Checklist to ensure EU-funded measures contribute to independent living by developing and ensuring access to family-based and community-based services

European Expert Group on the transition from institutional to community-based care
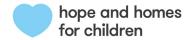
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Hope and Homes for Children

EUROPEAN EXPERT GROUP ON TRANSITION FROM INSTITUTIONAL TO COMMUNITY-BASED CARE

hope and homes for children

Contents

1.   Purpose of the checklist

Over 1 million EU citizens live in institutions, which segregate them from society and deny them control over their own lives.[1] Many more are at risk of being institutionalised as a result of lack of adequate support services.

EU funding has been instrumental in improving the lives of many of these citizens. It has contributed to the development on new family-based and community-based services. And it has contributed to the transition from institutions to family-based and community-based care for thousands of people.

There have also been instances when EU funding was directed towards institutions, contravening EU's own policy objectives and legal obligations such as the UN Convention on the Rights of Persons with Disabilities.

This document aims to ensure many more EU citizens benefit from EU funding for inclusion; and to prevent the misuse of EU funds.

The purpose of this checklist is to ensure EU funds in the 2021-2027 programming period contribute to independent living[2] and inclusion in the community. More specifically, the checklist supports desk officers to check the consistency of the measures with the legal and policy frameworks in the fields of:

• Transition from institutional to family-based and community-based services for children, persons with disabilities, persons with mental health problems and elderly persons

• Development of quality family-based and community-based services

• Prevention of separation of children, including with disabilities, from their families

• Prevention of segregation and institutionalisation of children, persons with disabilities, persons with mental health problems, older people and homeless people, regardless of the residence status.

1.1   Target group

The checklist is addressed to desk officers of the European Commission responsible for EU funds programmes, in particular of:

• Directorate General for Regional and Urban Policy (DG REGIO)

• Directorate General for Employment, Social Affairs & Inclusion (DG EMPL)

• Directorate General for Agricultural and Regional Development (DG AGRI)

• Directorate General for Migration and Home Affairs (DG HOME)

1.2   Scope

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1   Children and adults with disabilities (including people with mental health problems). It covers the EU and Turkey from Mansell, J., Knapp, M., Beadle-Brown, J. & Beecham, J. (2007) Deinstitutionalisation and community living – outcomes and costs: report of a European Study. Volume 2: Main Report. Canterbury: Tizard Centre, University of Kent

2   General Comment 5 of the UNCRPD defines independent living as providing individuals with disabilities with all necessary means to enable them to exercise choice and control over their lives and make all decisions concerning their lives

The checklist covers relevant EU funds of 2021-2027 programming period[3], in particular:

• European Regional Development Fund (ERDF)

• European Social Fund Plus (ESF+)

• European Agricultural and Rural Development Fund (EARDF)

• Asylum, Migration and Integration Fund (AMIF)

Thematically, the checklist covers in particular:

• Policy Objective 2: A greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, the circular economy, climate adaptation and risk prevention and management;

• Policy Objective 3: A more connected Europe by enhancing mobility and regional ICT connectivity;

• Policy Objective 4: A more social Europe implementing the European Pillar of Social Rights

• Policy Objective 1 A smarter Europe by promoting innovative and smart economic transformation and Policy Objective 5 Europe closer to citizens – sustainable and integrated development of urban, rural and coastal areas through local initiatives may also be relevant.

The checklist is focused on the programming documents, namely the partnership agreements and operational programmes. It covers also the enabling conditions, taking into account that assessments of the policy frameworks are important. The implementation documents, including the calls for proposals, may be addressed at a later stage.

This checklist does not provide any policy background for independent living and inclusion in the community, and the transition from institutional to family and community-based services.

The EU and Member states should ensure that investments are aligned with all international standards and obligations. The checklist thus draws upon legal and policy frameworks, research and reports, in particular:

• Charter of Fundamental Rights of the European Union

• United Nations Convention on the Rights of Persons with Disabilities (UNCRPD),
and General comment No. 5 (2017) on living independently and being included in the community

• United Nations Convention on the Rights of the Child,
and the Guidelines for the Alternative Care of Children[4]

• Common European Guidelines on the Transition from Institutional to Community-based Care (EEG Guidelines)

• Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care

For a comprehensive list of legal and policy frameworks, civil society standards, research and reports, please consult the annex.

