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Access to essential services for low-income people

Spain

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**ESPN Thematic Report on
Access to essential services for
low-income people**

Spain

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Summary

In Spain, there is no explicit definition of the right of access to essential services. However, the Constitution, the Statutes of Autonomy and municipal legislation do recognise it in different ways. The Spanish Ombudsman points out that water supply, electricity, transport and communications are essential services for achieving a decent life.

In relation to access to essential services, low-income people are defined differently according to the type of service. The guarantee of the right of this group is usually regulated in connection with different social situations (large households and pensioners, in particular). In general, this group is defined according to incomes below the minimum wage (€900 per month in 2019) or the official income indicator "Public Income Indicator of Multiple Effects" (the so-called "IPREM", which is €537.84 per month), adjusted according to the composition of the household. Most regions use this threshold for their minimum income schemes.

The regulation and provision of services such as water, sanitation and urban transport is the responsibility of regional and local government. Access to energy, digital and financial services is regulated at the state level. The regions can also regulate these services in a complementary way, but this does not always occur in coordination with other public administrations. In all cases, reduced tariffs are regulated for low-income people, although they are merely symbolic in relation to digital services. Usually the companies providing the service and local government make an exemption of part or all of the tariff. Cash benefits are seldom used.

In the effective development of the right of access to essential services, national legislation has evolved and incorporated the various European Directives, as in the case of access to water, energy, digital and financial services. Their application in Spain has so far followed the social assistance approach.

The strategies approved in 2019 (such as the National Strategy against Energy Poverty and the National Strategy to Prevent and Combat Poverty and Social Exclusion) and those that have been announced (such as the Spain Entrepreneurial Nation Strategy) include the guaranteed right of access to energy and financial services among their objectives. Among the reforms announced, as well as the National Strategy against Energy Poverty 2019–2024, the intention is to include internet connection in the Charter of the Rights of Users of Electronic Telecommunications Services. Over the last decade, access to energy has been the most developed legislative field in relation to essential services. The economic and financial crisis and the implementation of European Directive 2009/72/EC have led to successive reforms – in 2014, 2017 and 2018 – that have improved the conditions of access through the so-called *bono social eléctrico* (social discount on electricity) and (from 2018) the *bono térmico* (discount on the energy tariff for domestic heating). At the same time, different categories of low-income people are considered. Despite these advances, some barriers to access remain, such as the existence of an annual consumption ceiling and the exclusion of households that are above the income threshold, yet are energy poor. In financial terms, the lack of economic commitment by the central government and the discretionary funding provided by local governments should be highlighted. In order to further develop the right to energy, it is necessary to take into account the housing situation and to raise income thresholds.

Until now, the protection of the right of access to essential services in Spain has followed a social assistance approach. For this right to be exercised effectively, that approach needs to be discarded and a different, pre-distributive, approach needs to be promoted – one that guarantees the right *ex ante*. Along with this change, it is necessary to improve coordination and financial cooperation among the various public administrations.

1 Overview of national/subnational measures aimed at supporting low-income people in accessing essential services

According to Principle 20 of the European Pillar of Social Rights (EPSR), everyone should have “the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications”. Moreover, support for accessing such services should be available for those in need.¹ The importance of ensuring access to essential services is also well established globally in the framework of the United Nations 2030 Agenda for Sustainable Development and its 17 related Sustainable Development Goals (SDGs) which was endorsed in 2015 by all UN countries including all EU countries.² This report investigates the extent to which Principle 20 of the EPSR has already been implemented in the six services under scrutiny in Spain. The group of “those in need” is restricted in the report to people on a low income and low-income households.

1.1 Definition of “essential services”

In Spain, there is no definition of essential services that is applicable to the entire territory of the state. A certain terminological ambiguity prevails in the use of concepts such as essential services, basic services and services of general interest.

According to the doctrine of the Constitutional Court, “*those services that satisfy fundamental rights and freedoms or constitutionally protected goods of citizens*” are considered *essential*. Article 149.1 of the Spanish Constitution stipulates that the state has exclusive competence in “*regulating the basic conditions that guarantee the equality of all Spaniards in the exercise of their rights and in the fulfilment of their constitutional duties*”.

This regulation is compatible with those established by the Autonomous Communities or regions that also define and regulate essential rights, and also with those of the local administrations.

Current municipal legislation states that citizens residing in a municipality have the right to “use, in accordance with their nature, municipal public services”.³ Municipalities are responsible for the management of essential services, such as the supply of drinking water to homes and the evacuation and treatment of wastewater (Art. 25, C), sanitation (Art. 25, J) and urban public transport (Art. 25, G). In other words, all municipalities, without exception, must provide the following services: public lighting, waste collection, street cleaning, home drinking water supply, sewerage, access to urban centres and the paving of public roads. In municipalities with fewer than 2,000 inhabitants, the provision of municipal services is supported by the Provincial Councils.⁴ In municipalities with a population of 50,000 or more, the municipality guarantees the right to public transport and the urban environment (Art. 26, D).

¹ The EPSR was jointly proclaimed by the European Parliament, the European Council and the European Commission on 17 November 2017. For more information on the EPSR, see: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en.

² The SDGs and their targets seek to realise the human rights of all, by promoting an integrated notion of sustainable development aimed at creating synergies between economic, environmental and social policies and objectives. For more information on the SDGs, see: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>.

³ Law 7/1985, of 2 April, Regulating the Local Regime bases (last amendment: 4 August 2018), Art. 18.C.

⁴ The Provincial Council (*Diputación*) is an institutional body at the provincial level whose task it is to guarantee essential services in municipalities with fewer than 2,000 inhabitants, the budgetary resources of which are often insufficient to ensure their provision.

Therefore, in order to define an essential service and the right to it, it is necessary to consider concurrently the state regulations, those of each region and those of the local administrations.⁵ The competencies of the three levels of public administration are mutually reinforcing, so that the right to essential services is ultimately guaranteed for all citizens without exception.

The Ombudsman of Spain has pointed out that transport, communications, electricity and water supply are essential services for a dignified life in today's society, and are provided by both public administrations and private companies. All citizens have the right to receive good-quality services, regardless of their place of residence. The different Ombudsmen of the regions have taken the same position.⁶

1.2 Definition of “low-income people” used in the context of access to services

Access to water. There is no definition at the national level of low-income people used in the context of access to water; nor is there one at the regional level. Each municipality or metropolitan area has its own regulations. The partial or total exemption from the payment of water bills usually applies to groups that receive minimum social benefits (Minimum Income Scheme – MIS, non-contributory pensions and non-contributory unemployment benefits) or have household income below the minimum wage in households with dependent children. Consequently, the definition of which households or individuals are considered “low income” is up to each local government (Annex, Table A1).

