

# **Contribution to the Focus chapter of the Fundamental Rights Report 2022: Social rights and equality in light of the recovery from the COVID- 19 pandemic.**

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# 1 Measures implemented to foster social rights and equal treatment in the recovery from the pandemic

## 1.1 Table 1.a

<b>Name of the measure in English</b>	Programme to provide digital infrastructure and funding to schools.
<b>Name of the measure in the national language(s)</b>	
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Government of Ireland (2021), <a href="#">Ireland's National Recovery and Resilience Plan</a>
<b>Social rights covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	- right to education (Article 14)
<b>Population group(s) covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	- Children and youth; - Individuals from disadvantaged socio-economic backgrounds (e.g., recipients of minimum income benefits, marginalised Roma communities and Travellers): specify the population to which the measure applies – see below.  No identified attempts to take into account intersectionality.

<p><b>Summary description of how the measure applies to the population group(s)</b></p>	<p>Focus in particular on how the measure can serve to foster the social rights of and equal treatment for members of the population group(s) of interest</p> <p>There are two parts to this investment. First, to provide high speed broadband to up to 1,100 primary schools in Ireland, to ensure that all 3,240 primary schools in Ireland have parity of access to broadband. Second, to provide ICT Grant Funding to schools serving children from disadvantaged socio-economic backgrounds to provide software, devices and connectivity to their students. The aim is to <a href="#">`ensure that those learners already at risk of educational disadvantage are not further impacted through lack of access to appropriate digital infrastructure`</a>. Funding will issue to schools based on socio-economic data, to enable schools to support their most vulnerable learners. The NRRP does not specify what type of indicators will be used, but is likely to draw on <a href="#">the indicators used</a> for identifying schools with disadvantaged populations more broadly, which include: levels of educations; occupation and unemployment rates and family composition.</p>
<p><b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b></p>	<p>Addressing the 'digital divide' was already a government concern pre-pandemic, but assumed much greater urgency in the pandemic. According to <a href="#">OECD survey data</a>, Ireland was considerably less ready for online learning than the OECD average, and Ireland's primary schools were <a href="#">closed for longer</a> as a result of COVID-19. Ireland's National Recovery and Resilience Plan (NRRP) cites: 'In 2019, the data for the European Pillar for Social Rights indicators found that 53% of the Irish population between the ages of 16 and 74 have basic or above basic digital skills, which is below the European average.' (NRRP, p. 14)</p> <p>This investment has the potential to address inequity of education among students at primary level in Ireland.</p>
<p><b>Summary description of the extent to which the measure foresees the provision of enabling social services</b></p>	<p>Where available, indicate if and how the measure foresees integrated public service provision and also integrated private service provision</p> <p>N/A</p>
<p><b>Entity or organisation responsible to implement the measure</b></p>	<p>The Department of Education</p>

<b>Duration of the measure</b>	The investment follows on from Ireland’s Digital Strategy for Schools, originally designed to run from 2015-2020. The EU funding appears to provide a bridging gap, after which a new Digital Strategy will be put in place, to <a href="#">run from 2022-2027</a> . As of 6 January 2022, the new Digital Strategy for School has not yet been announced.
<b>Budget allocated to implement the measure</b>	The total budget for the investment from EU funds is €64 million, for the broadband and the ICT grant funding.
<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	No mention of any specific impact assessment. Earlier in 2021, there was a review of the Digital Strategy for Schools 2015-2020, accompanied by a <a href="#">public consultation process</a> to establish the new Digital Strategy.