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3   At the time of the drafting of the checklist the negotiations on the regulations are on-going. The checklist is based on the European Commission proposals released in May 2018.

4   There is ongoing dialogue between the two relevant Treaty bodies (UN Committee on Rights of Persons with Disabilities and UN Committee on the Rights of the Child) regarding legal discrepancies. The checklist will be updated according to the interpretation of international human rights standards which will result from this dialogue

1.3   Methodology

The checklist is divided into chapters with short introductions, questions and corresponding recommendations for desk officers for the next step in the programming. The questions either lead to a yes or no response, or provide a list of options.

Taking into account the lessons learnt from the 2007-2013 and 2014-2020 programming periods (such as significant investments in long-stay residential institutions[5] and small-scale institutions[6] as opposed to family and community-based services based on need), some of the questions, and the corresponding answers, are of critical importance. These critical questions are marked by the following sign: ⚑ These questions should be treated particularly carefully and may lead to the need to substantially reconsider some elements of the programming documents (e.g. objectives, measures, etc).

The other questions also clarify important aspects of the programming documents, but are not critical in nature.

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5   Mental Advocacy Center (2017) "Straight jackets and seclusion: An investigation into abuse and neglect of children and adults with disabilities in Hungary" [accessed 31 January 2019]

6   Structural Funds Watch (2018) "Inclusion for all: achievements and challenges in using EU funds to support community living"; European Network on Independent Living (2018) "Briefing on the Use of EU Funds for Independent Living"; Opening Doors country factsheets for Bulgaria, Estonia, Hungary, Poland

2. The Checklist

2.1 Programming documents

2.1.1 SETTING THE OBJECTIVE

The programme objectives should identify the measures that contribute to independent living and the transition from institutional to family-based and community-based services. The strategic vision of how to develop a range of family-based and community-based alternatives leading to independent living, as opposed to institutional care, should be based on the needs and requirements of the people concerned, an assessment of the available services in the country and be developed jointly with service users and their representative organisations. In this way, the measures will contribute to reducing inequalities and poverty, and facilitate social inclusion.

Question	Recommendation
Does the programme identify the following objectives that contribute to independent living:	*If any of these objectives are not identified, please consult the following question.*
Transition from institutional to family-based and community-based services, including the closure of institutions?	
Development of family-based and community-based services?	
Prevention of separation of children from their families, including children with disabilities and the most marginalised like children and families facing homelessness?	
Prevention of further segregation and institutionalisation of children, persons with disabilities, persons with mental health problems, older people and homeless people?	
Is the choice of the programme objective supported by relevant data (e.g. number of people in institutions, number of admissions per year, number of people leaving institutional care)?	*If the programme objective is not justified, please ask the Member State to collect/include the relevant data.*
Yes	
No	

Under each of these programme objectives, is it stated that the measures and call for proposals will be aligned with the outcomes of the:

> Individual needs assessment, i.e. person centred planning (e.g. for children, persons with disabilities, persons with mental health problems, older people, homeless people, etc)?

> Infrastructure mapping (e.g. childcare, institutional care, family and community-based services, homeless shelters, etc)?

> Human capital mapping (e.g. number and structure of workforce in institutional care, numbers and structure of workforce in family and community-based services, capacity of deinstitutionalisation-coordination structures, relevant networks and organisations, organisations of people with disabilities and others)

The programming documents should make sure that the measures will be aligned with the outcomes of the individual needs assessments, infrastructure mapping and human capital mapping.

The enabling condition on health (see chapter 2.2.2) includes infrastructure mapping and is therefore binding according to the regulatory requirement.

While not a regulatory requirement, it is recommended to also have an infrastructure map of employment, education and social infrastructure. Human capital mapping is also desirable, in particular, to understand the need for human capital investments (e.g. staff, capacity building, training, etc.) in the provision of family and community-based services.

If no information is provided on either of the three, please seek more information from the Member State.

