



CO-RESP's Recommendations for Replication Promoting Inclusive Employment through Socially Responsible Public Procurement



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About the CO-RESP Project

The “Community Resilience through Social Procurement” (CO-RESP) project aims to help the local economy to create new job opportunities for persons with disabilities and other vulnerable groups through the implementation of ‘**Socially Responsible Public Procurement**’ (SRPP).

By coordinating the exchange of good practices and enhancing the inter-regional collaboration between social economy actors and regional/local authorities, the project focuses on four key objectives:

1. Building the capacity of local and regional authorities to implement SRPP;
2. Collecting and circulating good practice cases to maximise the use of SRPP;
3. Raising awareness on the positive impact of SRPP;
4. Setting up a mutual learning network and creating positive synergies.

The project is co-financed by the Single Market Program (SMP COSME) and integrated by [EASPD – European Association of Service providers for Persons with Disabilities](#) (Belgium), [ZfSW – Zentrum für Sozialwirtschaft](#) (Austria), [BAG IF – Bundesarbeitsgemeinschaft Inklusionsfirmen](#) (Germany), [NASO – National Alliance for Social Responsibility](#), [City of Dobrich](#) (Bulgaria), [City of Gleisdorf](#) (Austria) and [City of Marina de Cudeyo](#) (Spain).

Rationale

By summarising the main findings and materials of the project, this paper aims (1) to provide clarity on socially responsible public procurement with regard to the employment of persons with disabilities and (2) to identify recommendations for replication, promising practices and guidelines reflecting the successful use of public procurement to create quality employment opportunities for this target group.

Quality Assurance

The Quality Assurance Plan of the CO-RESP project provided clear guidelines on how to ensure quality and sustainability of the project. Additionally, the composition of the multidisciplinary consortium of project partners, the advisory board and the various experts that provided inputs and expertise played a fundamental role in the development of the project’s materials. This document builds on the reflections and recommendations of the partnership.

Employment Situation of Persons with Disabilities, Socially Responsible Public Procurement and Legal Framework

Employment Situation of People with Disabilities in Europe

In 2022, only 50% of persons with disabilities in the EU were employed, compared to 75% of those without disabilities. The duration of unemployment and the proportion of long-term unemployment were significantly higher among persons with disabilities. These numbers do not reflect the overall state of play, the share of 'inactive persons,' and various forms of discrimination, including segregated employment. Persons with disabilities are still too often paid less than the equivalent of the minimum wage. Their entry into the labour market is frequently accompanied by a loss of disability benefits. The CO-RESP project explicitly addresses the critical labour market situation for people with disabilities in Europe and aims to improve it through public procurement.

Public Procurement

Public procurement accounts for about 14% of the European Union's GDP. It is a systematic and organisational process by which public authorities purchase work, goods, and services from private entities. This process includes several steps and criteria, guided by principles of transparency, non-discrimination, equal treatment, competitiveness, cost-effectiveness, and quality of services to safeguard the public interest.

Socially Responsible Public Procurement (SRPP)

SRPP is defined as public procurement with a focus on achieving positive social outcomes as part of the procurement process. According to the European Commission, SRPP involves considerations such as employment opportunities, decent work, compliance with social and labour rights, social inclusion, equal opportunities, accessibility design for all, and sustainability criteria, including ethical trade issues and wider voluntary compliance with corporate social responsibility.

Incorporating SRPP to Promote the Employment of Persons with Disabilities

Some of the social considerations relevant to procurement outlined by the European Commission directly address the employment of persons with disabilities, including:



- Promoting employment opportunities for persons with disabilities, among others in the open labour market through accessible and inclusive work environments;
- Guaranteeing accessibility for persons with disabilities and design for all;
- Promoting adequate working conditions and fair remuneration with basic benefits, non-discrimination, and gender equality, in accordance with labour standards;
- Supporting social inclusion and social economy organisations, by offering contracting opportunities to non-profit organisations, cooperatives and social enterprises.

Legal Framework for SRPP

The Public Procurement Directive 2014/24/EU is the key legal basis for SRPP in Europe. It recognizes public procurement as a tool to address social considerations, including the promotion of fair, decent and accessible employment opportunities for people with disabilities.

