

Single Market Scoreboard

SOLVIT

Reporting period: 01/2018 – 12/2018

About

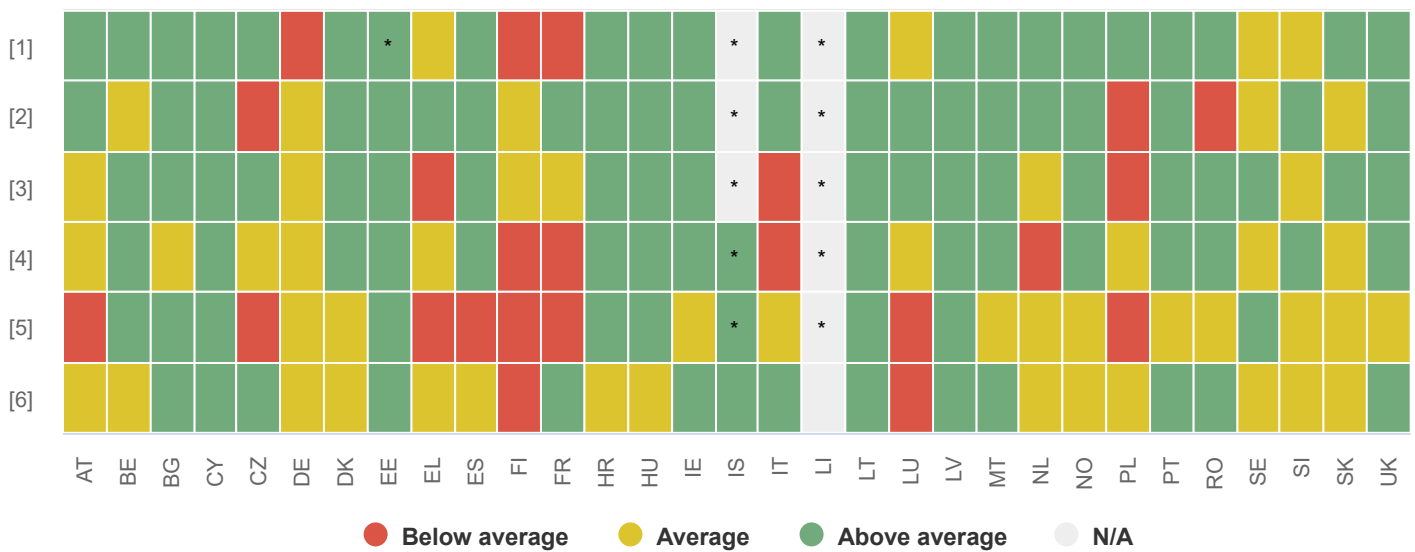
SOLVIT is a service provided by the **national administrations**. There is a SOLVIT centre in each EU country and in Iceland, Liechtenstein and Norway. They work together via an online database.

SOLVIT helps people and businesses who encounter difficulties in another country when **public authorities** do not apply EU legislation correctly.

It is a faster, **informal** alternative to filing a court case, submitting a formal complaint to the Commission or putting forward a petition.

Performance

1. By indicator



* Countries with under 10 cases

[1]	Home centre sending an initial reply within the 7-day target in:	≥ 75% of cases	55–75% of cases	< 55% of cases
[2]	Home centre submitting case to lead centre within 30-day target in:	≥ 75% of cases	55–75% of cases	< 55% of cases
[3]	Home centre accepting a proposed solution within 7-day target in:	≥ 75% of cases	55–75% of cases	< 55% of cases
[4]	Lead centre accepting a case within 7-day target in:	≥ 75% of cases	55–75% of cases	< 55% of cases
[5]	Lead centre handling a case within 10-week target in:	≥ 75% of cases	55–75% of cases	< 55% of cases
[6]	Lead centre resolution rate:	≥ 90%	70–90%	< 70%

2. Overall (all 4 indicators combined)



Leaflet | Credit: EC-GISCO, © EuroGeographics © UN-FAO for the administrative boundaries

A country's **overall performance** is calculated by assigning the following values to each of its 4 indicators:

RED = -1, YELLOW = 0, GREEN = +1

Definitive colours are assigned based on the **sum of these scores**:

3 or higher, **-2 to 2**, **-2 or lower**.

* *countries with less than 10 cases*

Iceland and Liechtenstein were not assessed as Liechtenstein had no cases and Iceland only one.

How does SOLVIT work?

People and businesses who encounter a problem exercising their rights seek help at their **home centre** (usually in their home country).

The home centre prepares the case and sends it to the SOLVIT centre in the country where the problem occurred (**the lead centre**), which deals with the authority in question.

Indicator [1]: Home centre – first response time

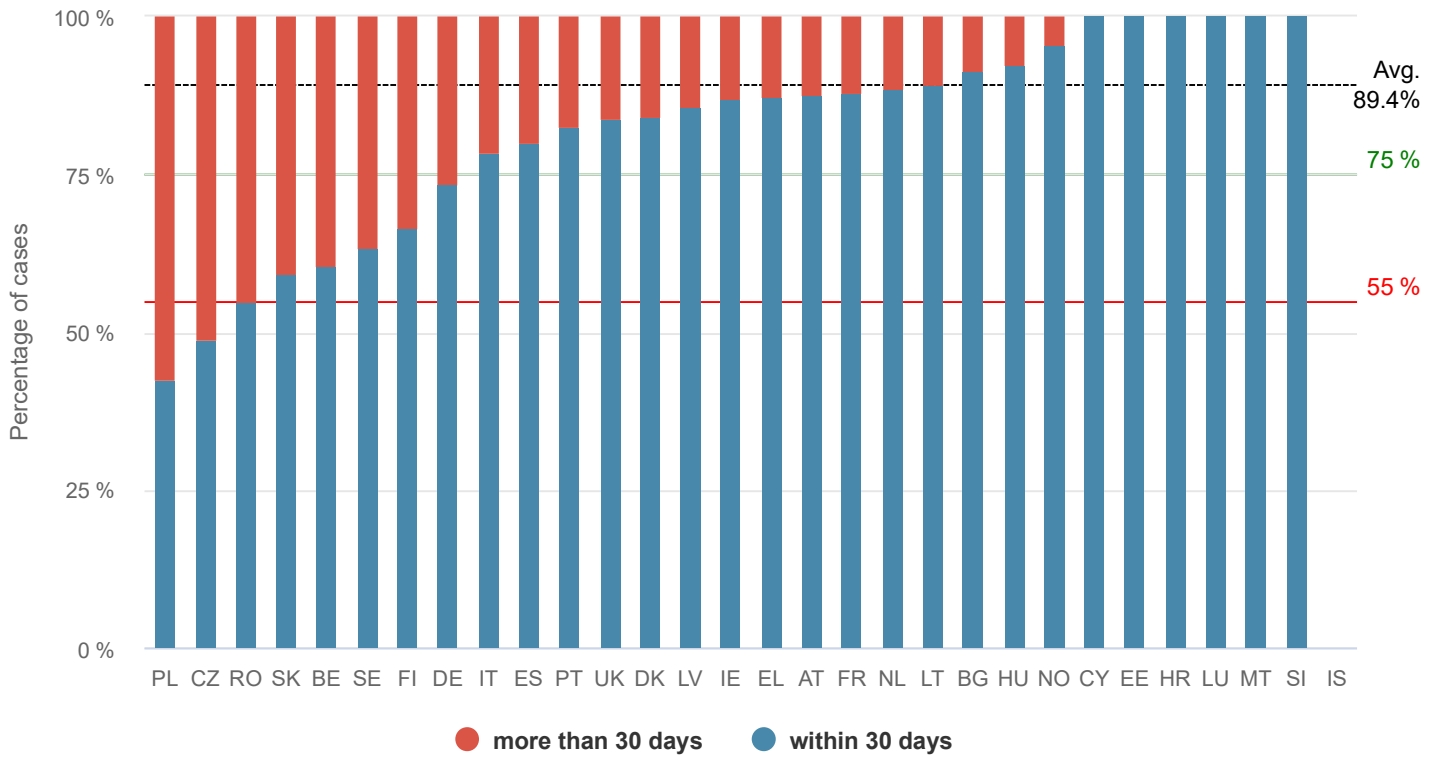


This indicator measures the time taken to **establish initial contact** with the applicant. The target deadline is **7 days** maximum.