Does the programme objective exclude long-stay residential institutions from the investments in public buildings (e.g. energy efficiency)?

> Yes

> No

Please ensure that the programme objective excludes long-stay residential institutions from the investments in public buildings.

Does the programme objective on digitalisation and e-governance exclude long-stay residential institutions from the investments?

> Yes

> No

Please ensure that the programme objective on digitalisation and e-governance excludes long-stay residential institutions from the investments

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2.1.2 IDENTIFICATION OF THE TARGET GROUP

The checklist covers different target groups, such as children, including children with disabilities, children in migration, unaccompanied children, care leavers, including with disabilities, persons with disabilities, persons with mental health problems, older persons and homeless people. All members of these target groups could be either institutionalised or at risk of being institutionalised, due to not having access to the necessary family and community-based services. Their residence status may also vary (e.g. EU citizens, people with a migrant background[7]). In many instances, the categorisation of target groups follows the division of services, which may lead to building parallel and segregated services. At the same time, needs should be primarily identified on the individual level.

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7   Following the European Commission Toolkit on the use of EU funds for the Integration of People with a migrant background , the term 'people with a migrant background' refers to: third-country nationals, applicants for and beneficiaries of international protection; stateless people;People with undetermined nationality; EU citizens with a migrant background. https://ec.europa.eu/regional_policy/sources/policy/themes/social-inclusion/integration-of-migrants/toolkit-integration-of-migrants.pdf

Question	Recommendation

Are any of the following target groups identified in the measures?
 	
    Children, including children with disabilities, children in migration, unaccompanied children
 	
    Care leavers, including with disabilities
 	
    Persons with disabilities, persons with mental health problems
 	
    Older people
 	
    Homeless people
 	
    Family members of the above persons
	Please ask the Member State to provide data on the number of institutionalised people per target group and the people at risk of institutionalisation.

Is the selection of the target group supported by available data (e.g. number of the target groups in institutions, admissions to institutions, etc)?
 	
    Yes
 	
    No
	Please ensure the data on all the target groups are included.
	
	If there is a mismatch between the selection of the target group and the outcomes of the data, please ask the Member State to clarify why a specific target group has been chosen.
	
	If there is no data available, please make sure measures for data collection (technical assistance) are also included.
	
	See also the EEG Guidelines.

2.1.3   CONSISTENCY CHECK

In the course of the intervention logic, each measure has to be justified by the relevant data sets. Following the requirements of the Cohesion Policy regulations, EU-funded measures (as part of the relevant specific objective) should be closely linked the corresponding enabling condition.

Question	Recommendation

⚑ **Are the measures across policy objectives providing the conditions for independent living and/or do not perpetuate institutional treatment, segregation or social exclusion?**
 	
    Yes
 	
    No
	All measures regardless of the policy objective should contribute to independent living and should not perpetuate institutional treatment, segregation or social exclusion.
	
	Some measures under policy objectives 2 (CO2 emissions and energy efficiency) or 3 (Information and Communications Technology) may be inconsistent. For instance, under policy objective 2 energy efficiency measures might be targeting long-stay residential institutions because they fall under public buildings.
	
	Please make sure that the measures across policy objectives are consistent with providing the conditions for independent living.

2.1.4   DEVELOPING A RANGE OF SERVICES IN THE COMMUNITY

Development of family-based and community-based services should be done with a view to ensuring the conditions for independent living and be based on individual needs (e.g. person centred planning).

The list of services and measures below is not exhaustive but includes a broad range of family-based and community-based services, including services for the prevention of institutionalisation, prevention of family separation, family support and housing services and infrastructure.

These services should be made available for all target groups, regardless of the residence status. The services below may serve both the transition from institutional to family and community based care, and the prevention of institutionalisation of children, persons with disabilities, persons with mental health problems, older people and homeless people.