The Directive envisages three main entry points:

- 1) Facilitating the participation of economic operators with specific characteristics
 - a. Article 20, reserved contracts for sheltered workshops and economic operators whose main aim is the social and professional integration of persons with disabilities or disadvantaged persons;
 - b. Article 77, reserved contracts for social and health services;
- 2) Promotion of the participation of SMEs and social economy enterprises
 - a. Article 46, division into lots;
 - b. Article 71, subcontracting.
- 3) Introducing instruments applicable to all economic operators:
 - a. Article 67, award criteria that include qualitative, environmental and social aspects;
 - b. Article 70, definition of specific conditions for the performance of the contract that are linked to the contract;
 - c. Articles 74 – 76, special procurement rules for services in the social and health sector.

Criteria for Creating Inclusive and Quality Employment Opportunities

Public authorities must support the creation of job opportunities for persons with disabilities through the means of public procurement. To this end, it is necessary to identify operators who are legitimately promoting a fair, open and inclusive employment framework. Based on the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) and the respective General Comment No. 8, a set of criteria was developed as part of the CO-RESP project.

UN Convention on the Rights of Person with Disabilities (UNCRPD) and General Comment No. 8 (GC8)

The protection of persons with disabilities is stipulated in various international treaties with the UNCRPD being foremost among them. The European Union and its Member States are signatories to the UNCRPD, which includes Article 27, providing the "right to the opportunity to gain a living by work freely chosen or accepted in a labor market and work environment that is open, inclusive, and accessible to persons with disabilities." The General Comment No. 8 (GC8), issued in September 2022, provides guidance on how to enforce Article 27.

Criteria Developed as Part of the CO-RESP Project

Building upon the UNCRPD and GC8, and drawing particularly from the experiences and results of CO-RESP, the project developed its own set of criteria for inclusive and quality employment opportunities. They are presented in the form of priority levels distinguished by the complexity of achieving them.

Level 1 – What Type of Job

- Crit. 1: Remuneration (equal remuneration for work of equal value, not below minimum wage);
- Crit. 2: Labour rights and trade unions (employment contracts, social security schemes, etc.);
- Crit. 3: Working benefits and conditions (retirement benefits, sick leave, parental leave, etc.);
- Crit.4: Meaningful employment (no restrictions to certain occupations or 'fake' employment);

- Crit. 5: Career progress (promotion, career growth, vocational training, etc.).

Level 2 - Inclusion

- Crit. 6: Inclusion in relation with persons (with colleagues and customers);
- Crit.7: Inclusion in relation with the environment (individualised reasonable accommodation);
- Crit. 8: Open labour market or transition towards it.

Level 3 - Choice

- Crit. 9: Choice of persons with disabilities of their employment facility/job (is there any reflection on how to consider choice regarding the job setting and function?).

Level 4 – Synergies

- Crit. 10: Creating an enabling environment (collaboration with public authorities).

Find more detailed information about these criteria in the [CO-RESP report “Socially Responsible Public Procurement \(SRPP\) for the Employment of Persons with Disabilities”](#).

SRPP – Best Practice in Europe

Below are a few selected examples illustrating how public authorities consider social aspects, especially the employment of people with disabilities, when they award public contracts. Additionally, this section presents the measures developed as part of the CO-RESP Local Action Plans as best practice examples for implementing SRPP.

France

The French government has set the target that, by 2025, all public procurements in France should include environmental criteria and 30% should have social considerations. This includes enabling and promoting the role of facilitators assisting and guiding public authorities in the procurement process.

Belgium

The regional institution in charge of the maintenance of the highways in Wallonia (SOFICO) includes a 5% social clause of the entire market. This has laid the foundation for permanent collaboration with social economy organisations and SMEs. Additionally, Wallonia has enabled a system of facilitators and intermediaries to assist public authorities and companies.

Czech Republic

A notable example was the public procurement for the maintenance of photocopiers, printers, and multifunctional devices for the Ministry of Labor and Social Affairs in 2016 for a 3-year contract. Using the national equivalent of Article 20 of the Directive 2014/24/EU, the contract was reserved to organisations employing more than 50% persons with disabilities. Find more best practice examples in the above mentioned [CO-RESP report](#).