## 1.2 Table 1.b

<b>Name of the measure in English</b>	Work Placement Experience Programme
<b>Name of the measure in the national language(s)</b>	
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Government of Ireland (2021), <a href="#">Work Experience Placement Programme</a> . Government of Ireland (2021), <a href="#">Ireland’s National Recovery and Resilience Plan</a> (NRRP)
<b>Social rights covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	- right to fair and just working conditions (Article 31)

<p><b>Population group(s) covered by the measure</b></p> <p><i>Delete as appropriate</i></p> <p><b>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</b></p>	<p>Always highlight if and how the measure takes into account intersectionalities between different population groups. Add a short description of how this is the case here.</p> <ul style="list-style-type: none"> <li>- Children and youth</li> <li>- People in precarious working conditions (e.g., platform workers, fixed-term workers, part-time workers, zero-hour contracts, temporary agency workers): specify the population to which the measure applies- see below.</li> </ul> <p>There is no specific attempt to address intersectionality.</p>
<p><b>Summary description of how the measure applies to the population group(s)</b></p>	<p>Focus in particular on how the measure can serve to foster the social rights of and equal treatment for members of the population group(s) of interest</p> <p>The Work Experience Placement Programme replaced the Youth Employment Support Scheme (YESS) in July 2021. While YESS was only available to youth aged between 18-24, the Work Experience Placement Programme is open to anyone between 18 and 65 years of age, as a response to unemployment caused by the pandemic. However, 40% of placements are ring-fenced for young people.</p>
<p><b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b></p>	<p>According to the NRRP, prior to the pandemic, Ireland’s unemployment rate was at almost an all-time low. The unemployment caused by the pandemic disproportionately affected women, migrants and lower skilled workers. While the NRRP does not provide figures, the <a href="#">Labour Force Survey Q1 2021</a> allows us to compare post- and pre-pandemic figures. Overall unemployment rose from 4.7% in Q1 2020, to 7.4% in Q1 2021. More women became unemployed over the period than men (46.4% more men became unemployed, as compared to 51.5% more women). The Work Experience Placement Programme aims to: ‘keep people who have been unemployed for six months or more close to the labour market and provide them with quality work experience to increase their employability and increase the likelihood of return to full employment once the placement concludes’. (Ireland NRRP, p26). This six month criteria is less than the criteria for long term unemployment in Ireland, which is defined by being out of work for twelve months or more.</p>
<p><b>Summary description of the extent to which the measure</b></p>	<p>Where available, indicate if and how the measure foresees integrated public service provision and also integrated private service provision</p>

<b>foresees the provision of enabling social services</b>	N/A
<b>Entity or organisation responsible to implement the measure</b>	Department of Social Protection, Intreo (the jobseeker service).
<b>Duration of the measure</b>	Unclear, but it is part of the NRRP and the <a href="#">Pathways to Work 2021-2025</a> .
<b>Budget allocated to implement the measure</b>	€27 million
<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	No specific impact assessment mentioned. The Pathways to Work document mentions evaluation of specific programmes or schemes will be conducted, but does not specify which or when.

### 1.3 Table 1.c

<b>Name of the measure in English</b>	Sláintecare consultant contract
<b>Name of the measure in the national language(s)</b>	NB: Sláinte is Irish for health, but 'care' is in English, so 'Sláintecare' is the title of the programme in English
<b>Reference document for the measure</b> <i>Include an url, where available</i>	Government of Ireland (2021), <a href="#">Ireland's National Recovery and Resilience Plan</a> Health Service Executive (2021), <a href="#">draft Sláintecare consultant contract</a> , May 2021
<b>Social rights covered by the measure</b> <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to</i>	- right of access to preventive health care and to benefit from medical treatment (Article 35)