Question	Recommendation
⚑ **Are the following family and community-based services, and infrastructure developments, included in the measures?**	*This is a non-exhaustive list of services.*
	The programming documents may not include all of these measures.
Support for enhancing life skills and autonomy, such as self-advocacy, peer support, circles of support, in particular for people leaving institutions	*Please ask Member States to refer to as many of these as possible, to ensure there is a broad range of services.*
Personal assistance	
Day care, including activity and leisure centres in inclusive, community settings	*Please also check the consistency with the enabling conditions on the UNCRPD and social inclusion and poverty reduction.*
Technical aids and assistive technologies (e.g. wheelchairs, social alarms, hearing and visuals aids, communication aids etc)	*Programming documents may differentiate services based on target group needs.*
Supported living, accessible housing, housing adaptations, etc.	*For more information on target group specific services, please check Chapters 4 and 5 of the EEG Guidelines.*
Non-segregated social housing within the community (e.g. housing first programme for homeless people), affordable housing for extremely marginalised groups	*There may be some overlaps between family and community-based services, and the prevention of family separation services, including family support.*
Accessibility of services and built environment, for instance accessible public transport, public buildings, etc.	
Inclusive and non-segregated education-related measures, for instance, inclusive schools, early childhood education and care, etc.	
Availability of, and arrangements for, children to attend mainstream day-care, kindergartens or schools	
Out-of-school care and after-school activities, including for children with additional support needs	
Employment-related measures, vocational and skills training, apprenticeships	
Support for kinship carer/parent, support for foster carer/parent	

Strengthening of foster care/parents networks

Strengthening the adoption framework

Services that support reintegration of children into their families of origin

Crisis intervention and emergency services

Social work, including counselling and advice services, including case work and appropriate referrals

Respite care services of non-institutional character

Mental health and addiction support

⚑ **Are the following prevention of family separation services, including family support, included in the measures?**

Family planning

Pre-natal care

Counselling desks in hospitals, support in maternity wards (e.g. rooming-in)

Mother and baby units

Parent and child foster care placements

Respite care of non-institutional character

Emergency reception units

Early childhood and care services

Supported living, accessible housing, housing adaptations, etc.

Non-segregated social housing within the community (e.g. housing first programme for homeless people), affordable housing for extremely marginalised groups

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⚑ **Are the following training initiatives included in the measures?**

Training to support life skills and autonomy for people leaving institutions

Training to support life skills and autonomy for people at risk of institutionalisation

Training for personal assistants and other staff engaged in delivering community-based services

Trainings for family members and informal carers

Retraining institutional care staff to work in the new community-based service

Trainings on inclusive education for school professionals

Trainings on the Rights of Persons with Disabilities for workers of the social/care, health, education and other sectors, as well as for persons with disabilities and their family members

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2.1.5 UNWELCOME MEASURES

Some measures are detrimental to the transformation of the system and the transition from institutional to family and community-based services. These measures should be avoided. Not only do they risk going against the legal obligations of the EU and Member States,[8] they cause unnecessary harm for the individuals concerned.

Question	Recommendation
⚐ Are the following - unwelcomed – measures included?	*Please ensure that these measures are not supported by EU funds.*
Investments in institutions, regardless of the size, which perpetrate institutional treatment. This may include investments for the refurbishing, building, renovating, extending of institutions or improving energy efficiency of the care settings, etc. It may also include services, such as day-care centres or living units built within or on the grounds of existing institutions.	
Investments in facilities that segregate persons with disabilities in violation of Article 19 CRPD.	
Housing built in segregation/isolation from the community (for example, on the outskirts of towns or in sparsely populated areas)	
Investing in mainstream services which are not accessible (such as building schools not accessible to children with disabilities)	
Congregated social housing (aimed at, for example, only people with disabilities, refugees etc.)	
Training and capacity building of staff working in institutions without a plan for transition from institutional to family and community-based services.	

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8   In particular article 19 UNCRPD and General comment No. 5 (2017), and the Guidelines for the Alternative Care of Children.

2.1.6 GUIDING PRINCIPLES

Guiding principles are, as a general rule, broad principles that refer to the priority (called priority axis in 2014-2020 programming period) of the programme. Depending on the structure of the operational programme, deinstitutionalisation may be a separate priority.