Declaration on the Use of Socially Responsible Public Procurement

As a result of the “CO-RESP Social Economy Conference: Public Procurement with Added Value,” the project partners have published a declaration on the use of SRPP. Its primary objective is to urge local authorities to leverage the full potential of SRPP, generating employment opportunities for persons with disabilities in the open labour market, promoting social inclusion, and fostering sustainable growth at the local level.



Find the CO-RESP declaration [HERE](#).

CO-RESP's Local Roundtables and Local Action Plans

Taking another step towards fostering Socially Responsible Public Procurement (SRPP), the CO-RESP project achieved a key milestone through its Local Roundtables. These in-person meetings – a core part of the project – facilitated constructive dialogue among the relevant authorities and stakeholders. Most importantly, these roundtables have kickstarted the creation of local action plans, which aim to improve public procurement practices.

Participants in these meetings received insights into both the promising practices identified within the CO-RESP project and their cities' public procurement practices based on EU law, directives, and national legislation. Feedback from participants reflected on the significance of CO-RESP in supporting local development and social inclusion, as well as in strengthening joint efforts at the local level to improve opportunities and working conditions for persons with disabilities. Furthermore, discussions emphasised the need to further enhance and rescale the skills and competencies of contracting authorities in effectively implementing SRPP principles. This could further promote interregional cooperation and maximise the use of SRPP to promote social justice, economic stability, and ecological integrity.

The feedback and key messages from these Local Roundtables were reflected upon in each city's Local Action Plan, which are documents that provide a road map for improving the use of SRPP at the local level. Essentially, these documents aim to improve and refine public procurement practices by addressing the lessons learnt in the CO-RESP project in the future.

Within the project, Local Action Plans on SRPP were developed in the cities of Dobrich (Bulgaria), Gleisdorf (Austria), and Marina de Cudeyo (Spain). Depending on the city, the following measures were agreed upon and can serve as best practice examples for the collaboration between public authorities and social economy organisations:

- Agreement to implement SRPP and utilise the legal instruments available;
- Definition of objectives and standards for a sustainable SRPP strategy;
- Definition of social criteria that can be used in the procurement process;
- Coordination of products and services that could be considered for a public contract;
- Creating dialogue platforms to exchange about good practice, trends, and needs;
- Training of staff members in public contracting authorities;

- Communication and collaboration with other local social economy organisations;
- Building local, inter-regional, and European networks to develop and promote SRPP;
- Implementing quality assurance and statistical surveys with regards of the public procurement.

Read more about the Local Action Plans in [Dobrich](#), [Gleisdorf](#) and [Marina de Cudeyo](#).



Recommendations

Drawing from collected experience and data, as well as feedback from the partnership through the Quality Assurance Evaluation, this section suggests actions for local authorities to enhance job opportunities for persons with disabilities through SRPP and provides suggestions for replication.

Objectives and Strategy

- Safeguarding the rights and promoting inclusion of persons with disabilities in the local community, following the UN Convention on the Rights of Persons with Disabilities;
- Facilitating and actively encouraging the creation of quality jobs for persons with disabilities by using socially responsible public procurement;
- Enabling an environment and supporting the development of social economy organisations and SMEs in the community;
- Enabling an environment and supporting the development of facilitator organisations that provide guidance and assistance to public authorities with regard to SRPP.

Implementation

- Analysing in detail both the needs of the contracting authority and the possibilities of the market;
- Identifying public contracts that could include social criteria and/or collaborating with facilitator organisations to identify such public contracts;
- Communicating intensively, long-term, and widely the intentions regarding the requirement for the involvement of persons with disabilities;
- Establishing clear parameters for the identification of needs, the requirements for the implementation of the contract, the evaluation of the bids, and awarding of the contract;
- Establishing a procedure for periodically monitoring, re-evaluating, and assessing the full compliance of the requirements set in the tender;
- Verifying and periodically monitoring that individuals with disabilities employed by the contractor receive fair, reasonable, and equal work conditions and benefits.

Legal Considerations

- Establishing a procedure for periodically monitoring, re-evaluating and assessing the full compliance of the requirements set in the tender;
- Ensuring the compliance of the principles of the public procurement outlined in the Directive 2014/24/EU;
- Following the principles and using the mechanisms of the socially responsible public procurement, for instance, by reserving tenders and including social clauses in specific types of contracts.