<p><b><i>measures that apply to one discrete right</i></b></p>	
<p><b>Population group(s) covered by the measure</b></p> <p><b><i>Delete as appropriate</i></b></p> <p><b><i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i></b></p>	<p>Always highlight if and how the measure takes into account intersectionalities between different population groups. Add a short description of how this is the case here.</p> <ul style="list-style-type: none"> <li>- Individuals from disadvantaged socio-economic backgrounds (e.g., recipients of minimum income benefits, marginalised Roma communities and Travellers): specify the population to which the measure applies – see below.</li> <li>- People in precarious working conditions (e.g., platform workers, fixed-term workers, part-time workers, zero-hour contracts, temporary agency workers): specify the population to which the measure applies- see below.</li> </ul> <p>No particular focus on intersectionality.</p>
<p><b>Summary description of how the measure applies to the population group(s)</b></p>	<p>Focus in particular on how the measure can serve to foster the social rights of and equal treatment for members of the population group(s) of interest</p> <p>The Sláintecare consultant contract aims to provide, for the first time, hospital consultants who would work exclusively in public hospitals in Ireland. As the <a href="#">Commission working document</a> reviewing Ireland’s RRP observes, ‘Ireland remains the only country in Western Europe without universal access to primary care.’(p12) – and there is a wide gap between provision of service to those who have private health insurance, and those who do not.</p> <p>The Sláintecare reform programme was announced in 2017, and the Sláintecare consultant contract is one feature of this. It is included in the RRP as one of three measures which respond to the European Semester country specific health recommendations. Currently, the vast majority of consultants divide their time between public and private patients, with the result that public patients face waiting lists, sometimes of years, before being seen by a consultant.</p> <p><a href="#">Approximately 46%</a> of the Irish population have private health insurance which means that, while this measure is universal rather than targeted at any specific vulnerable group, it will have the effect of giving the right to access to preventive healthcare to those with disadvantaged socio-economic backgrounds in particular. To a lesser extent, it will also benefit</p>



	those in precarious working conditions, since some (but by no means all) employers offer private healthcare to their permanent staff.
<b>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</b>	While the measure aims at correcting a serious gap in the right to equal access to health, it is difficult to say how successful it will be. In 2020, in order to cope with the expected strain on the public health system due to the pandemic, the Irish government agreed a deal with private hospitals to treat public patients for COVID-19. While this had the potential to help better integrate Ireland's healthcare, it has been deemed by some academics as a ' <a href="#">lost opportunity to integrate and simplify Ireland's hospital system</a> '. Currently, there is significant opposition to the Sláintecare consultant contract by hospital doctors, and the overall Sláintecare reform profile has suffered a number of high-profile resignations in protest over delays in implementation.
<b>Summary description of the extent to which the measure foresees the provision of enabling social services</b>	Where available, indicate if and how the measure foresees integrated public service provision and also integrated private service provision  The Sláintecare consultant contract aims to tackle a two-tier system whereby private patients can skip waiting lists, whereas public patients may wait months or years to be seen by the same consultants. Part of the overall aim of the Sláintecare reform has been to decentralise the Health Service Executive, with the aim of streamlining hospital and community services on a local basis. However, the delay in implementing this regional structure was the impetus for resignation of key individuals.
<b>Entity or organisation responsible to implement the measure</b>	The Department of Health and the Health Service Executive
<b>Duration of the measure</b>	The Minister for Health's assertion that negotiations on the Sláintecare consultant contract will be concluded ' <a href="#">within weeks</a> ' seem optimistic given the opposition from the medical profession (still not agreed as of 6 January 2022). Once implemented, this is expected to be a permanent reform to the system, therefore the duration is indefinite.
<b>Budget allocated to implement the measure</b>	This is classified as a reform in the RRP, so no specific budget attached.

<b>Summary description of how any foreseen impact assessment of the measure will be carried out</b>	None specifically mentioned. The success of the measure will be measured in terms of the reduction in waiting list times for public patients.
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## 2 Tools or mechanisms to monitor the effectiveness of national schemes to foster social rights and equal treatment in the recovery from the pandemic

**Table 2.a**

<b>Name of the monitoring tool or mechanism in English</b>	Social Dialogue Unit
<b>Name of the monitoring tool or mechanism in the national language(s)</b>	
<b>Reference document for the monitoring tool or mechanism</b> <i>Include an url, where available</i>	Government of Ireland (2021), <a href="#">Ireland's National Recovery and Resilience Plan</a>