Question	Recommendation
Are the following guiding principles set out for the selection of operations: Operations exclude investments that lead to segregation or social exclusion Operations ensure conditions to live independently and be included in the community Operations ensure accessibility Synergetic/integrated use of funds (ERDF, ESF, EAFRD, etc) Protection of privacy and personal data	*If any of these guiding principles are not included, please ask Member States to include them.*

2.1.7 INDICATORS

Output and result indicators can help to monitor and evaluate the results of the operations supported by the EU funds. This should improve the quality of life of the targeted individuals, which can be evaluated by outcome indicators.

This chapter is focused on output and result indicators in order to assess the measures. These indicators should be aligned with the programme objectives.

Question	Recommendation
Do the indicators refer to the: Number of people using the newly-developed community-based services Number of newly-developed community-based services Number of institutions closed down Number of persons who moved out of the institution to the live independently in the community Number of children reintegrated with their families Number of children placed in family-based care Number of newly-developed housing options that support community living Number of sheltered homeless people moved into permanent (supported) housing	*This is not an exhaustive list of possible indicators.* *Depending on the programme objective and the measures, please ask the Member State to consider including these types of indicators.* *If relevant, consider disaggregating the indicator by target group.*

2.2 Enabling conditions

There are a number of horizontal and thematic enabling conditions that will support the effective and efficient implementation of the funds for developing, and ensuring access to, family and community-based services.

2.2.1 HORIZONTAL ENABLING CONDITIONS

Effective implementation and application of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the EU Charter of Fundamental Rights (Charter) will facilitate the implementation of the thematic enabling conditions. Furthermore using EU funding in a consistent way and in accordance with both the UNCRPD and the Charter will reduce the risks of: loss of resources, reduced effectiveness of the interventions, and financial corrections due to non-compliance with applicable Union law.

EFFECTIVE APPLICATION AND IMPLEMENTATION OF THE EU CHARTER OF FUNDAMENTAL RIGHTS

Question	Recommendation
Has a mechanism been established to verify that operations supported by the EU funds comply with the Charter? Yes No	*Please make sure that a plan has been elaborated by the Member State.*
Does the mechanism: Provide a list of criteria as a basis to assess compliance of the operations Apply at all levels of the implementation of the ESI Funds (managing authorities, intermediate bodies, etc) Indicate the steps taken to facilitate the involvement of national equality bodies Indicate the steps taken to facilitate the involvement of Civil society organisations (CSOs) and disabled persons organisations (DPOs) representing different user groups Include deadlines and/or any other milestones regarding the way the operations supported by EU funds are verified Envisage clear technical guidance documents on the applicability of the charter, in particular focusing on the right to live independently for people with disabilities (Article 26 Charter) and older persons (Article 25 Charter), the need to act in the best interest of the child in all actions relating to children (Article 24 Charter). Include a monitoring mechanism for ongoing (independent) assessment of compliance of investments with the Charter, including to respond to complaints Set out actions to be taken in case of non-compliance with the Charter	*Please ensure that the mechanism covers all these points.*

IMPLEMENTATION AND APPLICATION OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (UNCRPD) IN ACCORDANCE WITH COUNCIL DECISION 2010/48/EC

Question	Recommendation
Has a national framework been elaborated to support the implementation of the UNCRPD? Yes No	*Please make sure that a national framework has been elaborated by the member state.*
Does the above national framework include[9]: Objectives with measurable goals Data collection Monitoring mechanism Mechanism for ongoing involvement of persons with disabilities and their representative organisations Budget Summary of outcomes of the individual need assessment which lays out the necessary services, actions to be developed	*Please ensure that the national framework covers all these points.*
Does the national framework cover in particular the following rights enshrined in the UNCRPD: Equality and prohibition of all discrimination on the basis of disability (article 5) Children with disabilities (Article 7) Accessibility (Article 9) Equal recognition before the law (Article 12) Living independently and being included in the community (Article 19) Respect for the home and family (Article 23) Education (Article 24) Health (Article 25) Work and employment (Article 27)	*Please ensure that the national framework covers all these points.*

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9   The form of the national framework might be a policy document, strategy, action plan, etc.