Comments

Initial contact with applicants needs to be made promptly. This allows time to explain SOLVIT's role to applicants and for any possible issues to be checked. Additional action is still required from France, Germany and Finland.

Indicator [2]: Home centre – preparation time

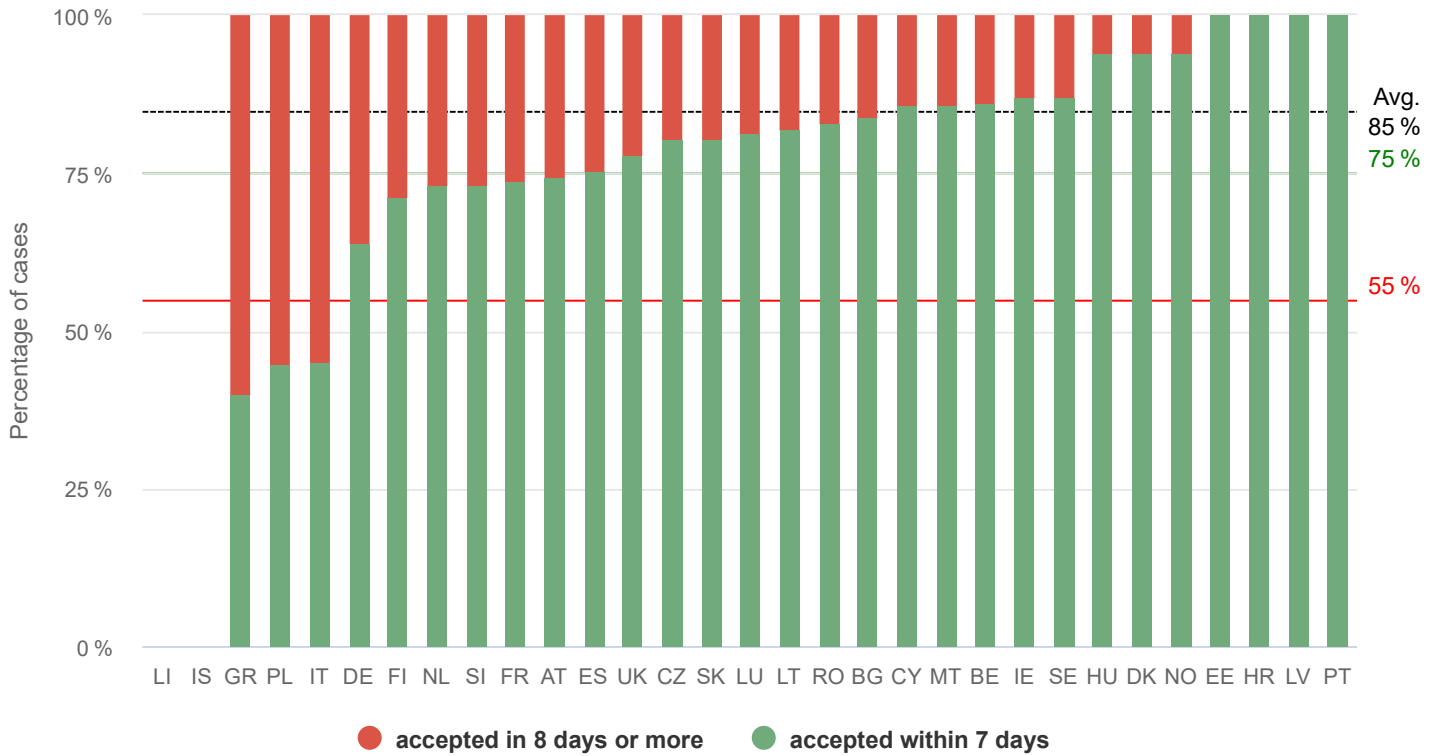


This indicator measures the time taken to prepare cases for transfer to the lead centre. The target deadline is **30 days** maximum. On average SOLVIT centres took 15 days to prepare a case in 2018 compared to 13 days in 2017.

Comments

Preparation time is satisfactory. Additional action is still required from Poland, Czechia and Romania.

Indicator [3]: Home centre – time to accept a solution

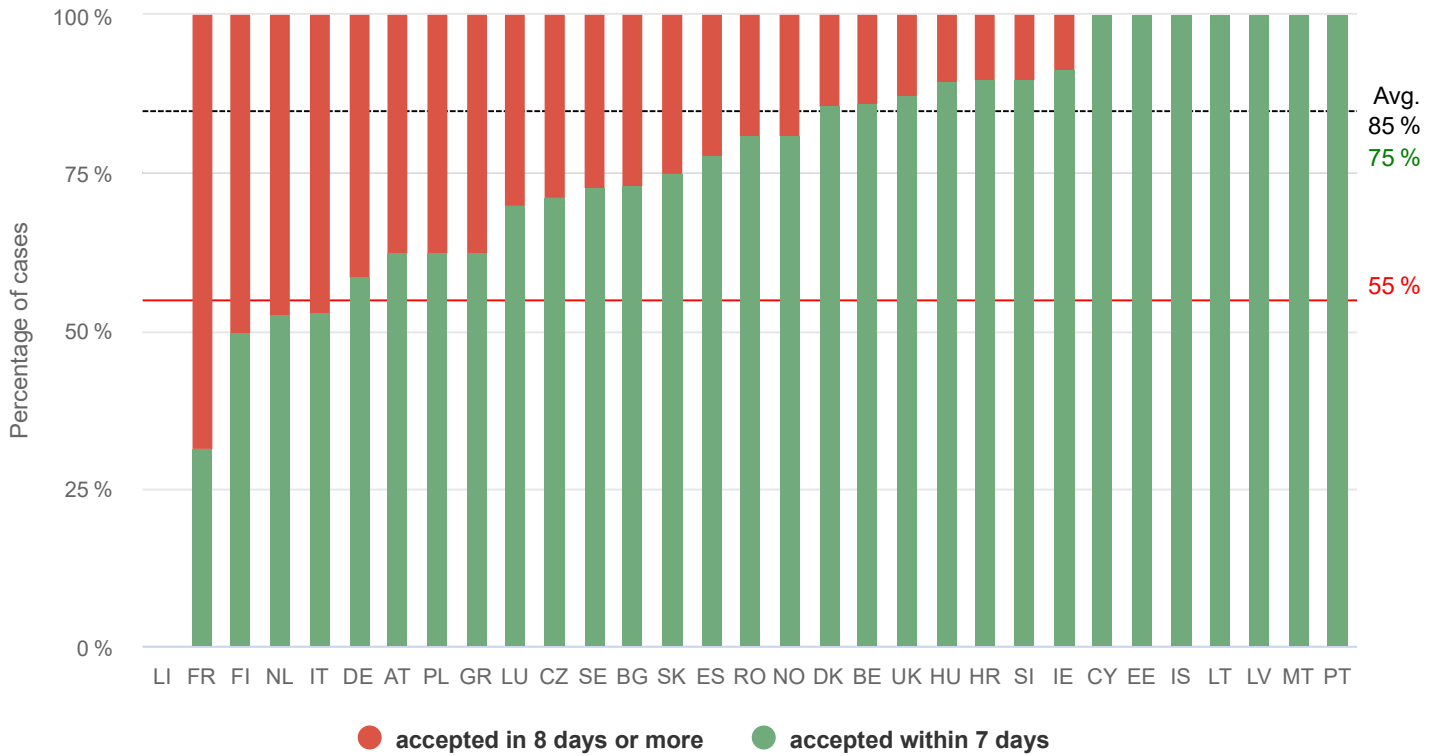


This indicator measures the time taken for the home centre to accept a solution from the lead centre. The target deadline is **7 days** maximum. This indicator is being used for the first time this year.

Comments

The performance of the SOLVIT centres is satisfactory. Centres in Greece, Poland and Italy need to improve.