Access to sanitation. As sanitation is bound up with the right of households to access water, the conditions governing exemption of part or all of the tariffs are identical to those applied to vulnerable groups in the case of access to water. Therefore, the definition of low-income people is the same as in the case of the right of access to water (Annex, Table A2).

Access to energy. The latest regulation, dating from 2018 (Royal Decree-Law 15/2018),⁷ states that “for households and families, energy is an essential good to meet basic needs, such as lighting, food or air conditioning to maintain sufficient comfort conditions for health”.

A low-income person or “vulnerable consumer” is defined as a consumer of electricity in a permanent residence, whose individual or household annual income (in 2019) is below €11,279.38 (1.5 times the Public Income Indicator of Multiple Effects – IPREM). The threshold for being considered a “vulnerable consumer” rises depending on household size, disability, the need for long-term care, and whether someone has suffered gender-based violence or been the victim of terrorism (Annex, Table A3).⁸

Public transport. There is no single definition of “low-income people” at the national, regional or local level. The definition of low-income people depends on each region or municipality, although the most common approach is to consider persons with an income threshold lower than a percentage of the IPREM, of the minimum wage (SMI) (€12,600

⁵ Javier Fuertes, <http://bit.ly/39qXEmR>

⁶ For example, see the document of the Síndic de Greuges: Report on the right to basic supplies (electricity, water and gas). Available at <http://bit.ly/36hbtC5>

⁷ Royal Decree-Law 15/2018, of 5 October, on urgent measures for energy transition and consumer protection, BOE, 6 October 2018, <http://bit.ly/2QiltF>

⁸ The IPREM is the indicator of income used by Spanish public administrations to determine access to a series of social protection schemes, established in 2019 at €7,519.59 per year and distributed in 14 monthly payments. The law indicates that, by default, the IPREM will be taken as a reference for 14 payments unless express mention is made of the absence of extraordinary payments, in which case the IPREM will be used in 12 monthly payments (€6,454.03 per year). The amount of this indicator has not changed since 2017. Most regions use the IPREM for their minimum income schemes. Three regions consider the minimum wage and others use a fixed amount that is updated through their General Budgets (AIREF, 2018).

per year in 2019) or of the amount that grants the right to claim some regional MIS (the amount varies according to the region) (Annex, Table A4).

Digital services. In the area of digital public services, in general there are no specific measures for low-income people. The only exception is a social subscription package for retirees and pensioners with income of less than €9,023.50 per year (equivalent to 120% of the IPREM) – and that only includes a reduced tariff for fixed-line telephones (not internet or mobile telephony). Thus, no specific broad-spectrum definition operates (Annex, Table A5).

Financial services. The definition of low income used to determine whether someone can open and operate a payment account with basic features for free is established according to the annual gross income of the household unit in relation to the IPREM (the monthly amount times 12), and depends on the size of the household unit (twice the IPREM for a single household member; 2.5 times for 2–3 members; and three times for four or more members). Wealth is also taken into account: thus, for this purpose, nobody with a property additional to their main residence is considered to be “low income”.

1.3 Measures for facilitating access for low-income people to services

1.3.1 Access to water

The Spanish Constitution of 1978 makes no explicit mention of water as a fundamental right. However, such a right may be implicitly considered to be included in the fundamental right to life (Article 15) and in constitutional, but not fundamental, rights to health (Article 43), the environment (Article 45) and to decent and adequate housing (Article 47).

Access to water and its supply to households is regulated and guaranteed by municipalities and, in general, by local governments. The latter set the general water tariffs and the discounts applicable to those groups that they consider to be low income. The discount on water tariffs varies from one municipality to another, although there is a certain common denominator in terms of which groups should receive the discounts and below what income limits they should apply. The central administration and the regions limit themselves to guaranteeing the right of access to water in a generic and subsidiary way (Annex, Table A1). In the case of municipalities with fewer than 2,000 inhabitants, the Provincial Councils and island administrations with a special status guarantee the supply of water; but the right of people to access water – as well as the regulation and management of the water supply – is a municipal affair.

From the review carried out in different urban areas of Spain,⁹ we found that all cities with more than 50,000 inhabitants have reduced tariffs for large households (with or without children), low-income households (the main criterion being that they have income below the minimum wage) and pensioners aged 65 or over whose income is below the SMI or who receive social assistance pensions. In the case of persons suffering a “social emergency” – i.e. in a position of serious social exclusion – the municipalities cover the water bill in full (in-kind benefit). In some provincial capitals or large population centres there is a Social Fund, to which those companies that have been granted the home water service concession contribute; this generally pays the water bill in full if a person is suffering severe poverty or social emergency.

In short, the selection criterion for reduced bills is to have income lower than the SMI; but this is adjusted according to the different existing social situations (Annex, Table A1).

⁹ FACUA study on water tariffs in 35 cities in Spain in 2017. FACUA-Consumidores en Acción (2017) <https://www.facua.org>.

1.3.2 Access to sanitation

Access to sanitation is part of the right of access to water, and therefore its regulation and tariff discounts are integrated into the general water tariffs. In other words, no differentiation is made in the tariff reduction between household water supply and sanitation (Annex, Table A2).

1.3.3 Access to energy

Access to energy is regulated at the national level. It is the state that regulates the tariff discounts that are applied by the electricity companies. However, the regions and municipalities manage the aid, and even take responsibility for some of the charges in the case of households suffering social emergency or severe exclusion (Annex, Table A3).

Under the 2018 regulation, the amount of energy consumed which carries the right to a discount was increased by 15%. A new feature is the "*bono térmico*" (a discount on the energy tariff for domestic heating), which varies according to geographical zone, is financed by the state and is managed by the regions. The regions can top up the state aid as they see fit. The *bono térmico* is in addition to the *bono social eléctrico*, and applies only to beneficiaries of the latter.

According to current legislation, the instrument that guarantees the right to energy is the "*bono social eléctrico*" or social discount rate on electricity. There are three categories of beneficiary:¹⁰

- a) The "vulnerable consumer" is a person or household with annual income less than or equal to 1.5 times the IPREM; the discount they receive is 25% of the tariff.
- b) The "severely vulnerable consumer" is a person or household with annual income less than or equal to 50% of the IPREM; the discount they receive is 40% of the tariff.
- c) The "very severely vulnerable consumer" is a recipient of social assistance benefits or MIS; in this case, the discount from the electricity companies is 50% of the tariff, the other 50% being assumed by the municipality where they reside (in-kind benefit).

In the first and second cases, the amount of the electricity discount increases according to such criteria as: household size, disability, dependency, whether there is a history of gender-based violence or whether someone has been a victim of terrorism (Annex, Table A3).

1.3.4 Access to public transport

The most frequent measures are reduced fares. Fare reductions depend mainly on such criteria as age (young people, persons aged 65 or over), household size (households with three or more children), degree of disability and employment status; also – to a much lesser extent – on low income. Regardless of income level, it is most common to offer reduced fares to students and retirees aged 65 or over, pensioners, people with disabilities of over 33% or 65%, large households or unemployed people (FEMP, 2009; CCOO, 2009; Metropolitan Mobility Observatory, 2019).