<p><b>Organisation(s) involved in the monitoring tool or mechanism</b></p> <p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible</i></p>	<ul style="list-style-type: none"> <li>- Civil society organisation(s): add name(s) in English and in the national language(s)</li> <li>- Other (e.g., trade union/s, labour inspectorate/s, etc.): specify, and add name(s) in English and in the national language(s)</li> </ul> <p>Specific groups involved unclear at present – see below. There is no mention of the Irish Human Rights and Equality Commission (IHREC, Ireland’s NHRI) in the NRRP, and there are no indications that IHREC will be involved in the monitoring.</p>
<p><b>Summary description of how these organisation(s) are involved in the monitoring tool or mechanism</b></p>	<p>The NRRP mentions that a ‘Social Dialogue Unit’ has been established (p15). The Social Dialogue Unit is a section of Department of An Taoiseach (the prime minister’s government department) tasked with reaching out to social partners and establishing social dialogue. For many years before the economic crash, Ireland had a tripartite social partnership involving trade unions, employer bodies and government which set pay and working conditions. This fell apart following Ireland’s economic crash, but the social dialogue unit is <a href="#">reportedly</a> working to re-establish a ‘five pillar’ social partnership which would also include social NGOs and environmental NGOs. There is little information publicly available at present, but the NRRP states that the Social Dialogue Unit’s: ‘initial focus is on supporting engagement with the social partners including through existing mechanisms such as the Labour Employer Economic Forum and the annual National Economic Dialogue, while strengthening the overall approach to social dialogue being undertaken by Government.’ (p15).</p>
<p><b>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to foster social rights and equal treatment in the recovery</b></p>	<p>For example, include information on how the monitoring will be done; on the periodicity of meetings and evaluations; etc.</p> <p>No information available at present.</p>

<p><b>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</b></p>	<p>Where available, indicate if and how the tool or mechanism references relevant EU instruments (e.g. European Pillar of Social Rights, Social Scoreboard, Child Guarantee, Youth Guarantee, EU Roma Strategic Framework, etc.)</p> <p>Always specify if and how the tool or mechanism references the UN Convention on the Rights of Persons with Disabilities</p> <p>Where available always indicate what type of indicators or benchmarks will be used to monitor the implementation of the measures</p> <p>No information available. The UNCRPD is not referred to.</p>
<p><b>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is identified, with a particular emphasis on enforcement and remedial action</b></p>	<p>No information available.</p>

## 2.1 Table 2.b

<p><b>Name of the monitoring tool or mechanism in English</b></p>	<p>National Recovery and Resilience Implementing Body</p>
<p><b>Name of the monitoring tool or mechanism in the national language(s)</b></p>	

<p><b>Reference document for the monitoring tool or mechanism</b></p> <p><i>Include an url, where available</i></p>	<p>Government of Ireland (2021), <a href="#">Ireland's National Recovery and Resilience Plan</a></p>
<p><b>Organisation(s) involved in the monitoring tool or mechanism</b></p> <p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible</i></p>	<p>Government Department of Public Expenditure and Reform</p>
<p><b>Summary description of how these organisation(s) are involved in the monitoring tool or mechanism</b></p>	<p>Ireland's RRP states: 'An NRRP Implementing Body will be established within the Department of Public Expenditure &amp; Reform to oversee implementation of the Plan. Reporting to the Minister for Public Expenditure &amp; Reform, this Body will act as the lead authority for Ireland and as the single point of contact with the European Commission.'</p> <p>There is no other information publicly available about this body. It seems likely that this will be composed largely from within the civil service, although there may be some input from social partners via the Social Dialogue Unit mentioned above.</p>
<p><b>Summary description of the functioning of the tool or mechanism used to monitor the effectiveness of schemes adopted to foster social rights and equal treatment in the recovery</b></p>	<p>For example, include information on how the monitoring will be done; on the periodicity of meetings and evaluations; etc.</p> <p>No information available.</p>

<p><b>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</b></p>	<p>No information available. The UNCRPD is not referred to.</p> <p>It is worth mentioning that the development of the RRP was subject to a consultation process, and that the submissions received were summarised 'under the six pillars and seven flagships areas of the Recovery and Resilience Facility and with regard to their perspectives of Ireland's Country Specific Recommendations (CSRs). The approach taken in the RRP was based on those CSRs which the consultation identified as most important, including CSR 2 of 2019 (social inclusion and labour market policies).</p> <p>This, however, speaks to the process by which the RRP was developed, and is silent on how it will be monitored.</p>
<p><b>Summary description of what the tool or mechanism foresees when non-compliance with obligations and standards is identified, with a particular emphasis on enforcement and remedial action</b></p>	<p>No information available.</p>