Indicator [4]: Lead centre - time to accept a case

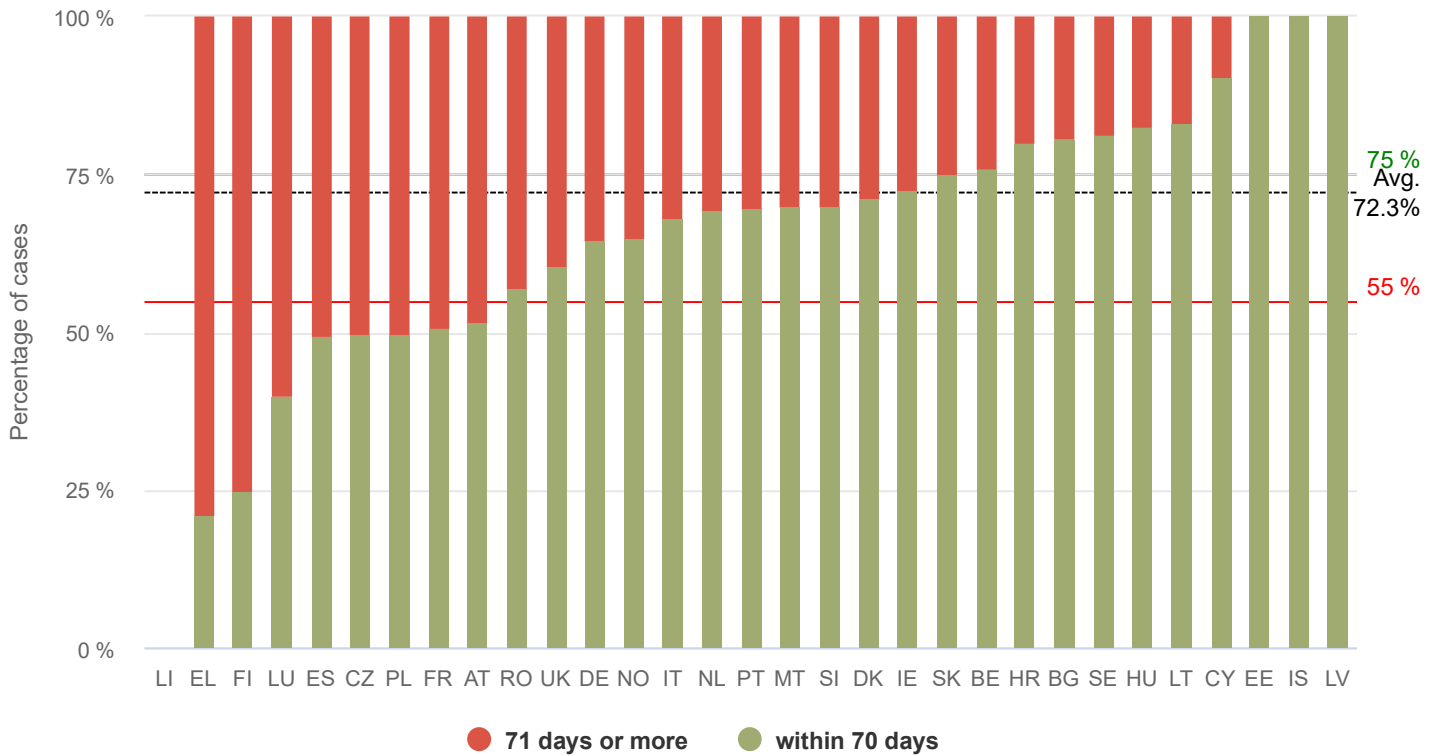


This indicator measures the time taken for the lead centre to accept a prepared case from the home centre for handling. The target deadline is **7 days** maximum. This indicator is being used for the first time this year.

Comments

The performance of the SOLVIT centres is satisfactory. Centres in France, Finland, the Netherlands and Italy need to improve.

Indicator [5]: Lead centre – resolution time



This indicator measures the time a lead centre takes to handle a case. The target deadline is **10 weeks** maximum. Cases related to more general difficulties in the single market detected by SOLVIT (see separate chapter) are excluded from the calculation as they are handled in a different manner.

Comments

Average number of days taken: 82 (63 previously). Centres in Greece, Finland, Luxembourg, Spain, Czechia, Poland, France and Austria should take steps to deal with cases more quickly. A major reason for cases taking longer to handle is the lack of sufficient and stable resources, at a time when demands are increasing.

Over 10 weeks: 37% of cases (29% previously).

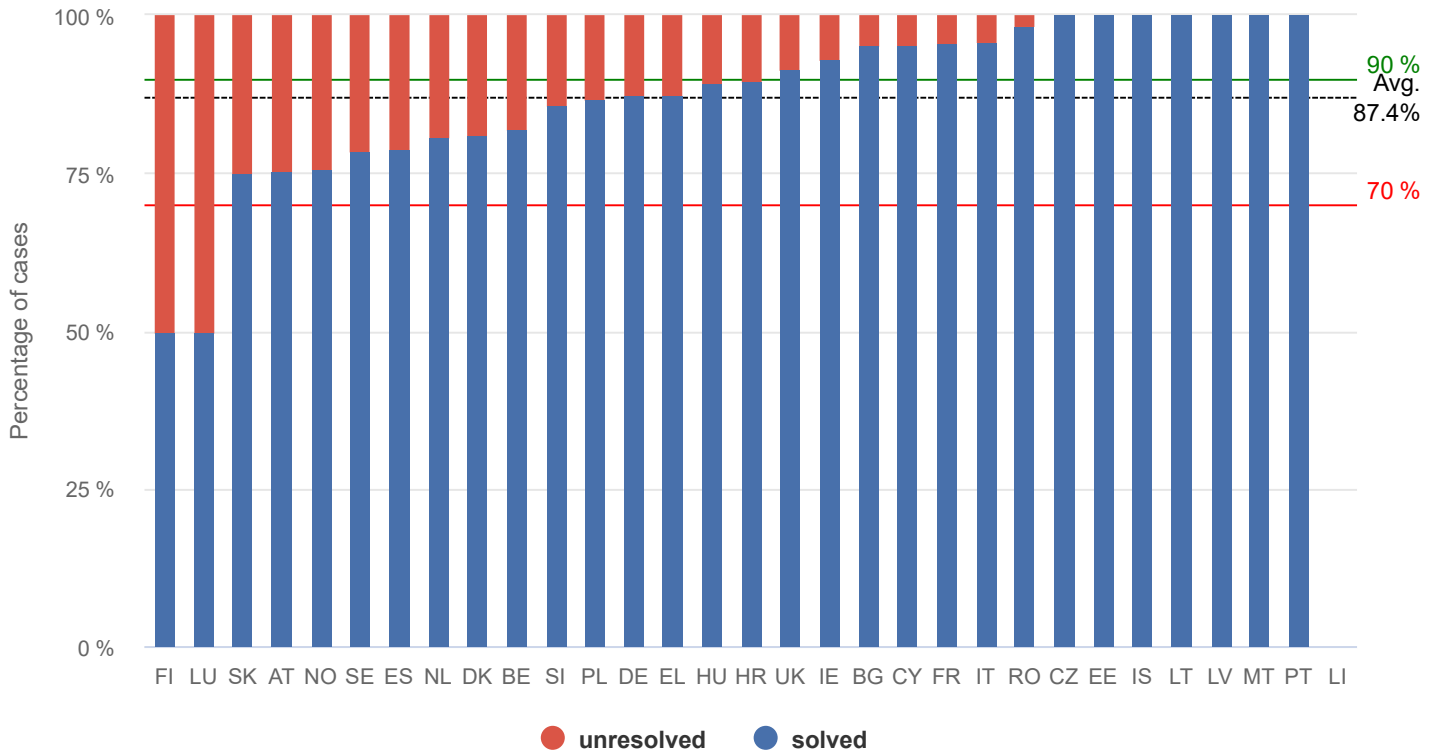
Over 20 weeks (twice the target time): 18% of cases (11% previously).

*Although 71% of the cases that took longer than 20 weeks were ultimately solved (63% previously), this figure is not acceptable – a key aim of SOLVIT is to provide help **promptly**.*

Factors affecting resolution speed:

- cooperation with national administrations
- caseload
- case complexity
- number and continuity of staff (many centres are understaffed, have other tasks in addition to SOLVIT-related work or members rotate frequently).

Indicator [6]: Resolution rate by country



This indicator measures the percentage of cases solved. The aim is to solve all cases submitted. Cases related to more general difficulties in the single market, which were detected by SOLVIT (see below) are excluded from the calculation (see separate chapter).

Comments

In 2018, the **resolution rate was 90%** (87% in 2017).

Countries below 70%: Finland and Luxembourg.