2.2.2 THEMATIC ENABLING CONDITIONS

NATIONAL STRATEGIC POLICY FRAMEWORK FOR SOCIAL INCLUSION AND POVERTY REDUCTION

Question	Recommendation
Has a national strategic policy framework for social inclusion and poverty reduction been elaborated? Yes No	*Please make sure that a national strategic policy framework for social inclusion and poverty reduction has been elaborated by the member state.*
Is the policy framework based on an evidence-based diagnosis of poverty and social exclusion including: Child poverty Homelessness Spatial and educational segregation Limited access to essential/basic public services and infrastructure The specific needs of people vulnerable to exclusion, and/or discrimination (e.g. on the basis of race, ethnicity, religion or residence status) The number of institutionalised children, persons with disabilities, older people, including new admissions into institutions Summary of outcomes of the individual needs assessment which lays out the necessary services, actions to be developed	*Please ensure these elements are included in the national strategic policy framework for social inclusion and poverty reduction.*
Does the policy framework identify the gaps and investment needs? Yes No	*Please ensure these elements are included in the national strategic policy framework for social inclusion and poverty reduction.*
Following the gap analysis in the areas mentioned above, are the following EU-funded measures identified? Prevent and combat social exclusion and segregation in all fields, including through providing adequate income support, ensuring equal access to education and inclusive labour markets and to quality services in the community, including housing Support the shift from institutional to community-based care, including the closure of long-stay residential institutions and the prevention of institutionalisation	*Please ensure these elements are included in the national strategic policy framework for social inclusion and poverty reduction.*

Enable access to mainstream sustainable services in the community (education and training, employment, housing, health, transport, leisure activities) to everyone, regardless the nature of their impairment, their residence status.

Does the national strategic policy framework for social inclusion and poverty reduction include arrangements, including funding, to ensure that its design, implementation, monitoring and review is conducted in close cooperation with social partners and relevant civil society organisations?

Yes

No

Please ensure these elements are included in the national strategic policy framework for social inclusion and poverty reduction.

STRATEGIC POLICY FRAMEWORK FOR HEALTH

Question	Recommendation
Is there a national or regional strategic policy framework for health in place that maps out the health and long-term care needs, including in terms of medical staff needed? Yes No	*Please make sure that the strategic policy framework for health has been elaborated by the Member State.*
Are the identified measures sustainable and coordinated? Yes No	*Please ensure that the measures are sustainable and coordinated.*
Does the policy framework identify the gaps and investment needs? Yes No	*Please make sure that the strategic policy framework for health covers these points.*

Following the gap analysis in the areas mentioned above, are the following EU-funded measures identified?

Measures ensure the efficiency, sustainability, accessibility and affordability of health and long-term care services, mental health services, including specific focus on individuals excluded from the health and long-term care systems

Measures promote community-based services, including prevention, early intervention, and primary care, home-care and community-based services

Measures facilitate the closure of long-stay psychiatric institutions and the prevention of institutionalisation, ensuring that community-based alternatives are in place to support people leaving institution.

2.3 Consultation process

It is crucial that all the concerned actors are duly engaged in the preparation and implementation of the programming documents.

Question	Recommendation
Were there bodies representing civil society and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, children, families, the homeless, older people, gender equality and non-discrimination consulted on the programming documents? Yes No	*If the partnership principle was not fully, or inadequately, respected, please ask the Member State to consult the relevant bodies.*
Were the relevant bodies listed above informed about how their inputs were taken on board in the consultation of the programming documents? Yes No	*If the feedback mechanism is not established, please ask the Member State to design and implement it.*
Were there complaints about the lack of representativeness of the bodies consulted in the consultation of the programming documents? Yes No	*Please ask the Member State what system is in place for dealing with complaints, and whether it is independent of the Managing Authority.*

3.   Annex

3.1   Being included in the community versus being segregated in an institution

For more children-specific examples, please see p.48 of the EEG Guidelines.

