

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.

Malta

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

Table 1.a

Name of the measure in English	Reform C5-R3: Developing new education pathways towards inclusive and quality education
Name of the measure in the national language(s)	Reform C5-R3: Developing new education pathways towards inclusive and quality education
Reference document for the measure <i>Include an url, where available</i>	The European Commission, (2021) Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta , 16 September 2021.
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	<ul style="list-style-type: none"> - Right to education (Article 14) - Equality between women and men (Article 23) - The rights of the child (Article 24) - Integration of persons with disabilities (Article 26)
Population group(s) covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	<ul style="list-style-type: none"> - Children and youth - LGBTIQ people - Members of ethnic minority groups - People with a migrant background - Persons with disabilities

<p>Summary description of how the measure applies to the population group(s)</p>	<p>The reform C5-R3 will implement multi-sensory learning rooms for students with severe needs in primary and lower secondary education It will introduce two autism divisions in middle schools, supporting students with autism spectrum disorders (ASD) in general education settings. Teachers and learning support educators will also receive training on inclusive pedagogy.</p> <p>In addition, the Reform provides an update of the National Inclusion Policy Strategy. The new measures will ensure a better structure of the Individual Education Plans (IEPs) for students with special needs in public schools. The aim is to improve the model of teaching and learning, ensuring that it has an age-appropriate curricular framework and meets the individual learners' needs. Under the strategy, all state schools will organise events at least once a term to recognise and celebrate diversity, raise awareness, and function as a preventative and proactive measure against bullying caused by a lack of tolerance. These topics may include but are not limited to racial or ethnic origin, religion or belief, disability, or sexual orientation. Finally, all public schools must provide evidence that they have incorporated diversity and inclusion into their school guidelines, emphasising the importance of equity and improved outcomes for all students.</p>
<p>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</p>	<p>The reform aims to improve equal treatment for children with severe needs and learning disabilities. The results of the reform will be twofold:</p> <ol style="list-style-type: none"> a. improving school organisation and facilities. For example, multi-sensory learning rooms consist of specialist sensory equipment which can either stimulate the user's mental activity, provide a relaxing environment, or promote interaction. b. Providing continuous training to teachers and learning support educators in inclusive pedagogy. Exposing teachers to a student-centered approach lays the groundwork for a supportive environment that gives each student equal access to learning.
<p>Summary description of the extent to which the measure foresees the provision of enabling social services</p>	<p>The reform provides social assistance for students with special needs. Learning Support Educators collaborate with the teacher to create Individual Education Plans. The IEPs must fulfil quality requirements that are applied and monitored by the heads of the Heads of Departments</p>

	(Inclusion) within the Ministry for Education and Employment. The content of the IEPs is reviewed at the end of each academic year.
Entity or organisation responsible to implement the measure	Ministry for Education and Employment ¹
Duration of the measure	2021-2025
Budget allocated to implement the measure	This measure is part of the Malta Recovery and Resilience Plan's first instalment. The total budget allocated is, according to the Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta , €60,116,664 million. No further budget breakdown regarding this specific reform is available.
Summary description of how any foreseen impact assessment of the measure will be carried out	Section 3 of the Recovery and Resilience Plan (RRP) describes the arrangements set out for the monitoring and implementation of the RRP. Within the Ministry for Finance, the Planning and Priorities Coordination Division (PPCD) is entrusted with the effective implementation of the RRP progress. In particular, the PPCD bears the responsibility to ensure that the use of funds in relation to measures in the Maltese RRP complies with the applicable EU and national law. It shall also be responsible for drawing and signing management declarations and summaries of audits accompanying the payment requests. In parallel, the Internal Audit and Investigations Department will perform system audits concerning the targets and milestones implementation, as well as investigate and correct any system irregularities. These audits will be conducted methodologically through sampling.

Table 1.b

¹ Ministry for Education and Employment, [A National Inclusive Education Framework](#), 2019.