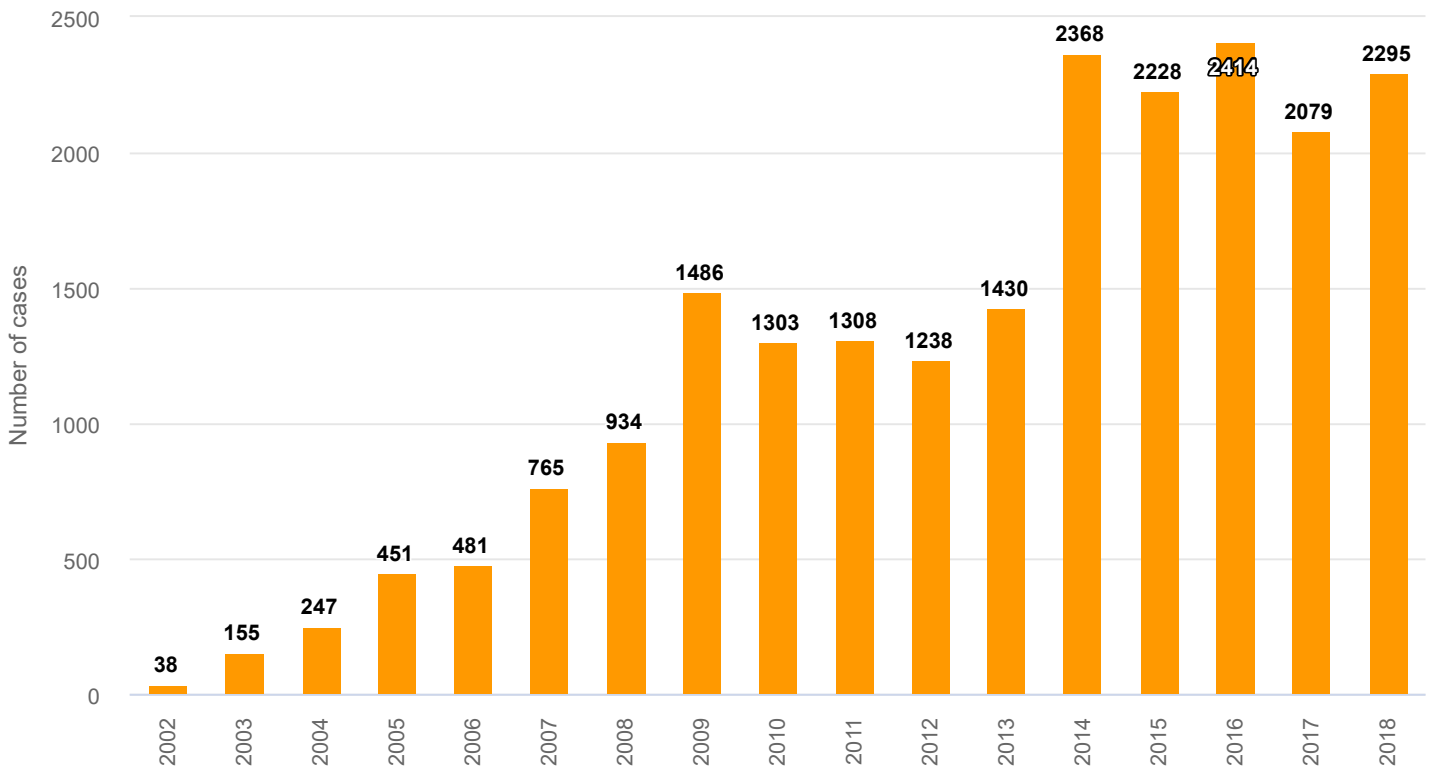
In these countries, the low resolution rate is not significant as they have a very small number of cases (Finland 4 and Luxembourg 8).

Achievements

- In 2018 SOLVIT helped **more than 4,800 people** by resolving their problems, clarifying the issue(s) or directing them towards another service.
- SOLVIT received 302 cases last year from the network partners compared to 372 in 2017, mostly from Your Europe Advice (YEA) (223 cases in 2018) and the Europe Direct Contact Centre (EDCC) (74 cases in 2018).
- SOLVIT handled more cases where the problem occurred due to a written national rule and reduced their time in handling cases.
- 2 dedicated training courses on free movement of goods to improve the knowledge and legal capacity of SOLVIT centres to deal with these cases.
- Although still low in comparison to cases brought by individuals, business cases increased by 50%.

Facts and Figures

Overall caseload

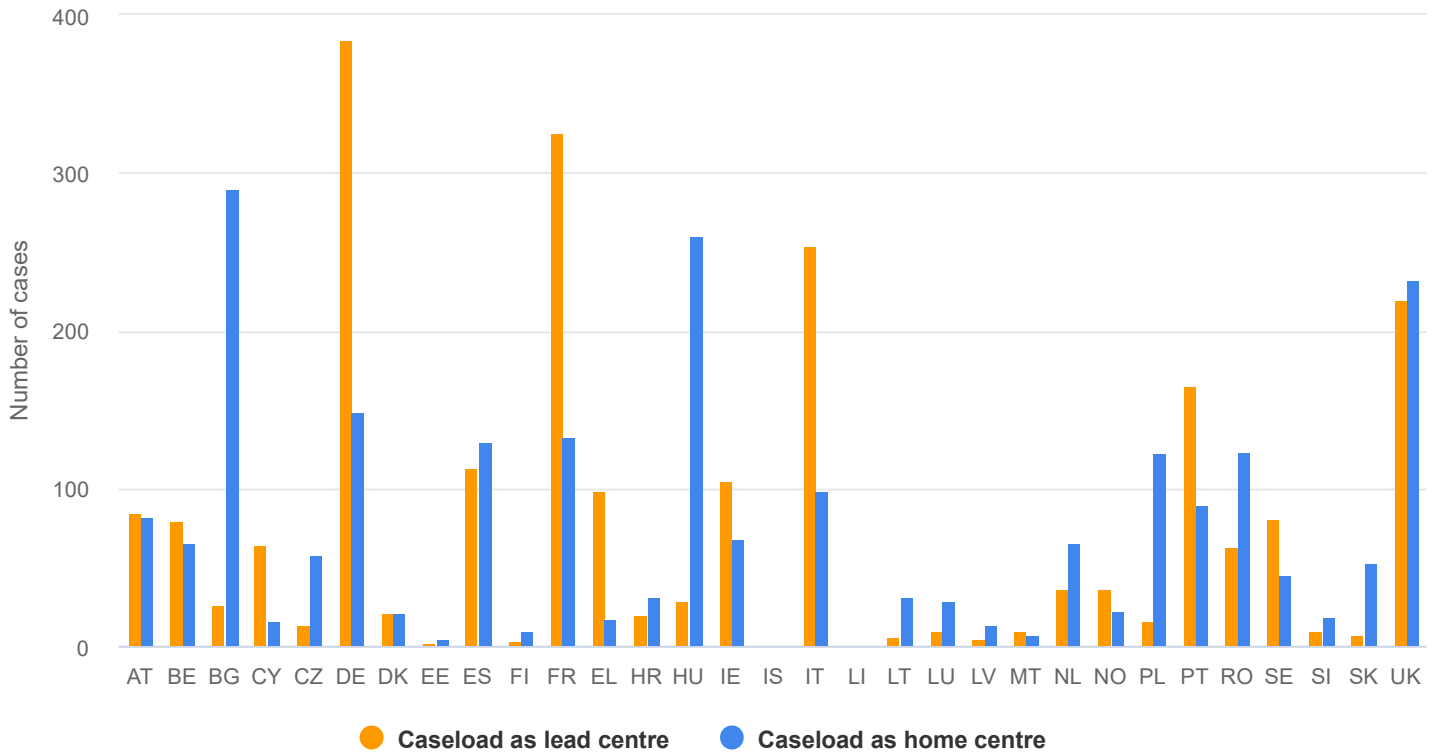


- SOLVIT handled in total 2,295 cases that fell within its remit.
- 52% (1192) of all cases were submitted **online**, 10% (223) were **transferred by YEA** and 3% (74) were transferred by the EDCC. The rest were submitted via other means (e-mail, phone, post, in person).