On urban public transport, fares are usually determined by the local government and, to a lesser extent, by the regions (FEMP, 2009); this introduces a great deal of variation in the fares. In large cities such as Madrid, Barcelona, Valencia, Seville or La Coruña, it is customary to offer reduced fares on the basis of low income; however, in general the municipalities have no one criterion for defining low-income people. In the cities of

¹⁰ More information available at: <https://www.bonosocial.gob.es/#quees>.

Madrid or Valencia, the IPREM is used as a reference indicator;¹¹ in Barcelona, Seville and La Coruña, the SMI indicator is used (€12,600 per year in 2019).¹²

Cash benefit-based measures are exceptional for low-income people. School transport subsidies are available to students with special educational needs and who belong to large households, but these are granted regardless of household income and assets (Royal Decree 430/2019 of 12 July).¹³ On the other hand, there is a mobility allowance and compensation for transport costs (€67.40 per month in 2019)¹⁴ for people with over 33% disability and whose income is less than 70% of the IPREM (Law 13/1982, of 7 April, on the Social Integration of the Disabled; Royal Decree 383/1984, of 1 February;¹⁵ Royal Decree 1341/2018, of 29 October)¹⁶ (Annex, Table A4).¹⁷ In-kind benefits (e.g. free travel card) are usually available to people aged 65 or over ; but these are granted regardless of income level. However, there are cities – such as Seville – where there is a free transport card for people aged 65 or over and pensioners aged 65 or over who are registered in Seville and whose monthly income is less than €1,800 (in 2019).

There are usually no advice/training or information services. As part of their advisory functions, social workers often provide information on the best options regarding existing schemes of reduced fares, taking account of the characteristics of the household, or regarding transport alternatives; but there is no specific service for this purpose (Annex, Table A4).

1.3.5 Access to digital public services

In the field of digital public services, in general there are no reduced tariffs, cash benefits, in-kind benefits, advice/training or information services, or a basic/uninterrupted supply aimed specifically at low-income people. In many territories, there is free access to the internet in libraries or public spaces; but anybody can access the internet there, irrespective of income.

There is a measure that provides reduced charges for fixed telephone lines that is subsidised by the central government as a social communications discount for retirees or pensioners whose annual household income does not exceed €9,023.50 (in 2019) – equivalent to 120% of the IPREM.¹⁸ However, it does not apply to internet connections or mobile phones. This measure does not fully guarantee access to most digital public services: while in some territories it is possible to use a landline to achieve certain basic things in some public services (for example, to make a doctor's appointment or request one's insurance history record from the social security system), this is not possible for other services. In other cases, although one can contact the public services by phone, they usually require an e-mail address or mobile application.

¹¹ More details available at: <http://bit.ly/2MNhYVK> ; <http://bit.ly/2rLIIdEE>.

¹² More details at: <http://bit.ly/2QKwKhk>; <http://bit.ly/2SOE267>; <http://bit.ly/2FjoWxn>.

¹³ <http://bit.ly/31uzjHj>.

¹⁴ <http://bit.ly/2FfDWN2>. This allowance is managed by regions, except in Ceuta and Melilla where it is managed at the national level.

¹⁵ <http://bit.ly/2ZLBiYx>.

¹⁶ <http://bit.ly/2N3wvNI>.

¹⁷ Although it is not frequent, there are cases, such as in the region of Murcia, where recipients of minimum income who attend training activities can receive a supplement to the minimum income in the form of school and transport aid. The monthly amount of the benefit can be increased, during the course, by a transport supplement of up to 20% of the daily IPREM if the journey is less than 15 kilometres, and up to 30% if the distance is greater (Regulation of Law 3/2007, of 16 March, on Basic Insertion Income of the Autonomous Community of the Region of Murcia. Available at: <http://bit.ly/2ZJ08bC>).

¹⁸ More details at: <http://bit.ly/35fSOFH>. It is a service regulated by Art. 29 of the Charter of the Rights of Users of Electronic Telecommunications Services (Royal Decree 899/2009 of 22 May, Art. 29.a). It includes a 70% reduction in the fixed line registration fee and a 95% reduction in the monthly fixed line fee. Some 33,000 elderly people in Spain benefit from the Social Telecommunications Subscription. The number of beneficiaries has gradually fallen in recent years as a result of the fact that this subscription only affects the fixed line telephone rather than the internet or mobile phone usage.

Most of the measures to facilitate access to digital public services at both the national and the regional level are aimed at expanding access to fixed broadband and improving digital literacy, as well as at training the population and ensuring its inclusion. Rather than income disparities, they usually target territorial or qualifications disparities, or else people with special difficulties due to old age or disability. The measures usually aim at promoting a service, raising awareness, offering advice and training to improve accessibility and digital literacy for the general population (without taking income criteria into account), but with a special emphasis on people with poor qualifications, people with disabilities, elderly people and “non-digital” age groups that are reluctant to use information and communication technology (ICT). They also include measures to promote equality between men and women and to improve the employability of people aged 55–75, in particular.

For rural areas and areas currently without coverage, there are several programmes that are not linked to income disparities, but rather to territory, such as the New Generation Broadband Extension Programme (PEBA Plan),¹⁹ the Strategy for Digitalisation of the Agrifood and Forestry Sector and the Rural Environment (approved in April 2019)²⁰ or the State Cash Benefits Programme for contracting fixed broadband access services (30 Mbits per second) in municipalities with 5,000 inhabitants or fewer (Annex, Table A5).²¹

1.4 Access to financial services

Since April 2019 (Royal Decree 164/2019),²² there has been a free basic payment account scheme for the benefit of low-income people. Banks may not charge low-income people for these accounts if the gross annual income of the household is less than double the IPREM for households with only one member (2019: €12,908.06 per year in 2019); two and a half times the IPREM for a household with fewer than four members (i.e. €16,135.07); and three times the IPREM if it has four members or more or if it is recognised as a large household (i.e. €19,362.09). The regulations also take into account assets other than the main dwelling; thus, if any member of the household unit owns a commercial company or real estate, or has effective rights over the same, nobody in that household is considered to be low income.

An eligible customer has to apply to a credit institution and to provide proof of low-income status at the time of application. The effects of such recognition will be produced from the date of the customer’s application to the credit institution. The scheme covers the opening, use and closure of an account, the deposit of funds in euros, the withdrawal of cash at branches or ATMs located in Spain or any other EU Member State, payment transactions by debit or prepaid card, and the execution of up to 120 payment transactions per year,²³ such as direct debits or transfers.

The basic payment account remains free for two years, unless the institution can prove that the customer is no longer on low income. If the criteria established for low-income people are maintained, the free account is extended for a further two years.