Name of the measure in English	Reform C5-R5: Reinforcing the resilience of the labour market
Name of the measure in the national language(s)	Reform C5-R5: Reinforcing the resilience of the labour market
Reference document for the measure <i>Include an url, where available</i>	The European Commission, (2021) Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta , 16 September 2021
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	<ul style="list-style-type: none"> - Equality between women and men (Article 23) - Right to fair and just working conditions (Article 31)
Population group(s) covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i>	<ul style="list-style-type: none"> - Individuals from disadvantaged socio-economic backgrounds - Older people - Women in situations of vulnerability
Summary description of how the measure applies to the population group(s)	Reform C5-R5 will assess and monitor unemployment benefits in Malta in terms of duration and equal access to all beneficiaries while encouraging people to find work that matches their skills and expectations. One of the objectives is to monitor the implementation of the Employment Strategy, for the following population groups: older workers (aged 55-64), with a focus on older women activation; and low skilled adults, which applies to individuals from disadvantaged socio-economic backgrounds. The reform also aims to address the gender employment gap, thus

	<p>tackling the challenges that the above-mentioned population groups frequently encounter.</p> <p>The reform will also assess the National Gender Equality and Mainstreaming Strategy Action Plan's implementation in terms of its core goals, which include fostering equal treatment and addressing any workplace inequalities. Women, including those in the population groupings, are thus covered by the measure.</p>
<p>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</p>	<p>The measure aims to ensure adequate support and access to social protection for all workers in the advent of a health crisis, such as the COVID-19 pandemic by :</p> <ul style="list-style-type: none"> a. Ensuring that the people in Malta who are entitled to receive unemployment benefits, continue to receive them in a timely and reliable manner, especially during the recovery period following the pandemic. b. Ensuring that gender inequalities and structural barriers that perpetuate gender stereotypes and restrict women's ability to attain their full potential will be addressed through the Gender Equality and Mainstreaming Action Plan, which proposes required legislative and policy changes. c. Committing that the most vulnerable populations, such as the elderly, older women, and low-skilled individuals, will be addressed through the implementation of the Employment Strategy.

Summary description of the extent to which the measure foresees the provision of enabling social services	The measure's goal is to assess the current unemployment benefits system in Malta, with a view to continue pursuing policy reforms to ensure their adequacy and sustainability. Hence, its main objective is to foster the resilience of Malta's workforce and society. To attain these goals, the competent authority - the Ministry for Finance and Employment - will primarily prepare and publish a study assessing unemployment benefits in Malta. This study will comprise situation assessment along with recommendations on the ways to improve effective coverage and achieve better adequacy of unemployment benefits. After the study's publication, the Ministry of Finance and Employment will design an adequate monitoring process with the aim to periodically evaluate the effectiveness of policy measures that are in place with respect to unemployment benefits.
Entity or organisation responsible to implement the measure	Ministry for Finance and Employment ²
Duration of the measure	2021 - 2025
Budget allocated to implement the measure	This measure is part of the second instalment ³ allocated for the Malta Recovery and Resilience Plan. The total amount of this instalment is €82,264,909 million, as indicated in the Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta . No further budget breakdown regarding this specific reform is available.
Summary description of how any foreseen impact assessment of the measure will be carried out	Section 3 of the Recovery and Resilience Plan (RRP) describes the arrangements set out for the monitoring and implementation of the RRP. Within the Ministry for Finance, the Planning and Priorities

² Ministry for Finance and Employment, [NATIONAL EMPLOYMENT POLICY 2021 - 2030](#), 9 November 2021.

³ According to Art. 20 (5) (a) of the Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility: "the financial contribution to be paid in instalments once the Member State has satisfactorily fulfilled the relevant milestones and targets identified in relation to the implementation of the recovery and resilience plan".

	<p>Coordination Division (PPCD) is entrusted with the effective implementation of the RRP progress. In particular, the PPCD bears the responsibility to ensure that the use of funds in relation to measures in the Maltese RRP complies with the applicable EU and national law. It shall also be responsible for drawing up and signing of management declarations and summaries of audits accompanying the payment requests. In parallel, the Internal Audit and Investigations Department will perform system audits concerning the targets and milestones implementation, as well as investigate and correct any system irregularities. These audits will be conducted methodologically through sampling.</p>
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Table 1.c

Name of the measure in English	Investment C4-I1: Establishment of a Blood, Tissue and Cell Centre
Name of the measure in the national language(s)	Investment C4-I1: Establishment of a Blood, Tissue and Cell Centre
Reference document for the measure <i>Include an url, where available</i>	The European Commission, (2021) Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta , 16 September 2021.
Social rights covered by the measure <i>Delete as appropriate</i> <i>Multiple answers possible, but preference should be given to measures that apply to one discrete right</i>	Right of access to preventive health care and to benefit from medical treatment (Article 35)
Population group(s) covered by the measure	Unspecified: The exact term used in the measure is “the population in Malta who have access to public health services”.