In 2018 SOLVIT also received an additional **2,600 complaints** that were **not within its remit** (the figure for 2017 was 2 100). The proportion of these cases out of SOLVIT's overall remit was 52% in 2018 compared to 50% in 2017 and 52% in 2016. In these cases, SOLVIT helped complainants by explaining their EU rights in more detail or by finding another means of redress.

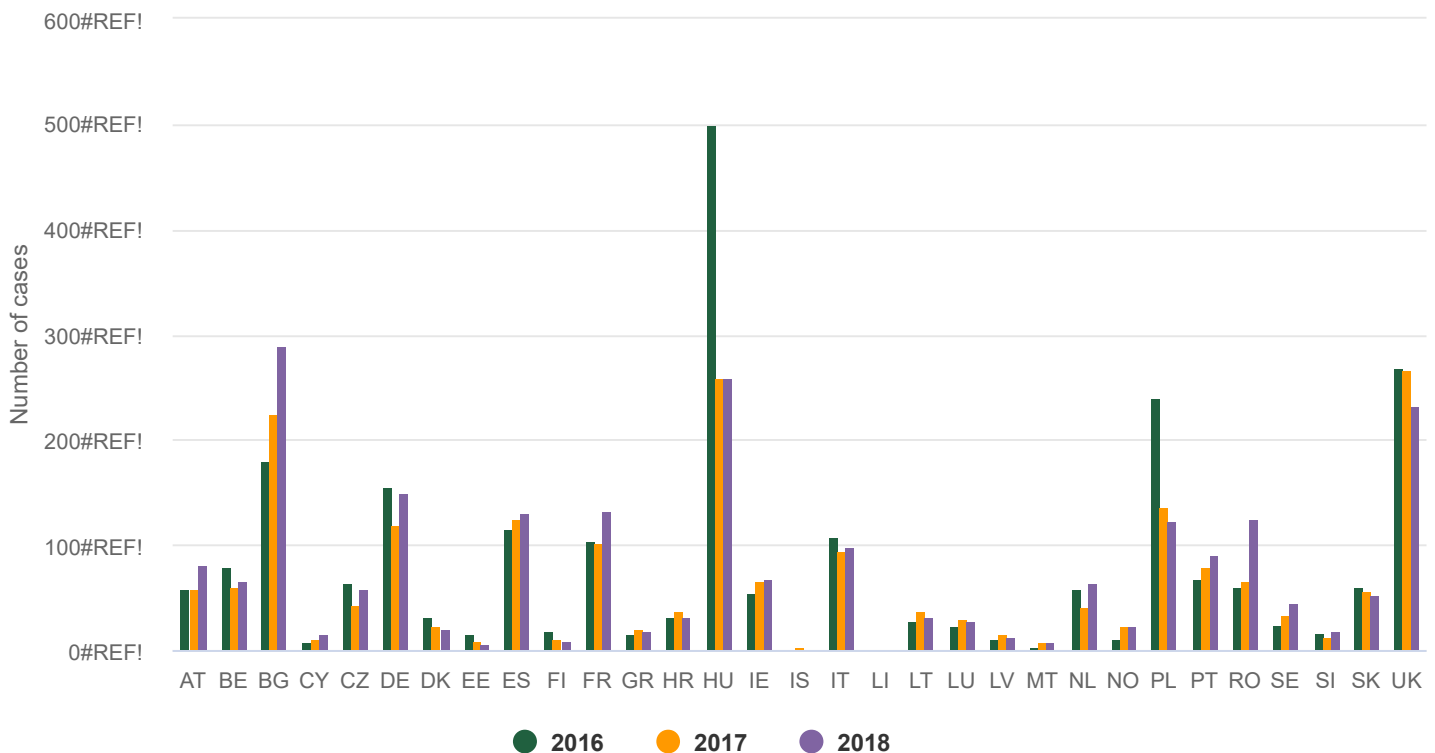
Distribution of cases: Home centres and lead centres



Net recipients of cases: Germany, France, Italy, Greece, Portugal, Cyprus, Ireland, Sweden, Norway, Belgium, Austria, and Malta

Net submitters of cases: Bulgaria, Hungary, Romania, Slovakia, Czechia, Netherlands, Lithuania, Luxemburg, Spain, UK, Croatia, Slovenia, Latvia and Finland

Cases submitted by country over the last 3 years

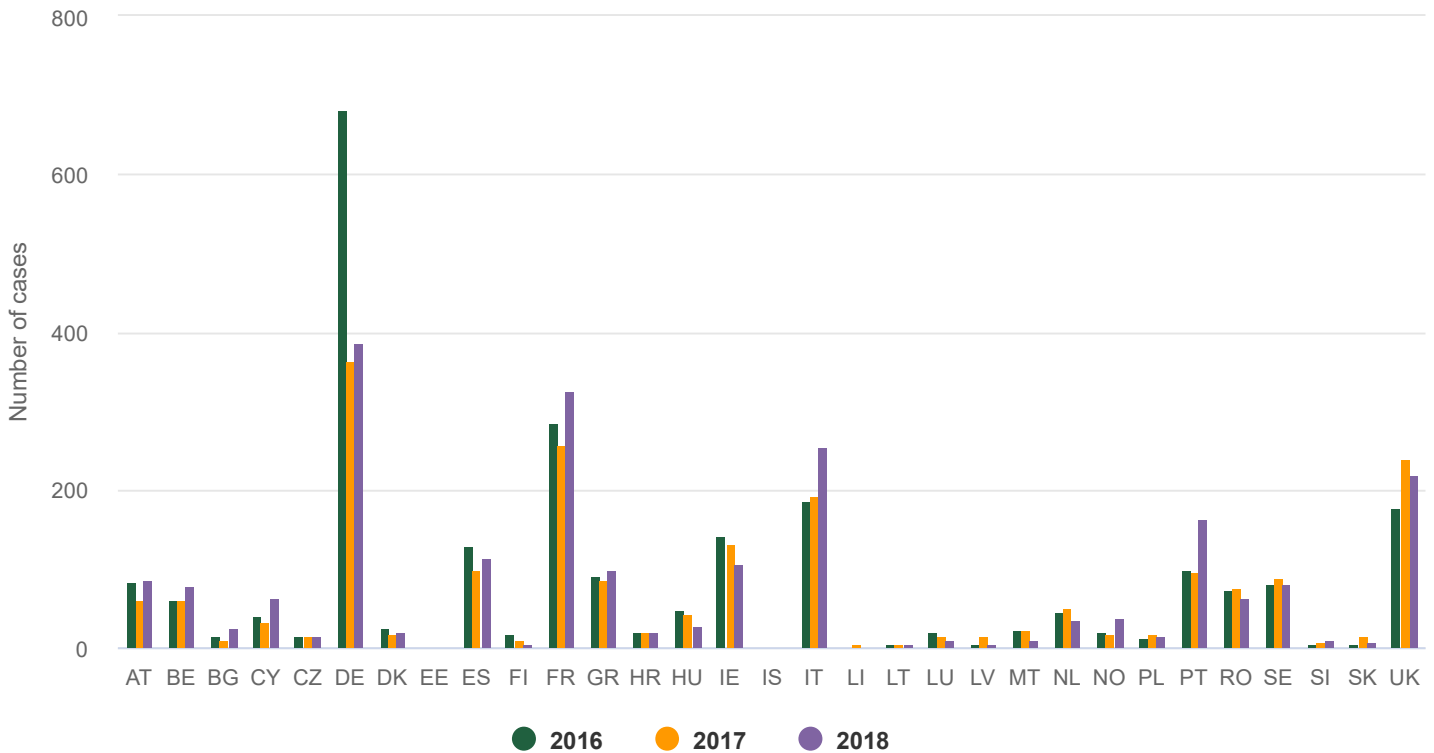


Biggest submitters: Bulgaria, Hungary, UK, Germany, France, Spain, Romania, Poland and Italy