Knowledge Brokering

- Implementing a process to regularly monitor, reassess, and evaluate the complete adherence to the tender requirements;
- Accelerating the upskill and re-skill of public authorities in charge of public procurement processes;
- Engaging and actively participating in public procurement networks at the EU level for peer-learning and exchanging of promising practices on SRPP and inclusion.

Dialogue and Networks

- Creating positive synergies and leading broad stakeholder dialogue with disabled person organisations, social economy organisations, and mainstream businesses employing persons with disabilities, as well as other public authorities and institutions.

Replication in Other Communities and Regions across Europe

- Formulating the objective to build the resilience of the local community or region through the means of public procurement;
- Identifying the impact of the employment of persons with disabilities in the regular labour market, including 1) the implementation of inclusion in accordance with the UN CRPD, 2) the potential saving of social transfer payments, 3) the strengthening of locally and regionally active SMEs and local purchasing power, 4) the development of local identity through the social orientation of the municipality;

- Initiating local round tables with public authorities, social enterprises and intermediary organisations to develop a joint long-term strategy for the implementation of SRPP Local Action Plan);
- Agreeing on and implementing a Local Action Plan that contains 1) objectives and standards for a joint SRPP strategy, 2) products and services that can be considered for a public contract, 3) appropriate legal instruments and definition of social criteria that can be used, 4) contract parameters for the proper realisation of the award, 5) monitoring systems to ensure compliance with the tender and with fair and inclusive employment for persons with disabilities;
- At EU-level: 1) creating and supporting framework conditions that enable local and regional communities to utilise public procurement as a tool to address social changes, 2) creating and supporting networks between local and regional authorities, social economy organisations and intermediary organisations, 3) raising awareness on the strategic meaning of SRPP for local and regional communities through events and publications, 4) evaluating the impact of SRPP at local and regional level.

CO-RESP's Final Conference: Maximising the Use of Social Procurement

The *CO-RESP's Final Conference: Maximising the Use of Social Procurement* will take place on Friday 22nd March 2024 at 14:00-17:30, hosted at the European Economic and Social Committee in Brussels (BE). This event will provide a space to discuss the impact of the use of the SRPP on the integration of persons with disabilities and other disadvantaged groups in the labour market, as well as present the results of the project. The event will target stakeholders from across Europe such as local authorities, DPOs, SME, social economy organisations, organisations providing training and support to persons with disabilities and experts on public procurement to discuss the future of SRPP in the EU.

More information about the event [here](#).

Sustainability of the Project

The strategy for the sustainability of the project results includes activities aimed at further attracting the attention of stakeholders and deepening the network between them. In this context, the project partners will leverage the project results and materials to promote quality employment for people with disabilities through socially responsible public procurement.

The main outputs of the project will be hosted in the CO-RESP's Community of Practices hosted in EASPD's [Knowledge Hub \(https://knowledgehub.easpd.eu/\)](https://knowledgehub.easpd.eu/), an interactive learning hub (upon free registration) complying with EU visibility and the highest accessibility standards. This platform will gather all the materials produced and link other relevant resources identified throughout the project produced by different partners and stakeholders, as well as periodically including relevant promising practices. This platform will be maintained active beyond the project lifetime and will be available and disseminated throughout the EASPD's network.

Furthermore, taking advantage of the CO-RESP's partnership's established network and diversified expertise, the informal collaborative network will play a fundamental role in ensuring sustainability at the local-regional, national, and European level. Promoting and disseminating the project outputs, as well as further raising awareness of the potential and impact of socially responsible public procurement, while engaging to support the development of SRPP for inclusive and sustainable fair employment for persons with disabilities, in line with the principles of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). As part of these efforts, and based on the experience of CO-RESP, EASPD will organise a thematic discussion on SRPP during its Conference on Employment in October 2024.

CO-RESP will serve as a basis for possible follow-up projects on SRPP and employment, when applying to a suitable EU funding programmes and/or private philanthropic funds to finance specific activities that the CO-RESP network would develop to further continue working on SRPP.