<p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible, but preference should be given to measures that apply to discrete population groups</i></p>	
<p>Summary description of how the measure applies to the population group(s)</p>	<p>This measure consists of the establishment of a Blood, Tissue and Cell Centre within close proximity of the main hospital in Malta. It aims to increase the variety of services offered to Maltese residents while also streamlining interactions between different services to ensure continuity of care. In addition, the measure is expected to create a platform to develop and implement innovative tissue-related health services for the population in Malta.</p>
<p>Summary description of how the measure will impact (positively or negatively) social rights and equal treatment in the recovery</p>	<p>By eliminating the need for long-term therapy, cutting health expenses, and enhancing social well-being, this policy will have a positive impact on social rights and fair treatment in the recovery process. Its goal is to alleviate the dependency of Malta on other countries for the provision of blood, tissue and cell therapies needed in medical interventions and treatments. It is expected that the capacity of this new facility will provide at least: 17,000 units of red blood cell concentrates; 2,000 units of platelets (pooled) and 200 apheresis platelets; and 100 units of bone.</p>
<p>Summary description of the extent to which the measure foresees the provision of enabling social services</p>	<p>This investment is part of component 4 titled "Health". The objective of the component 4 is to increase the resilience and sustainability of the health sector whilst ensuring universal access, high quality of care and sustainable services. Investment C4-I1 aims to improve the quality of public health services by lowering the cost of blood, tissues and cell therapies and increasing the variety of services.</p>

Entity or organisation responsible to implement the measure	Ministry for Health
Duration of the measure	2021 - 2025
Budget allocated to implement the measure	<p>This measure is part of the third instalment allocated for the Malta Recovery and Resilience Plan. The total amount of this instalment is €60,116,446 million, as indicated in the Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta.</p> <p>From this amount, €5 million will be allocated to the construction of the Blood, Tissue and Cell Centre.⁴ This budget will also cover the issuing of the necessary certification to process blood, tissues, and cells. The capacity of the facility will comprise at least: 17,000 units of red blood cell concentrates; 2,000 units of platelets (pooled) and 200 apheresis platelets; and 100 units of bone.</p>
Summary description of how any foreseen impact assessment of the measure will be carried out	<p>This measure is projected to result in a more economically active workforce and higher productivity while maintaining future social protection expenditure. However, the proposal does not mention how an impact assessment will be carried out.</p> <p>Section 3 of the Recovery and Resilience Plan (RRP) describes the arrangements set out for the monitoring and the implementation of the RRP. Within the Ministry for Finance, the Planning and Priorities Coordination Division (PPCD) is entrusted with the effective implementation of the RRP progress. In particular, the PPCD bears the responsibility to ensure that the use of funds in relation to measures in the Maltese RRP complies with the applicable EU and national law. It shall also be responsible for drawing up and signing of management declaration and summary of audits accompanying the requests for payment. In parallel, the Internal Audit and</p>

⁴ The Ministry for Finance and Employment, (2021) [Financial estimates Budget 2022](#), 11 October 2021

	Investigations Department will perform system audits concerning the targets and milestones implementation, as well as investigate and correct any system irregularities. These audits will be conducted methodologically through sampling.
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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: Tool or mechanism to monitor the effectiveness of national schemes to foster social rights and equal treatment in the recovery from the pandemic

Name of the monitoring tool or mechanism in English	The monitoring and implementation of the Maltese Recovery and Resilience Plan (RRP)
Name of the monitoring tool or mechanism in the national language(s)	The monitoring and implementation of the Maltese Recovery and Resilience Plan (RRP)
Reference document for the monitoring tool or mechanism	The European Commission, (2021) Annex to the Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Malta , 16 September 2021.