¹⁹ With a budget of €150 million for 2019, it is aimed at providing financial support for the introduction of broadband networks in underserved areas with no current or planned coverage over the next three years. Available at: <http://bit.ly/2u7haV3>.

²⁰ It includes actions aimed at promoting connectivity in the territory and at combating the urban-rural digital divide through training, dissemination and advice to attract young people and women as stable inhabitants of the rural territory. Available at: <http://bit.ly/2Ffwxgu>.

²¹ More details at: <http://bit.ly/2tBlfkn>.

²² Royal Decree 164/2019, of 22 March, establishing a free system of basic payment accounts for the benefit of persons in a situation of vulnerability or at risk of financial exclusion. Available at: <http://bit.ly/2Fjvb4h>.

²³ Fees for transactions in excess of the aforementioned 120 may not exceed, in the annual calculation, the average fees or expenses applied by the entity for each type of transaction.

2 National/subnational policy frameworks and reforms²⁴

2.1 National/subnational policy frameworks

2.1.1 Access to water

There is no national policy framework that provides for the measures aimed at improving low-income people's access to water. The framework for regulating public policies is dispersed and distributed unequally among the different central and territorial public administrations. In practical terms, each municipality regulates the policy governing access to water by low-income groups. Protection of the right to water is embodied in the right to a household water supply. Since water is a public patrimony or "domain", it has not been considered necessary to define a subjective right to its use (Menéndez Rexach, 2011; Embid Irujo, 2006). For this reason, the Spanish Constitution of 1978 does not recognise a specific right to water, but rather it is a guiding principle for public authorities. In other words, the right to water is "implicit" in the right to health protection (Art. 43) and to decent and adequate housing (Art. 47). The guarantee of a "minimum standard of living" (Menéndez Rexach, 2011), which is also recognised by other countries (such as Italy, with its *mínimo deflusso vitale*, or Germany, with its *Wohl der Allgemeinheit*), seems to derive from these principles.

Spanish legislation recognising the right to water has four levels:

- a) European level. The Water Framework Directive of 2000 has been a real boost for water quality management, as it introduced the concept of "ecological water status", going beyond the concept of water quality. In other words, it includes water recycling and the conservation of existing reserves.
- b) Spanish national legislation (Water Law of 1985, Revised Text of the Water Law of 2001,²⁵ or Royal Decree 140/2003 of 7 February²⁶) guarantees a minimum provision of 100 litres per inhabitant per day. From this legislation, a certain guarantee is deduced of the right of citizens to a supply of water of sufficient quantity and adequate quality, independently of their economic capacity. As the legal doctrine points out, without water, neither town planning nor decent housing is possible. This is a guiding principle of public policy. Over the past two decades, the regulation of the right of access to water has moved from guaranteeing a supply of water for all citizens to ensuring water quality and conservation, as evidenced in the National Water Quality Plan 2007–2015 and the National Plan for Purification, Sanitation, Efficiency, Savings and Reuse of 2018.
- c) Regional legislation acts as a bridge between national and municipal legislation, specifying the problems of water supply and its provision to citizens at the level of each region. There are two modalities in this legislation: the adaptation of state legislation, which is the case with most regions; and another innovative modality that consists of the explicit recognition and guarantee of the subjective right to water (the only case being the Statute of Andalusia).²⁷
- d) Finally, municipal legislation²⁸ gives concrete expression to the right to water in three ways: by guaranteeing the general supply of water, together with public

²⁴ See Essential Services – Summary in Annex, Table B1.

²⁵ Royal Legislative Decree 1/2001, of 20 July, approving the revised text of the Water Law, <http://bit.ly/2SKHkY7>; Royal Decree-Law 4/2007, of 13 April, amending the revised text of the Water Law, approved by Royal Legislative Decree 1/2001, of 20 July, <http://bit.ly/2tiTCMF>.

²⁶ Available at <http://bit.ly/37tsfhB>.

²⁷ Law 1/2010, of 8 March, regulating the right to housing in Andalusia.

²⁸ The Law on Local Regime Bases of 1985 states that the supply of drinking water is a compulsory municipal service.

sanitation services; by guaranteeing the domestic supply of water directly or through concessionary companies (reserving the setting of water rates for itself); finally, by facilitating access to guaranteed water consumption by vulnerable social groups through a reduction in charges for water. In this last case, as we have already pointed out, each municipality decides its own policy of effective access to water. Therefore, there is no national or regional policy of single rates for social groups in a situation of poverty or at risk of exclusion. The legislation of each municipality (called Municipal Ordinances) regulates the right to water, assuming that it constitutes a right to a water supply for each individual home.

2.1.2 Access to sanitation

As in the case of access to water, the framework for regulating access to sanitation policies is the responsibility of the local authorities. Each local authority establishes a framework for the access rights of low-income groups.

The right of access to sanitation has been part of the right to quality water access and supply since the mid-nineteenth century. There is extensive national legislation in which water and sanitation are effectively inextricably linked. The right to sanitation forms part of urban planning legislation (as a municipal competence) and health legislation (as a state and regional competence). Until 1985 (Law on Local Regime Bases), the municipalities had responsibility for sanitation, water supply, health and hygiene. Subsequently, this was extended to responsibility for the collection and treatment of organic and toxic waste, the elimination of shanty towns and the prohibition of illegal dumping of waste, which, in many cases, takes place in suburban areas where vulnerable groups live.

The legislation in this area is of a general nature. This can be seen, for example, in Royal Decree-Law 11/1995, of 28 December,²⁹ which establishes the rules applicable to the treatment of urban wastewater; or in the 2008 Land Law.³⁰ The latter recognises in its Art. 4 that every citizen has the right to “enjoy decent, adequate and accessible housing, designed in accordance with the principle of design for all persons, which renders their home free from noise or other polluting emissions of any kind”.

In order to comply with Directive 91/271/EEC on urban wastewater treatment, Spain drew up its National Drainage and Water Treatment Plan (1995–2005). This plan has been updated by the National Plan for Purification, Sanitation, Efficiency, Savings and Reuse, submitted for public consultation on 19 October 2018 and now awaiting final approval.

The development of this general legislation takes place at the regional and municipal level. The regional laws regulate concurrently water supply, sanitation and water treatment,³¹ as well as the guarantee of access by citizens to water consumption.³² The municipal regulations or ordinances regulate and execute all the regulations referring to sanitation, waste control and environmental protection.

2.1.3 Access to energy

The social impact of the financial and economic crisis and of the fiscal consolidation policies from 2010 onwards resulted in an increase in the number of people who could

²⁹ Royal Decree-Law 11/1995, of 28 December, which establishes the rules applicable to the treatment of urban waste water. Available at <http://bit.ly/2QfDWD0>.