Comments

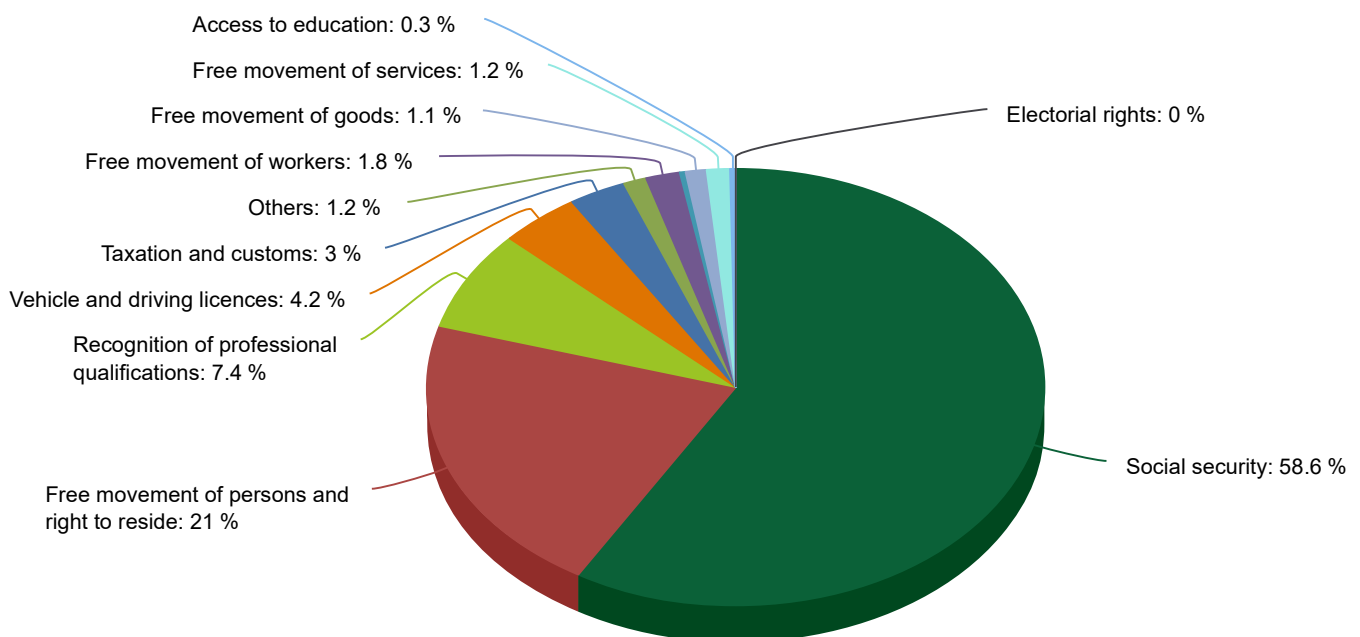
There was a sharp decrease in the number of cases submitted by SOLVIT HU and SOLVIT PL. This was due to reductions in the delays on decisions on family benefits in Germany after this issue had been highlighted by SOLVIT in recent years.

Cases received by country over the last 3 years



Biggest receivers: As in 2017, most cases were sent to Germany, France, UK, Italy, Ireland and Spain

Problem areas

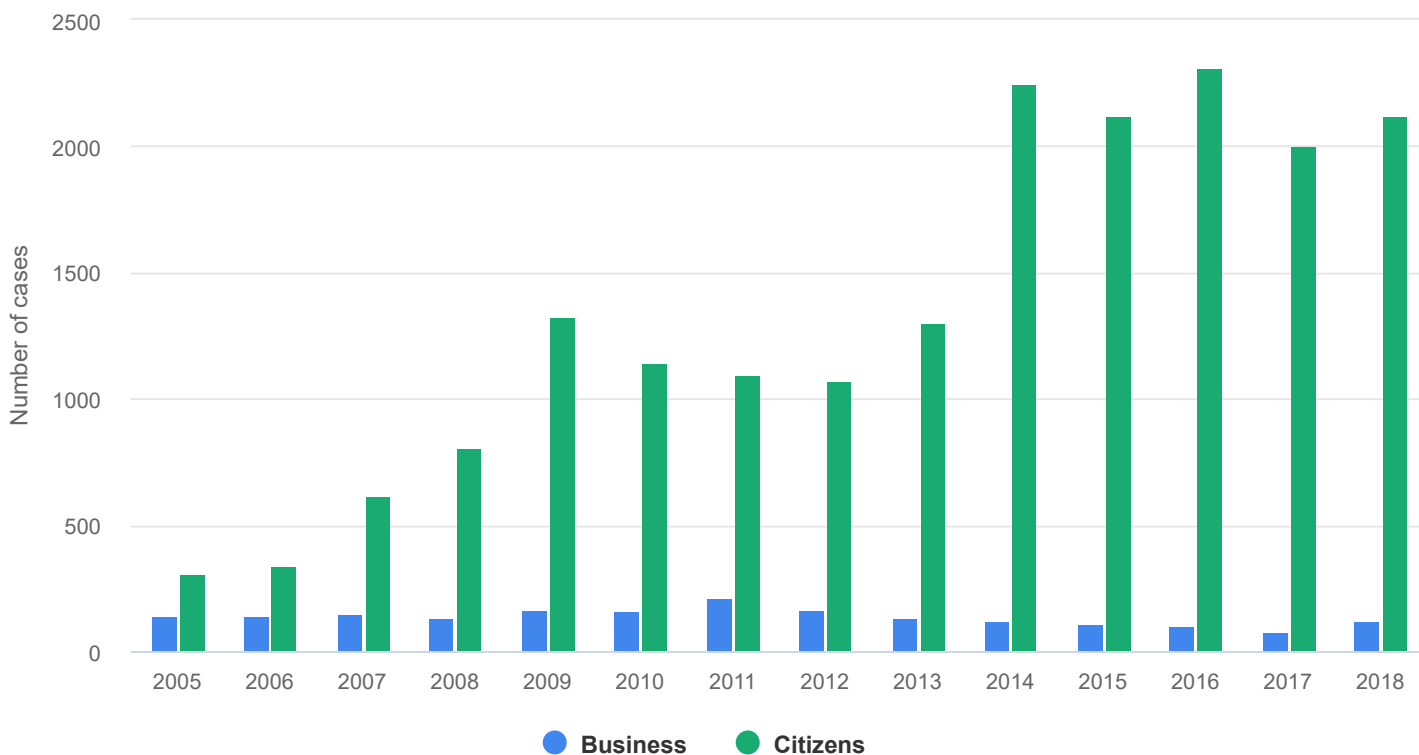


Social security-related cases made up 59% of all cases in 2018 (62% in 2016 and 54% in 2017).

Comments

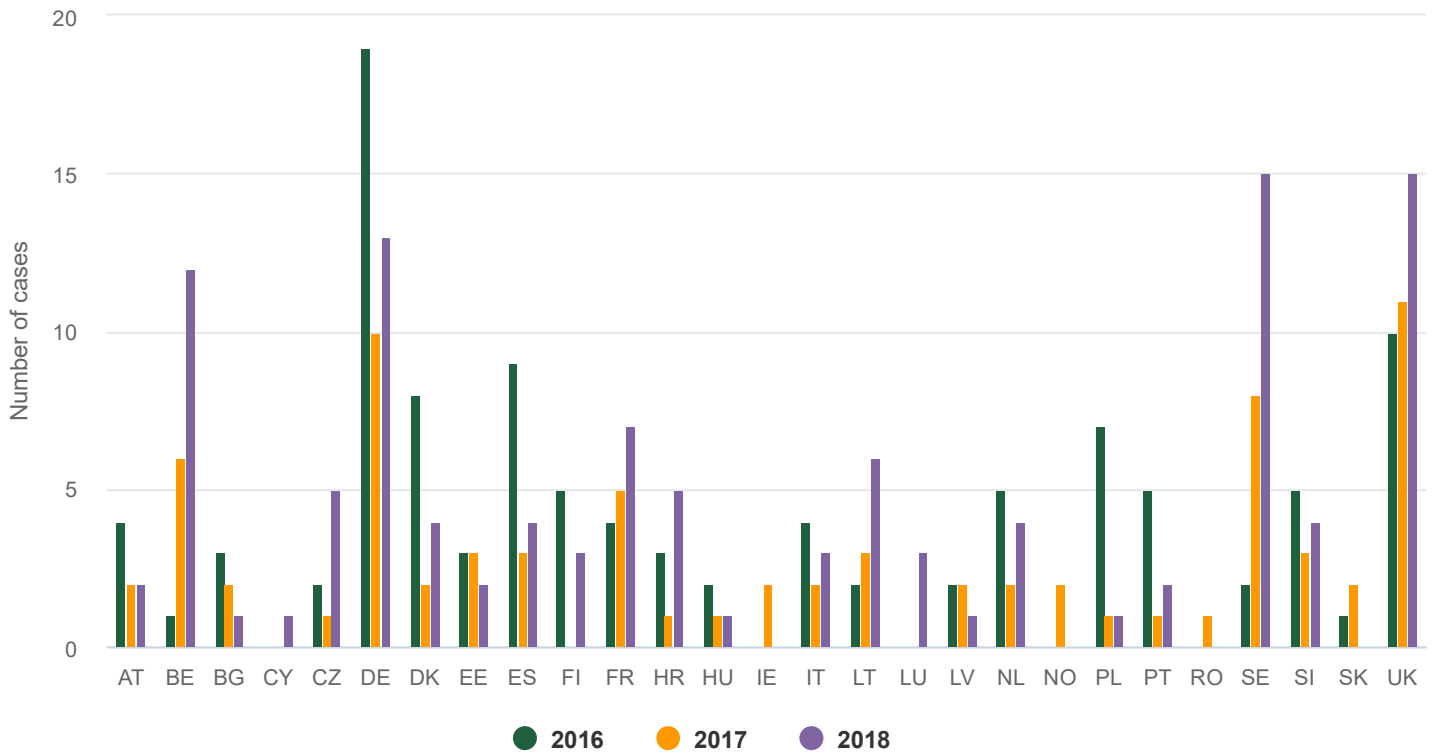
- Social security remains the biggest problem area dealt with by SOLVIT (1,344 in 2018 compared to 1,132 cases in 2017)
- Cases on the right of entry and residence of EU citizens and their family members dropped by 10% compared to 2017 (481 compared to 538 cases in 2017)
- More cases on vehicles and driving licences (44%, 97 compared to 67 cases in 2017)
- More cases on taxation (68 cases compared to 39 in 2017).