<p><i>Include an url, where available</i></p>	
<p>Organisation(s) involved in the monitoring tool or mechanism</p> <p><i>Delete as appropriate</i></p> <p><i>Multiple answers possible</i></p>	<ul style="list-style-type: none"> - Office of the Prime Minister (Parliamentary Secretariat for European Funds)/Leading Authority - Ministry for Finance (Planning and Priorities Coordination Division) - Ministry for Finance and Employment - Internal Audit and Investigations Department
<p>Summary description of how these organisation(s) are involved in the monitoring tool or mechanism</p>	<p>The Ministry for Finance is the contact point for the Commission. Its respective department, the Planning and Priorities Coordination Division (PPCD), acts as a coordinating body for monitoring the progress on milestones and targets, explicitly described in Malta's Recovery and Resilience Plan and for providing all necessary arrangements for submitting payment requests. The plan also envisages close cooperation with the Ministry for Finance and Employment, which leads the European Semester process. Finally, the Internal Audit and Investigations Department has been designated as the audit authority for the purposes of the RRP, as an independent body.</p>
<p>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</p>	<p>In accordance with Article 24(2) of Regulation (EU) 2021/241, upon completion of the relevant agreed milestones and targets, Malta will submit to the Commission a duly justified request for payment of the financial contribution. Meanwhile, Malta will ensure that, upon request, the Commission has full access to the underlying relevant data that supports the due justification of the request for payment, both for the assessment of the request for payment and for audit and control purposes.</p>

<p>Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated</p>	<p>The Planning and Priorities Coordination Division (PPCD) is responsible for drawing up and signing of management declarations and summary of audits accompanying the requests for payment. The management and information system maintained by the PPCD will be used to collect the necessary information to monitor the whole life cycle of the reforms and investments.</p>
<p>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</p>	<p>At the EU level, according to Art. 22(2) (e) of Regulation (EU) 2021/241, OLAF, the Court of Auditors and EPPO can exercise their rights as provided for in Article 129(1) of the Financial Regulation and impose obligations on all final recipients of funds paid for the measures for the implementation of reforms and investment projects included in the recovery and resilience plan, or to all other persons or entities involved in their implementation. At the national level, the Funds and Programmes Division of the Parliamentary Secretary for European Funds along with the National Audit Institution, have in place a reporting mechanism for receiving and investigating reports on cases of suspected mismanagement or potential corruption.</p>

Table 2.b: Tool or mechanism to monitor the effectiveness of national schemes to foster social rights and equal treatment in the recovery from the pandemic

<p>Name of the monitoring tool or mechanism in English</p>	<p>Reform C5-R4: Implementing an effective education policy monitoring system</p>
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Name of the monitoring tool or mechanism in the national language(s)	Reform C5-R4: Implementing an effective education policy monitoring system
Reference document for the monitoring tool or mechanism <i>Include an url, where available</i>	https://eufunds.gov.mt/en/Operational%20Programmes/Documents/Annex%20to%20the%20Proposal%20for%20a%20Council%20Implementing%20Decision.pdf
Organisation(s) involved in the monitoring tool or mechanism <i>Delete as appropriate</i> <i>Multiple answers possible</i>	<ul style="list-style-type: none"> - Ministry for Education and Employment (Policy Monitoring Unit) - All relevant stakeholders such as school staff
Summary description of how these organisation(s) are involved in the monitoring tool or mechanism	The Ministry of Education and Employment (competent authority) along with its respective directorate - the Policy Monitoring Unit - will establish a work plan comprising key performance indicators and related monitoring arrangements as well as a list of policy measures to be evaluated every year; thus through the above work plan, the competent authorities will monitor and evaluate the progress made with regard to the implementation of the education policy framework. Moreover, the work plan will be linked to school internal evaluation processes, engaging in that way all relevant stakeholders, including school staff.
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	The relevant policy owners shall report their progress in implementing the specific measures according to the established work plan on a monthly basis. This information will feed into the quarterly meeting of the Ministry's Strategic Management Board for discussion regarding the implementation progress of the education policy framework. An internal report on the status of

	the policy implementation will be prepared annually; this will cover all education policies that have been reviewed, covering the period 2021-2030.
Summary description of the obligations, standards and benchmarks against which the effectiveness will be evaluated	The policy utilises qualitative indicators as milestones, measuring the monitoring scheme's implementation progress; the milestone accounts for the first publication of an annual internal report on the status of the implementation of the relevant work plan by the end of 2025.
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	Please refer to the respective section of table 2.a