³⁰ Royal Legislative Decree 2/2008, of 20 June, which approves the consolidated text of the land law. This law was updated by the Royal Legislative Decree 7/2015, of 30 October, which approves the consolidated text of the Urban Land and Rehabilitation Law. Available at: <http://bit.ly/2ZPcqPN>.

³¹ For example, Law 12/2002, of 27 June, regulating the integral water cycle. Region of Castilla-La Mancha. Amended on 30 April 2016.

³² Water Law 9/2010, of 30 July, of Andalusia.

not afford to pay their electricity bills. In order to deal with this social problem, the Law on the Electricity Sector of 2013,³³ developing the European Directive on consumer protection,³⁴ contemplates in its Art. 45 the figure of the “vulnerable consumer”. At the same time, the Spanish regulation is based on the UN Sustainable Development “Goal 7: Affordable and clean energy”.

Implementation of the European Directive began in 2014³⁵ and is reflected in the so-called “*bono social eléctrico*” or social discount rate on electricity.³⁶ The experience accumulated in management of the *bono social eléctrico* has been carried over into subsequent regulations, in 2016 and 2018, which updated and improved the instruments governing access by, and protection of, vulnerable consumers.³⁷

The latest regulation, from October 2018, dedicates Chapter 1 to the regulation of energy poverty and vulnerable consumers. In this sense, it extends protection to long-term care system beneficiaries with Grade II (severe dependency) and III (high dependency) and to single-parent households with at least one child that meet the income condition we indicated above to qualify as “low income”.

2.1.4 Public transport

There is no national policy framework that provides for measures aimed at improving low-income people’s access. There are no specific measures to improve access to transport for low-income people – either at the national level, in the recently approved National Strategy to Prevent and Combat Poverty and Social Exclusion 2019–2023, or in the regional Social Services Laws. Some minimum income laws at the regional level (such as in the Autonomous Community of Murcia) do provide for supplements to the minimum income in the form of school and transport allowances for attendance at training activities.

In general, specific measures to improve access to transport for low-income people are usually included in some regional laws on public passenger transport, especially in the most recent. This is true, for example, of Castilla y León region (Law 9/2018, of 20 December),³⁸ which provides for social fare mechanisms and other assistance, based on personal and household income, and taking into account the number of children, single-parent households, the age of users, their degree of disability or other instances of vulnerability. However, the greatest level of detail in these measures is usually found in the metropolitan ordinances that regulate social transport pricing systems and are characterised by a high degree of territorial heterogeneity.

2.1.5 Digital public services

According to the Digital Economy and Society Index (DESI), Spain shows good results in the rate of growth and in the deployment of ultra-fast broadband, and is one of the best-performing EU countries in terms of the provision of digital public services (fourth in the EU in 2019).³⁹ Furthermore, there is a high level of online interaction between public authorities and citizens: 75.7% of Spanish internet users actively participate in

³³ Law 24/2013, of December 26, on the Electricity Sector.

³⁴ Directive 2009/72/EC of the European Parliament and of the Council, of 13 July 2009, concerning common rules for the internal market in electricity.

³⁵ Royal Decree 216/2014 regulating the mechanisms for financing the social discount rate and other measures to protect vulnerable consumers of electricity.

³⁶ Websites that provide information on the right to energy and the social discount rate on electricity: <https://www.bonosocial.gob.es/>; <http://bit.ly/39flhxw>.

³⁷ Royal Decree 7/2016 regulating the mechanisms for financing the social discount rate and other measures to protect vulnerable consumers of electricity. Royal Decree Law 15/2018 on urgent measures for energy transition and consumer protection.

³⁸ Available at <http://bit.ly/2Qicmot>.

³⁹ See <https://digital-agenda-data.eu>.

eGovernment services (EU: 64.3%). In eHealth services, Spain ranks fifth in the EU.⁴⁰ Despite these indicators, there is unequal access to and use of the internet in Spain according to age, disposable income, educational level, territory and/or size of dwelling (CES, 2017; INE, 2019). There are also important differences in the deployment of fast broadband between regions (ONTSI, 2019), and especially between urban and rural areas.

In Spain, there is no specific broader national or subnational policy framework to facilitate access to digital public services for low-income people. There is a general legal framework that recognises electronic access to public services as a citizen's right⁴¹ and a Charter of the Rights for Users of Electronic Telecommunications Services.⁴² The current National Strategy to Prevent and Combat Poverty and Social Exclusion includes the need to reduce the digital divide, with programmes aimed at promoting the use of technologies among the most vulnerable (without referring to income criteria), for which it refers to the Digital Agenda for Spain of February 2013.⁴³ This Digital Agenda is the main policy framework for ICT and eGovernment, with specific measures and plans to meet the objectives of the Digital Agenda for Europe in 2015 and 2020. The Agenda includes several specific plans, such as a Digital Transformation Plan of the General State Administration 2015–2020,⁴⁴ a Digital Public Services Plan⁴⁵ and a Digital Inclusion and Employability Plan.⁴⁶ The main measures to facilitate access to digital public services are included in the latter two and are usually aimed at people with fewer qualifications, people with disabilities and elderly people, regardless of their income level.

2.1.6 Financial services

The transposition of Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 into Spanish law began with Royal Decree-Law 19/2017.⁴⁷ This Royal Decree-Law was approved almost "in extremis", since the European Union had given several warnings on account of failure to comply with the deadlines, even going so far as to formalise a lawsuit before the Court of Justice of the European Union. Under this Royal Decree-Law, two levels of charges were introduced, which were not regulated until 2019. A first, general level, in which customers have to pay a maximum monthly commission (regulated in Order ECE 228/2019),⁴⁸ and a second level, with more advantageous conditions for low-income people or groups in a situation of financial vulnerability or exclusion (regulated in the aforementioned Royal Decree 164/2019). Under this Royal Decree, financial institutions may not charge for a basic payment account if the client's household has gross annual income of less than double the IPREM in the case of a single-person household (2019: €12,908.06); two and a half times IPREM if the household has fewer than four members (€16,135.07); or three times IPREM if the household has four members or more, or if it is recognised as a large household (€19,362.09). Those who

⁴⁰ In 2019, all health centres and pharmacies had incorporated the electronic prescription, and 92% of all prescriptions were managed electronically (all regions have implemented this initiative).

⁴¹ Law 11/2007, of 22 June, on the electronic access of citizens to public services, modified by Law 39/2015, of 1 October, and Royal Decree-Law 11/2018, of 31 August. Available at: <http://bit.ly/36E67AW>.

⁴² Royal Decree 899/2009, of 22 May, approving the Charter of Rights of Users of Electronic Communications Services. Available at: <http://bit.ly/2QgUs5H>.

⁴³ Available at: <http://bit.ly/35ptjCI>.

⁴⁴ Available at: <http://bit.ly/2POGPcn>.

⁴⁵ Available at: <http://bit.ly/35qHFm6>.