Business cases v. citizens cases



The proportion of citizen to business cases in SOLVIT remains high. In 2018, SOLVIT received 115 business cases, 39 more than 2017. The highest increase was in Sweden (+7) and Belgium (+6).

Business cases – by country

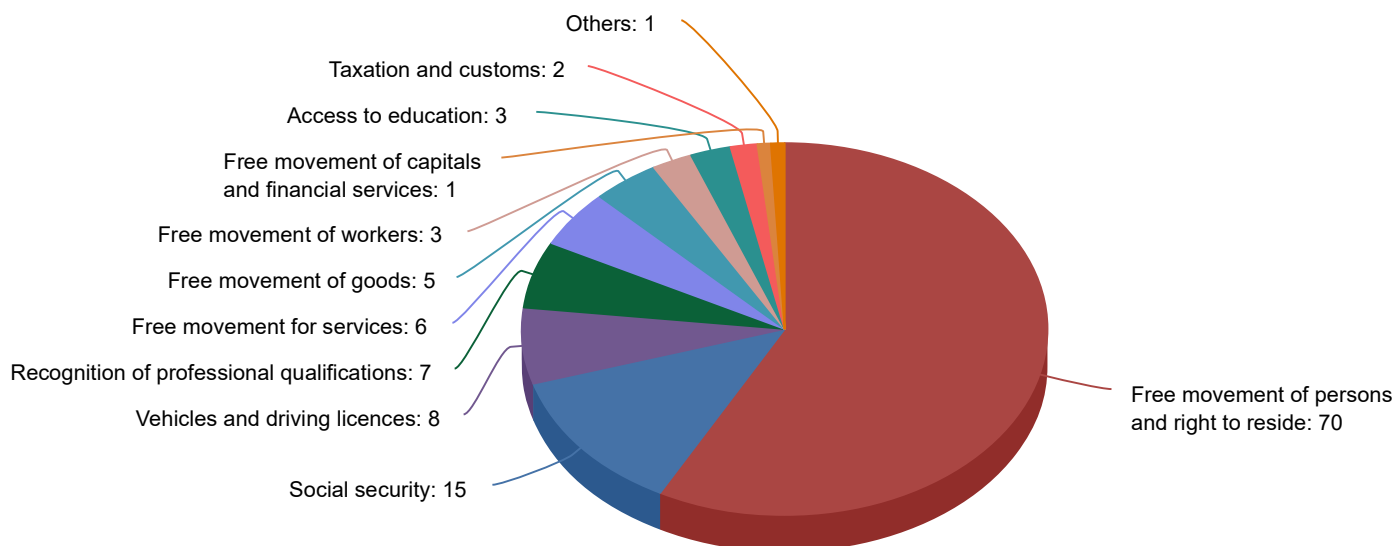


Biggest contributors to business cases: Sweden, UK, Germany, Belgium and France.

Comments:

- 70% of the business cases were solved.
- SOLVIT has stepped up its efforts to attract business cases:
 - 2 advanced legal training courses for national SOLVIT centres on free movement of goods took place under the COSME 2018 programme in cooperation with the VUB University in Brussels, Belgium.
 - SOLVIT is part of a problem-solving mechanism included in the review of enforcement of the mutual recognition principle adopted in March 2019
 - Business intermediary organisations have registered and can now submit and follow their cases directly in SOLVIT
 - A business leaflet was produced and distributed
 - Cooperation with the Enterprise Europe Network continues but needs to be strengthened.
- The 3 main problem areas continued to be:
 - taxation (31 cases)
 - free movement of goods (21 cases)
 - free movement of services (21 cases)
 - free movement of workers (20 cases)
 - Most cases came from small businesses


















Cases linked to more general difficulties in the single market* – by area of legislation



* Cases linked to more general difficulties in the single market are usually highly complex. They often entail amendments to national laws, so resolving them usually takes longer than the SOLVIT 10-week deadline.

- **Cases handled:** 121 cases (95 in 2017)
- **Main areas:** free movement of persons (70), social security (15), vehicles and driving licences (8), recognition of professional qualifications (7), free movement of services (6) and free movements of goods (5).

Cases linked to more general difficulties in the single market by problem area and by Member State

																		Total			
Free movement of persons and right to reside	1	3		3	5					28				1	1			23	3	2	70
Social security	2				2	1	2			2		2						2		2	15
Vehicles and driving licences	4	1			1						1									1	8
Recognition of professional qualifications				4						3											7
Free movement for services				1										2	1	2					6
Free movement of goods			2	1		1			1												5
Access to education		1						1						1							3
Free movement of workers														1		2					3
Taxation and customs														1						1	2
Others							1														1
Free movement of capitals and financial services																1					1
Total	7	5	2	9	8	2	3	1	1	33	1	2	1	1	5	1	30	3	6	121	

Handling times:

- **Cases closed within 10 weeks: 75%**
- Longest handling time: 503 days
- **Most cases (lead centre):** Ireland (31) and Sweden (30) handled most cases of this type followed by Germany (9), Spain (8) and Belgium (7)

Examples of difficulties relating to the single market in SOLVIT (as reported in the SOLVIT database):

EU citizens trying to get their professional qualifications recognised in another country met with:

- problems in getting professional qualifications recognised in the crafts sector in **Ireland**
- delays in getting professional qualifications recognised in **France**.

Cross border goods and services providers experienced the following:

- unjustified **technical requirements** (removal of EU certified tow bar, steering wheels) for passenger cars in **Spain**

- individual approval for mechanical coupling devices in **France**
- ban of type approved **transport equipment** for cars in **Germany**
- requirements to market **products in Czechia** allegedly incompatible with the mutual recognition principle.

Problems with taxation:

- the **disproportionate procedure to obtain a refund for coffee tax** imposed upon a cargo in transit in **Germany**
- discriminatory **capital gains tax** for non-residents in **Portugal**.

EU citizens faced the following social security issues when moving cross border:

- **unjustified reduction or refusal** of family benefits in **Austria** due to different classification of the benefits when the children live in another country
- **only national diplomas** are recognised for the service credit of diplomas which generates a higher pension amount and gives access to an early pension scheme in **Belgium**
- social security contributions to rental income for non-residents in **France**.