	Inclusion in the community	Institution
Control over person's life	The person herself/himself decides based on personal preferences. Enough services on offer to be able to choose from, including personal assistance. Funding that goes to the person, rather than to service provider. Support in making the decision. Peer support for empowerment and to facilitate decision making.	*Person cannot choose where and with whom they will live.* *Person´s life subjected to service requirements and/or to routine/regime.* *Staff decides about what, when will a user do a certain thing.* *"Choice" limited to deciding between a limited number of options on offer.* *Not supported to make decisions, including not having access to support and living arrangements of one's choice, or to change these.* *Support is limited to basic needs, does not enable active participation.*
Location	A person lives in regular housing, such as in an apartment block or a house. Housing is separated from support, allowing the person to move without losing their support package. A person travels to work, school, etc. and they do not have everything in the same place.	*Housing and daily activities in same location.* *Housing located in an area segregated from the rest of society (by distance, by wall) and/or located in a hospital-like building.*
Style of service	Individualised in terms of focus on individual personal needs and preferences. Of different intensity, ranging from 24 hours per day, to several hours per week, depending on each individuals needs and requirements. Focused on establishing and maintaining person's social roles (employment, family, friends, etc.) Utilising mainstream services.	*Group-based provision of service (same type of activity at same time regardless of person's needs or preferences).* *Focused on medically-defined needs.* *Substituting mainstream services with segregated alternatives within the institution.*

3.2   Legal and policy frameworks

- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD),
  and General comment No. 5 (2017) on living independently and being included in the community

- United Nations Convention on the Rights of the Child,
  and the Guidelines for the Alternative Care of Children

3.3   Civil society standards

- European Expert Group on the Transition from Institutional to Community based care (2012)
  Common European Guidelines on the Transition from Institutional to Community-based Care

- European Expert Group on the Transition from Institutional to Community based care (2014)
  Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care

3.4   Reports

- Academic Network of European Disability Experts (ANED)
  The right to live independently and to be included in the community in the European States:
  ANED synthesis report

- Cantwell, N.; Davidson, J.; Elsley, S.; Milligan, I.; Quinn, N. (2012).
  Moving Forward: Implementing the 'Guidelines for the Alternative Care of Children'.
  UK: Centre for Excellence for Looked After Children in Scotland

- Council of Europe Commissioner for Human Rights, (2012) Issue Paper
  The right of people with disabilities to live independently and be included in the community.

- Community Living for Europe: Structural Funds Watch (2017)
  Opening up communities, closing down institutions: Harnessing the European Structural and
  Investment Funds

- Community Living for Europe: Structural Funds Watch (2018)
  Inclusion for all: Achievements and challenges in using EU funds to support community living.

- European Network on Independent Living (2014)
  Myth Buster

- European Network on Independent Living (2017)
  ESI Funds and the Transition from Institutional to Community-based Care
  – Towards a More Effective Monitoring and Complaints System

- European Network on Independent Living (2018).
  Briefing on the Use of EU Funds for Independent Living.

- European Union Agency for Fundamental Rights (2017) Country studies for the project on the right
  to independent living of persons with disabilities: Summary overview of types and characteristics of
  institutions and community-based services for persons with disabilities available across the EU

- European Union Agency for Fundamental Rights (2017)
  From institutions to community living - Part I: commitments and structures

- European Union Agency for Fundamental Rights (2017)
  From institutions to community living - Part II: funding and budgeting

- European Union Agency for Fundamental Rights (2017)
  From institutions to community living - Part III: outcomes for persons with disabilities

- European Union Agency for Fundamental Rights (2018)
  From institutions to community living for persons with disabilities: perspectives from the ground

- Housing First Europe Guide:
  https://housingfirsteurope.eu/guide/

- Inclusion Europe, 2018.
  Life after violence

- Lumos, 2019,
  Guidance note for the implementation of enabling condition 4.3 in draft Cohesion Policy Regulations

- Mental Health Europe, 2017.
  Mapping and Understanding Exclusion in Europe.

- Opening Doors for Europe's Children
  https://www.openingdoors.eu/

- Quinn, G. et al, 2018.
  Legal Memo re. Segregation and segregated facilities as a prima facie form of discrimination.

- United Nations Human Rights Office of the High Commissioner (2012)
  Getting a life: Living Independently and Being Included in the Community