⁴⁶ Available at: <http://bit.ly/2LYBrIP>. It includes a follow-up report in 2014.

⁴⁷ Royal Decree-Law 19/2017, of 24 November, on the basic payment accounts, the transfer of payment accounts and the comparability of charges. Available at <http://bit.ly/3018ono>.

⁴⁸ Order ECE/228/2019, of 28 February, on the basic payment accounts, the payment account transfer procedure and the comparison website requirements. Available at <http://bit.ly/2sOhtUL>. This prevents banks and other credit institutions from charging more than €3 per month for the use of a basic payment account for the general public.

have a property in addition to their main residence are not considered to be low-income people.⁴⁹

Within 12 months of the entry into force of this Royal Decree (i.e. by 23 April 2020), the Ministry of the Economy and Business is expected to produce a report on access to basic payment accounts, define situations of special vulnerability or risk of financial exclusion and, if necessary, draw up proposals to improve the applicable regulatory framework. To this end, credit institutions must inform the Bank of Spain, on an annual basis, of the number of such accounts that have been opened and the number of applications that have been rejected.

The current National Strategy to Prevent and Combat Poverty and Social Exclusion also includes the need to guarantee universal and free access to basic payment accounts, with minimum associated financial services, for those people who are vulnerable and excluded from the financial system.

2.2 Ongoing or announced reforms

Access to water. No reforms related to access to water are planned at the national level.

Access to sanitation. No reforms related to access to sanitation are planned at the national level.

Access to energy. The latest regulations on the vulnerable electricity consumer indicated that in six months the government would approve a National Strategy against Energy Poverty, whose design would rely on the participation of the regions and local entities, as well as of the agents and social groups affected, of companies and of the Third Sector. This document – known as the National Strategy against Energy Poverty 2019-2024⁵⁰ – was approved in April 2019. It develops nine lines of action: 1. Establishing a robust system for the periodic calculation of indicators and designating responsible bodies; 2. Providing transparency on the indicators publication system; 3. Deepening the knowledge of the energy expenditure required by different consumers; 4. Improving support mechanisms to deal with energy poverty; 5. Protecting consumers in extreme weather situations; 6. Reducing the number of people living in energy poverty; 7. Action by professionals to combat energy poverty; 8. Improving consumer information and training; 9. Regulatory improvements for consumer protection. The strategy is based on governance involving all actors with social and public interest and responsibility and provides for evaluation of its results in 2024. In relation to line 5 of this strategy it should be noted that it prohibits cutting off the energy supply in extreme weather situations, such as a wave of heat cold.

Public transport. There are no ongoing or announced reforms in this area.

Digital services. The Spain Entrepreneurial Nation Strategy is currently being designed as a global strategy to introduce innovation and digitalisation into all fields of the economy and society. The objective is to develop training programmes to strengthen capacities and skills in science, technology, engineering and mathematics, in order to reduce the digital divide among workers, unemployed people, women and territories to combat rural depopulation (NRP-2019).⁵¹ No specific measures are envisaged for low-income people. In the summer of 2019, the caretaker prime minister, Pedro Sánchez, proposed an improvement in the Social Telecommunications Subscription in order to include the internet connection in the Charter of the Rights of Users of Electronic Telecommunications Services.

Financial services: There are no ongoing or announced reforms in this area.

⁴⁹ More details available at: <http://bit.ly/2QZM2if>.

⁵⁰ Available at: <http://bit.ly/2Fw3aqp>.

⁵¹ National Reform Programme, Spain, 2019, available at: <http://bit.ly/2QSPifc>.

3 A focus on access to energy

3.1 What barriers do low-income people face in accessing this essential service?

Spain is one of the EU countries with the highest rates of energy poverty; at the same time, it has very high electricity prices.

Access to energy in Spain is through a public service, whose production and distribution is mostly private. It is a universal service, with variable prices depending on supply and demand. It is therefore a conditional right which, in practice, has the effect of excluding part of the population – the most economically vulnerable. To mitigate the impact of the electricity market, public policies in Spain, in accordance with EU Directive 2009/72/EC, have implemented a programme to deal with energy exclusion that has evolved over time.

Between 2009 and 2017, the *bono social eléctrico* represented a 25% discount on the tariff for vulnerable consumers, i.e. those who paid regulated tariffs (known as the Voluntary Price for Small Consumers)⁵² and met the corresponding economic or social situation requirements.

As can be seen from Table 1, in December 2018, there were 2,059,810 beneficiaries of the different programmes to combat energy poverty (equivalent to almost 6 million people). Of this group of beneficiaries, the majority were households with low electricity contract capacity (less than 3 kilowatts), which does not necessarily imply a low level of income. The same is true of large households: not all are necessarily low income. Consequently, three access criteria were combined: a limit on energy consumption, household income and different status situations, which implied entry barriers for a segment of the vulnerable group on low income.

Table 1: Beneficiaries of programmes to combat energy poverty in December 2018, according to access criteria

Typology	Population	%
Pensioners	283,348	13.76
Large households	279,533	13.57
Households without children	256,091	12.43
Households with 1 child	27,551	1.34
Households with 2 children	18,113	0.88
Others (*)	1,195,174	58.0
TOTAL BENEFICIARIES	2,059,810	100.0

(*) Consumers with electricity contract capacity lower than 3 kilowatts (kW) in their primary home, unemployed and households covered by the electricity tariff before 1 July 2009.

Source: CNMC (2019).

The regulation of October 2017⁵³ has substantially improved the protection of vulnerable consumers, by introducing the three categories of vulnerable, severely vulnerable and very severely vulnerable consumers, who receive discounts of 25%, 40% and 50%, respectively. Very severely vulnerable consumers can be totally exempted from the tariff, if the social services assume the remaining 50%.

⁵² People who did not contract regulated prices, i.e. who were under market prices, could not apply for the *bono eléctrico*.

⁵³ Royal Decree 7/2017 regulating the mechanisms for financing the social discount rate and other measures to protect vulnerable consumer electricity.

This regulation has been improved by Royal Decree-Law 15/2018, which envisages additional protection criteria, such as the situation of dependence and raising the minimum annual energy consumption by 15%.

The transition period for the beneficiaries of the 2014 legislation to benefit from the new 2017 legislation was short (six months) as the administrative procedures were complex and the government did not conduct a comprehensive and effective information campaign. Therefore, the transition period had to be extended by another six months as, by March 2018 around 400,000 consumers had applied for the new social discount, but only 170,000 had obtained it – i.e. only 7% of the previous 2.3 million beneficiaries (Environmental Sciences Association, 2018).

In addition, the new regulation of 2017 revealed significant access barriers, which we point out below.