Problems with entry and residence rights:

- **delays** in issuing residence cards to non-EU family members of EU citizens in **Norway** and **Sweden**
- **residence cards** to non-EU family members of EU citizens are not considered in Belgium **within the required 6 months**,
- difficulties for EU citizens to get **listed in the population register and obtain a personal identification number (PIN)** which is necessary to get access to certain essential public and private services in **Sweden**
- **delays** in issuing entry visas to non-EU family members of EU citizens in **Ireland**
- **unjustified conditions** and refusals for short-term visas for non-EU family members of EU citizens in **Ireland, Slovenia and Sweden**
- **denial** to immediately issue a **registration certificate** for EU citizens in **Belgium**
- **validity of residence card** limited to expected UK membership in **Germany**
- Article 3 (2) of Directive 2004/38 on extended and other family members has not been transposed in **Poland**.

Issues of discrimination

- free admission to certain museums and monuments in **Portugal** is granted only to residents and not to other EU citizens
- refusal to allow **more than 2 first names** on documents based on the Personal Name Act in **Slovenia**
- **condition of residency or close ties** with **Sweden** to hunt in certain periods
- **only Greek nationality** can work in managerial positions in the public sector in **Greece**
- refusal to recognise non-national ID cards for certification purposes in **Sweden**

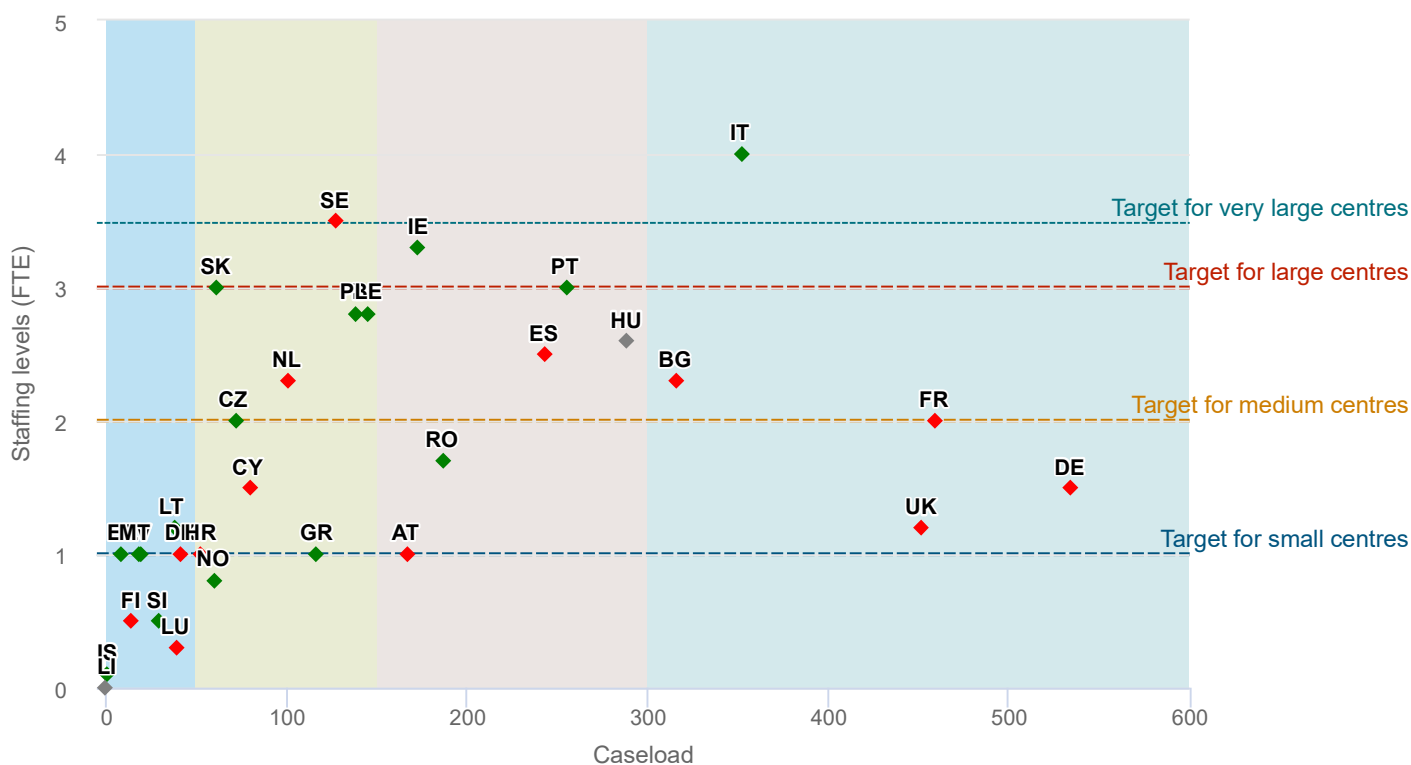
- **only foreign residents are unsubscribed** from the local population registry if their continued residence cannot be verified every 5 years in **Spain**
- discrimination in access to **digital procedures** for non-national doctors in **Portugal**.

Staffing level in SOLVIT centres

The chart below shows current staffing levels (i.e. staff time spent on SOLVIT work) in relation to caseload.

The number of staff (FTEs or full-time equivalents) should be determined by the caseload of the SOLVIT centres:

- small SOLVIT centres (16–50 cases) → 1 FTE
- medium SOLVIT centres (51–150 cases) → 2 FTEs
- large SOLVIT centres (151–300 cases) → 3 FTEs
- very large SOLVIT centres (over 300 cases) → 3.5 FTEs



Red symbol: low staff numbers

Green symbol: minimum staff numbers/time spent on SOLVIT work

Issues

1. **Demands for handling cases are rising – but staff numbers are static or even decreasing.** In many cases, staff may be unable to cope with any further caseload increases. Some centres also seem to experience difficulties with communicating promptly (replying to e-mails, telephone calls, etc.).
2. **High turnover** in some centres makes business continuity and efficient case handling more difficult.
3. Many SOLVIT centres often have to **give priority to other tasks** for their national administrations, leaving insufficient time for SOLVIT duties.

Priorities

Governments:

- Make sure SOLVIT centres are **adequately staffed**
- Enable them to **SOLVIT work**
- Ensure the **continuity** and expertise of staff
- Ensure that national SOLVIT centres have **sufficient authority** within their national administration
- **Follow up of more general difficulties in the single market** detected through SOLVIT

SOLVIT centres:

- Focus on the **quality of case handling**
- Ensure a maximum number of cases reach SOLVIT, especially from businesses
- Liaise with counterparts in the Europe Enterprise Network
- Meet the recommended **target times and keep applicants informed on progress**
- Ensure support and recognition of SOLVIT within the national administration by organising network meetings
- Ensure that issues linked to breaches of EU law detected through SOLVIT are channelled to the responsible services in the country concerned
- Ensure SOLVIT centres have access to legal expertise on **business problem areas** Signal specific problems in handling business cases to the Commission
- **Link organisations to SOLVIT by making them SOLVIT partners**

Commission:

- Make more **structured and systematic use of the available data and evidence** from SOLVIT in enforcement and formulation of new policy
- Revise existing workflows in the database for a more efficient case-handling
- Continue efforts **inside the Commission** and other institutions to increase **awareness** and use of SOLVIT for the signposting of individual complaints
- Reach out to business – mainly via the Your Europe Business portal, EU-level **business organisations, networks** like the Europe Enterprise Network and **national contact points** on goods/services.
- Develop further training in business areas and arrange networking sessions for staff in SOLVIT centres.
- Implement the problem solving procedure as set out in the revision of the Mutual Recognition Regulation that will be based on SOLVIT.

Examples of problems solved

SOLVIT helped to remove the following barriers to the free movement of people, goods and services in the EU:

- In Belgium the condition that driving licences could only be exchanged when they were about to expire has been removed. EU residents in Belgium can now exchange driving licences at any moment.
- French authorities have now agreed that sickness-related reimbursements can be made to foreign bank accounts.
- In Ireland foreign bank accounts can now be used to top up a prepaid transport card.
- The Bulgarian law denying registration of tractors with EU certificates was brought into line with EU law.
- Austria and Romania paid overdue VAT reimbursements to EU companies not established there.
- In Portugal, the process to provide attestation certificates for level of qualifications for physiotherapists was reinstated.
- Spain recognised all working periods within the EU to determine the seniority level of a nurse.
- A Romanian citizen working in France was granted tax deductions for family members.
- A double fee is no longer required for those EU nationals seeking certification in the Croatian language as a skipper.
- Swedish social security authorities conformed to EU law and covered hospital expenses of €25,000 for a Portuguese national who gave birth to a premature baby.