenses related to education (books, trips, canteen, transport). In 2016, in 15 Member States for at least one in two households the [costs of formal education posed a significant burden on their budgets](#), with highest rates reported in Greece (89%), Cyprus (82%), Romania (78%) and Croatia (77%).

Nutrition: children in need are more likely to suffer from undernutrition, micronutrient-related malnutrition and overweight, obesity and diet-related non-communicable diseases. The proportion of children living in [households lacking one meal with meat, chicken or fish](#) (or vegetarian equivalent) at least once a day is 21.4% in Hungary and 40% in Bulgaria.

Housing: the proportion of [children suffering from severe housing deprivation](#) (i.e. living in a dwelling considered overcrowded and exhibits one or more of the Eurostat-defined housing deprivation measures) is more than 20% in Romania and Latvia and more than 15% in Bulgaria, Hungary, Lithuania and Poland.

Culture and leisure activities: in five Member States, more than 15% of the population [cannot afford outdoor leisure equipment for all children in their household](#) (highest values declared in Romania and Bulgaria, 52.4% and 49.8% respectively).

The Child Guarantee would be particularly relevant in the context of the socio-economic consequences of COVID-19. As the ensuing economic crisis will likely have an effect on children in need, the Child Guarantee will help mitigate its negative effects: it will work towards closing the gaps at national level in terms of access to services and promote equality of opportunity by ensuring that children in need have access to the most essential services.

The Child Guarantee initiative will contribute to the implementation of Pillar principle 11 and will form part of the Action Plan for the implementation of the Pillar. It will complement other initiatives, such as the upcoming strategies on the rights of the child and on disability. It would complement and strengthen the 2013 Commission Recommendation on Investing in Children, with regard to access to affordable quality services and participation in culture and leisure activities. The 2013 Recommendation would remain as a framework for **all children**, while the Child Guarantee would be a targeted instrument for children in need.

Basis for EU intervention (legal basis and subsidiarity check)

Past efforts to address this child poverty – notably the 2013 Commission Recommendation on Investing in Children – have not proven efficient enough. Therefore, a stronger instrument is needed, namely a Council Recommendation. The legal basis for such Council Recommendation would be Article 153(1)(j) TFEU, under which the EU may “support and complement” the Member States activities in combatting social exclusion. It should comply with the Charter of Fundamental Rights, in particular its Article 24, which makes the child’s best interest a primary consideration for public authorities and private institutions.

When it comes to actions targeting children in need, the target groups, policies and approaches differ significantly among EU Member States. However, Member States also face similar challenges when it comes to breaking the cycle of disadvantage. The EU has an important role to play in supporting Member States' actions and policies in this area. The Commission takes action in this area to encourage, support and complement Member States' activities in the proposed intervention areas, while respecting their overall responsibility of the Member States for their social protection and services systems. Progress in this area across the EU contributes to building cohesion, and to reducing inequalities within the EU.

B. What does the initiative aim to achieve, and how

The Child Guarantee will propose a policy framework at EU level, as well as a set of service areas to which Member States should provide or strengthen the access for children in need. The objective of the Child Guarantee initiative is to ensure access for children in need to the services they need, in particular early childhood education and care (ECEC), health care, education, nutrition, housing and participation in cultural and leisure activities. The initiative is expected to reduce the gap between children in need and their (better off) peers in terms of access to a set of key services and contribute to ensuring equal opportunities for children in the EU. The goal of the Child Guarantee is to break the cycle of poverty faced by millions of children, and contribute to building resilient societies across the EU.

The initiative will consist of a Council Recommendation asking Member States to make the necessary policy and funding investments, so that children in need have access to the essential services required for their well-being, health and personal development. The Child Guarantee will recommend Member States to ensure affordability, accessibility and availability of inclusive quality services for children in need. This approach will allow for adjusted and tailor-made solutions according to specific situations faced by children in need in each Member State. The precise actions and priority target sub-groups would be left to the Member States to define, based on their specificities, gaps, mode of service delivery to them and the financing required.

To implement the Child Guarantee initiative, the Member States would adopt multi-annual national strategies, covering at least the period until 2030, where they would foresee that efforts are made to reach out to, and improve access to services for children in need. They would also explain how to ensure free or affordable access to the core/basic elements of the services, where the main focus would be on existing gaps in the provision of services for children in need. These strategies may form part of broader ones, in areas such as poverty and children’s rights. To implement their strategy for children in need, the Member States would adopt “Child Guarantee National Action Plans”. In these Action Plans, the Member States would identify the children in need concerned by the Child Guarantee Recommendation, their needs, measures for addressing their needs and the financial investment needed, via national and – where available – complementary and targeted EU funding as well as monitoring and evaluation arrangements.