- a) The first barrier is the annual consumption cap placed on social discount applicants. The electricity consumption limit varies depending on family unit size.⁵⁴ Consumption exceeding this maximum must be paid for the beneficiary of an electric voucher, at market prices. The main barrier to access to energy is the limited economic capacity of those households that cannot pay all or part of the established official tariffs. The EU Directive, recognising the existence of energy poverty, required that for the right of access to energy consumption to be effective, partial or total discounts on tariffs (the so-called *bono social eléctrico*) must be introduced. Protection of the vulnerable consumer under Spanish legislation does include this provision, but focuses exclusively on the limited capacity to pay the electricity tariffs, without taking account of other indicators that also influence energy poverty, such as hidden energy poverty⁵⁵ (11.5% of the population in 2017) or the inability to keep the home at an adequate temperature (8%) (Table 2).

With respect to the capacity to pay for electricity, the percentage of the Spanish population that is late in paying their bills almost doubled between 2008 and 2015, before decreasing slightly in subsequent years to affect 7.4% of the population in 2017 (Table 2). The incidence of energy poverty affects mainly the lowest income deciles and the low-income criteria established for access (especially in the case of severely vulnerable consumers) may exclude low-income people (Environmental Sciences Association, 2018). Moreover, as we point out in Section 3.3, the effectiveness of the current *bono social eléctrico* is still low, as it benefits a proportion of households that are not in energy poverty (for example, large households, for which no income requirement is imposed); meanwhile, it does not reach others that have income higher than the criteria set.

⁵⁴ The maximum limits of electricity consumption are as follows: household unit without minors 1,380 kWh; household unit with one minor 1,932 kWh; with two minors 2,346 kWh; large families 4,140 kWh;

⁵⁵ That is, people who use hardly any energy to avoid the expense.

Table 2: Energy poverty in Spain 2008–2017

Indicators (% population)	2008	2014	2015	2016	2017	Minimum reduction target by 2025	Target sought for 2025
1. A very high expense	15.9	16.6	16.6	16.7	17.3	12.9	8.6
2. Hidden energy poverty	14.6	13.2	12.2	12.6	11.5	8.6	5.7
3. Inability to keep the home at an adequate temperature	5.9	11.1	10.6	10.1	8.0	6.0	4.0
4. Late payment of bills	4.6	6.2	8.8	7.8	7.4	5.5	3.7

Source: National Strategy against Energy Poverty 2019–2025. Indicators 1 and 2 are based on the Household Budget Survey, indicators 3 and 4 on the Living Conditions Survey.

- b) The second barrier relates to the selectivity of persons or households who are entitled to a reduction in the electricity tariff but do not take it up. Not all potential beneficiaries of the *bono social eléctrico* request it (slightly more than half of potential beneficiaries, according to the interim report of the NAP/Inclusion 2013–2016; MSSSI, 2015). Reasons for non-take-up include lack of information and the stigma associated with receiving this benefit (Marbán Gallego and Rodríguez Cabrero, 2018; Environmental Sciences Association, 2018).
- c) The third barrier is the financing model of the electricity voucher. As far as financing is concerned, the central government does not bear any part of the cost, which is financed by electricity companies, together with regional and local administrations. Although there is talk of cooperation between public administrations, it is a scheme with a clearly unbalanced distribution of responsibilities. Poverty is multidimensional, and an efficient fight against energy poverty would require its various dimensions to be taken into account. Social actors, such as the European Anti-Poverty Network, have emphasised the limitations and practical problems incurred in implementing the *bono social eléctrico*. It is acknowledged that the protection of “very severely vulnerable consumers” is a step forward, as these consumers are entitled to the *bono social eléctrico* as of right (thereby providing 100% protection to this group). Nevertheless, some problems in the implementation of the new legislation have been highlighted: a) the regulatory protection against power cuts places all responsibility in the hands of local administrations, and it will not be possible to protect the most vulnerable households from cuts if the local administration fails to cover its share of the *bono social*; b) the state-wide legislation does not take into account other regional regulations (such as those passed in Catalonia and Valencia), thereby causing a certain lack of coordination of anti-energy poverty initiatives (Marbán Gallego and Rodríguez Cabrero, 2018).

3.2 Are there groups within this population who are particularly disadvantaged in their access to this service?

The groups most vulnerable to energy poverty are those in a situation of poverty and/or social exclusion. These groups have been differentiated and protected more effectively since the 2017 reform. Those vulnerable groups specifically covered by the current

legislation are pensioners, large households without children, with one child and with two or more children.

With the new extension, after March 2018 the coverage of the *bono social eléctrico* for the most vulnerable groups accelerated, as can be seen from Table 3. Between March 2018 and September 2019, vulnerable and severely vulnerable beneficiaries increased by 459.4%. This indicates that the transition process has accelerated, clearly reflecting the growing presence of vulnerable and severely vulnerable consumers, although with a lower growth of pensioners among them. The available information does not include the very severely vulnerable consumer population, which is the most excluded group.

Table 3: Beneficiary population of the *bono social eléctrico* (March 2018 – September 2019)

Beneficiary population	March 2018	Sept. 2019	Increase March 2018-Sept. 2019
Vulnerable consumers	106,078	631,686	495.5%
Pensioners	37,416	100,065	167.4%
Large households	40,612	214,356	427.8%
Household units without children	24,464	281,465	1.050.5%
Household units with one child	1,853	19,840	970.7%
Household units with two children	1,733	15,960	820.9%
Severely vulnerable consumers	113,769	598,474	426.0%
Pensioners	36,417	73,790	102.6%
Large households	21,830	91,301	318.2%
Household units without children	43,725	338,548	674.3%
Household units with one child	7,753	59,619	670%
Household units with two children	4,791	37,216	676.8%
Total vulnerable and severely vulnerable consumers	219,897	1,230,160	459,4%

Source: CNMC (2018, 2020).

3.3 Is there any evidence of how this restricted/lack of access impacts the overall social inclusion of low-income people?

The 2017 reform encouraged extension of the *bono social eléctrico* to the most vulnerable consumers among the Spanish population, as evidenced by the available information. However, the most recent social research (Environmental Sciences Association, 2018) raises some doubts about the effectiveness of the *bono social eléctrico*. On the one hand, the existence of income criteria to access the *bono social eléctrico* allows for the inclusion of households in situations of energy poverty; but a (variable) proportion of beneficiaries do not have difficulty in maintaining an adequate level of consumption of domestic energy services – simply they are not required to fulfil any income criteria (as is the case with large households). By contrast, less than half of the people who experience conditions associated with energy poverty in their household meet the criteria for access to the new *bono social eléctrico*. This is because there are households in energy poverty whose income is above the level set in the access criteria

and based on the IPREM. From this perspective, the *bono social eléctrico* can be improved further to provide greater support to households in energy poverty (Environmental Sciences Association, 2018: 89).

3.4 Conclusions and recommendations

The extension of the *bono social eléctrico* coverage to the most vulnerable consumers since October 2017 has been a step forward in the fight against energy poverty. However, the current system needs to be further improved through new initiatives, such as: a) protecting against electricity poverty related to housing insecurity (non-payment of rent and/or mortgage, slum dwelling, inadequate housing conditions), which is not currently taken into consideration by the *bono social eléctrico*; b) improving the current protection system (since it is a social assistance benefit, it takes effect retroactively; it should take a different approach that would *prevent* the exclusion of people from access to all types of energy for domestic consumption); c) increasing the income thresholds required to access the *bono social eléctrico*.

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Annex

Table A1: Essential service – Water

1) Definition of “low income” used in the context of the delivery of the service in the country:⁵⁶

Each municipality defines who is or is not a low-income person. The common denominator is that low-income people are households with incomes below the minimum wage (in 2019, €12,600 per year), recipients of social assistance pensions (in 2019, €5,488 per year, plus €525 if the person lives in rental housing) and recipients of Minimum Income Schemes (MIS) (in 2017, this varied from a maximum of €649.49 per month in the Basque Country to a minimum of €300 per month in the Autonomous City of Ceuta).

2) Measures aimed at facilitating access for low-income people to water (for hygiene purposes, to cook...) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	Yes-most
Cash benefits	No	No	No
In-kind benefits	No	No	Yes-most
Advice/training or information services	No	No	Yes-most
Provision of basic/uninterrupted supply	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁵⁶ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A2: Essential service – Sanitation

- 1) Definition of “low income” used in the context of the delivery of the service in the country:⁵⁷

Each municipality defines who is or is not a low-income person. The common denominator is that low-income people are households with incomes below the minimum wage (in 2019, €12,600 per year), recipients of social assistance pensions (in 2019, €5,488 per year, plus €525 if the person lives in rental housing) and recipients of Minimum Income Schemes (MIS) (in 2017, this varied from a maximum of €649.49 per month in the Basque Country to a minimum of €300 per month in the Autonomous City of Ceuta).

- 2) Measures aimed at facilitating access for low-income people to sanitation (i.e. systems for taking dirty water and other waste products away from dwellings in order to protect people's health) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	No	Yes-most
Cash benefits	No	No	No
In-kind benefits	No	No	Yes-most
Advice/training or information services	No	No	Yes-most

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁵⁷ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A3: Essential service – Energy

1) Definition of “low income” used in the context of the delivery of the service in the country:⁵⁸

There are three low-income categories: a) “Vulnerable consumer” is defined as a consumer of electricity in his/her permanent residence, whose individual or household annual income is below €11,279.38 (in 2019). The threshold for being considered a “vulnerable consumer” is increased according to household size, if suffering a disability, people who need long-term care, in case of gender-based violence, or being a victim of terrorism; b) Severely vulnerable consumers are those with an annual income of less than €3,759.70; c) Very severely vulnerable consumers are people who receive income from an MIS or social emergency assistance.

2) Measures aimed at facilitating access for low-income people to energy (to light dwellings, heat or cool dwellings, use home appliances) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	Yes		
Cash benefits	No	No	No
In-kind benefits	No	No	Yes-most
Advice/training or information services	Yes		
Provision of a basic/uninterrupted supply	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁵⁸ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A4: Essential service – Public transport

1) Definition of “low income” used in the context of the delivery of the service in the country:⁵⁹

There is no single definition and it depends on each region or municipality. Indicators such as a percentage of the IPREM, of the SMI (€12,600 per year in 2019) or the income amounts established to access a regional minimum income (variable amount according to the regions) are usually used.

2) Measures aimed at facilitating access for low-income people to public transport in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No	Yes-most	Yes-most
Cash benefits	No	Yes few	No
In-kind benefits	No	Yes-few	Yes-few
Advice/training or information services	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

⁵⁹ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table A5: Essential service – Digital public services

1) Definition of “low income” used in the context of the delivery of the service in the country:⁶⁰

No specific definition is used in digital public services because the measures aimed at facilitating access are not set according to the income level.

2) Measures aimed at facilitating access for low-income people to digital public services (e.g. digital post, digital fiscal services, digital social security services, digital health care appointments...) in the country:

	National (*)	Subnational	
		Regional (only if <i>no</i> for national) (**)	Local (only if <i>no</i> for national) (**)
Reduced tariffs	No***	No	No
Cash benefits	No	No	No
In-kind benefits	No	No	No
Advice/training or information services	No	No	No
Provision of basic/uninterrupted supply	No	No	No

(*) For each measure: Does the measure exist in the country at national level (“Yes”/“No”)?

(**) **Only** if the measure does not exist at national level **and** if the service is organised at subnational level: Does the measure exist at regional level (Yes in all regions; Yes in most regions; Yes but only in a few regions; No)? And at local level (Yes in all local entities; Yes in most local entities; Yes but only in a few local entities; No)? Important: if a measure exists as a **general social support measure**, not specifically aimed at facilitating access for low-income people, the answer is “No”.

(***) There is a reduced tariff which only applies to fixed telephone lines for retirees or pensioners whose family income does not exceed 9,023.5 euros of annual income but does not apply to internet connections or mobile phones.

⁶⁰ **National definition** used in this context (most frequently used definition if there is more than one definition). **Only if** there is no national definition **and if** the service is organised at subnational level, most common definition used in this context at regional (if any) or local (if any) level.

Table B1: Essential services – Summary table

- 1) Measures aimed at facilitating access for low-income people to the different services that exist at national, regional and/or local level in the country
- 2) Broader policy framework under which all or some of these measures are organised in the country
- 3) Ongoing or announced reforms of the measures and/or related frameworks aimed at (further) enhancing effective access to the service for low-income people in the country

	1. Measures (NAT, SUBNAT, BOTH, NONE) (*)	2. Policy framework (**)		3. Ongoing or planned reforms (Yes/No)
		National (Yes/No)	Subnational (Yes/No)	
Access to water	SUBNAT	Yes	Yes	No
Access to sanitation	SUBNAT	Yes	Yes	No
Access to energy	BOTH	Yes	Yes	Yes
Access to public transports	SUBNAT	No	Yes	No
Access to digital public services	NONE	No	No	No
Access to basic financial services (***)	Not applicable	Yes	No	No

(*) This column summarises the response provided in Tables A1-A5 above. "NAT" means that all the measures that exist in favour of low-income people are national measures; "SUBNAT" means that there are no national measures but some of/all the measures that exist are subnational measures; BOTH means a mix of NAT and SUBNAT; "NONE" means that there are no measures, be it at national or subnational level.

(**) Is there a broader national policy framework under which all or some of these measures are organised in the country for some of/all the services under scrutiny ("Yes"/"No")? **Only if** there is no such national framework for one service **and if** the service is organised at subnational level: Is there a broader subnational policy framework under which all or some of these measures are organised for this service ("Yes"/"No")?

(***) Open and use payment accounts with basic features (Directive 2014/92/EU).

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