The Child Guarantee therefore puts the focus on implementation in and by the Member States, which have to realise this “guarantee”, with the support of the EU. The role of the Commission would be to:

- Help build the capacity of national or local authorities in the Member States. This could be done by training, peer review, mentoring, sharing best practices etc., to facilitate with the choice of policy instruments and application of good practices;
- Complement and strengthen actions at national or local level by providing policy coordination across stakeholders, governance levels, and policies. Monitor the outcomes of the implementation of the Child Guarantee in the Member States;
- Provide strategic guidance on the strengthened or more targeted use of ESIF funds, notably the European Social Fund Plus.

The EU funds would play a role, including the European Social Fund plus (ESF+), European Regional Development Fund (ERDF), Asylum Migration Fund (AMF), European Agricultural Fund for Rural Development (EAFRD), Erasmus plus, InvestEU, the Recovery and Resilience Facility and funding available in the field of healthcare. The European Commission in its proposals for the ESF+, has called on every EU Member State to

invest 5% of ESF+ resources under shared management to implement measures reducing child poverty.

C. Better regulation

Consultation of citizens and stakeholders

An impact assessment is not planned but a Staff Working Document will accompany the Recommendation. The SWD will check whether EU action is needed, identify the main challenges as regards well-being of disadvantaged children, estimate the size of the “children in need” group, and set out the policy response – both in general terms (what the Guarantee should cover), and in more detail (providing a non-exhaustive list of actions). The ways of monitoring the progress on Child Guarantee implementation will also be proposed in the SWD. The chosen instrument - a Council Recommendation - is non-binding; space for implementation will be given to the Member States. Pursuant to Article 153(2) TFEU, it is not possible to adopt directives with regard to the combat of social exclusion, provided for in Article 153(1)(j) TFEU.

The planned targeted consultations with relevant stakeholders concerned will aim to collect relevant information on the challenges encountered by national/local administrations, service providers, children, and civil society. In particular, consultations will aim to identify the main gaps that could be addressed at European Union level and to identify areas where the Union can have added value. The planned consultation activities are:

1. Targeted consultations of main stakeholders.

- Member States will be consulted through the Social Protection Committee and other expert groups (notably those managed by DG EAC, JUST, SANTE).
- Stakeholders will be consulted through:
 - Strategic Dialogue meetings with civil society organisations in the social inclusion area;
 - Dedicated consultation of children;
 - Dedicated consultation of civil society organisations working with children or concerned with child well-being;
 - Hearing with European Social Partners (cross-industry social partner organisations at EU level);
 - Consultations with academia and other experts;
 - City administrations, via a direct questionnaire;

The initiative will be elaborated taking into account the views expressed by other institutions - European Parliament through own initiative reports, European Committee of the Regions and Economic and Social Committee.

2. While there is no separate open public consultation, the public may contribute via the [call for contributions on the Action Plan on the implementation of the European Pillar of Social Rights](#), open until end of November 2020.

Evidence base and data collection

The work currently ongoing under the multi-annual Preparatory Action requested by the European Parliament to the Commission in 2017, will be used to inform the Commission’s work on the Child Guarantee policy initiative, including the development of the Staff Working Document accompanying it. This will be both in terms of the analysis and evidence collected, as well as consultation with stakeholders and experts. The first phase of this Preparatory Action, completed in April 2020, is a [feasibility study](#) that has examined ways in which EU’s most vulnerable children - children living in precarious family situations, children in alternative care, children with a migrant background and children with disabilities – could have access to five key social services: early childhood education and care (ECEC), health care, education, nutrition and housing. The second phase, which has started in March 2020 and will be finished early 2021, is a study on the economic implementing framework of the Child Guarantee. The third phase, implemented between the summer 2020 and summer of 2022 by UNICEF, consists of a number of pilot projects in several Member States.

In addition and besides statistical data originating from Eurostat and OECD, the evidence base for the Child Guarantee includes:

- Reports by the OECD;
- Reports by the European Court of Auditors;
- The [Employment and Social Developments in Europe](#) reports;
- Findings of relevant academic research in areas of child development, economics, psychology, and medicine;
- Reports published by various civil society organisations (i.a. Eurochild, Save the Children, COFACE);

The evaluation of the 2013 Investing in Children Recommendation by the Commission and by the European Social Protection Network also feeds into preparing this initiative.