| European Semester 2018/2019 country fiche on disability[1] | |
|---|---|
| **Spain** | |
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| With comparative data provided by the ANED core team | |

The Academic Network of European Disability experts (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network support the development of the European Disability Strategy 2010-2020 and implementation of the United Nations Convention on the Rights of Persons with Disabilities in the EU.

This country report and statistical annex have been prepared as input for the European Semester from a disability perspective.

human european consultancy

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[1] Available at: https://ec.europa.eu/employment_social/empl_portal/ede/ES%20-%20ANED%202018%20-%20Task%20-%20EU2020%20report%20-%20final%20for%20web.docx

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# 1 Summary and recommendations

## 1.1 Key features of the disability situation and challenges in 2018-19

Spain faces several challenges. The most significant relate to the high rates of unemployment and poverty risk together with the need to implement austerity measures that may have a negative impact on the most vulnerable populations. In addition, there is a lack of inclusive approaches in education and employment.

**Unemployment**, particularly among people with disabilities and the young, is the main problem for Spain. An employment inclusion strategy is needed for persons with disabilities. The main challenge for the future is to increase inclusive employment options, specifically for people with cognitive disabilities. Connecting public employment services and NGO initiatives should be encouraged (for example in terms of Supported Employment initiatives). Additional issues relate to the lack of support schemes that allow smooth transition to the labour market for those with higher support needs.

There is a need also for a strategic plan for **educational inclusion** 2018-2021. There is a need to increase the labour market relevance of tertiary education. There is also a need for addressing regional disparities in educational outcomes. More efforts should be aimed at deepening the inclusiveness of the educational model of care for people with disabilities with schooling in ordinary schools for this student population.

**Poverty risk** requires several actions. First, addressing regional disparities and fragmentation in income guarantee schemes, as well as improving family support, including access to quality childcare, are some of the required measures. Spain must face challenges such as limited coverage of social benefits other than pensions. If Spain continues working to reduce the public-sector debt, several cautions should be kept in mind so the impact of fiscal adjustment on disabled people does not reduce their quality of life.

## 1.2 Recommendations

Our recommendations are similar to those that were mentioned in previous years. Those recommendations are aligned with in the UN CRPD and areas of improvement identified by different organizations representing people with disabilities.

### *Employment*

Ensure a comprehensive mainstreaming of disability equality in the new Employment Activation Strategy 2017-2020.

- The Strategy includes commitment to a ‘framework aimed at favouring the labour inclusion of people with disabilities’. This needs to be fully realized and

in line with the long-standing recommendations of the UN CRPD Committee to 'develop open and advanced programmes'.

- Sheltered employment has increased even during the years of the economic crisis, and public policy is only emphasizing this kind of segregated employment continuously. It is not enough to develop sheltered workshops or special employment centres. So, a proper application of Article 27 of the Convention (CRPWD) of United Nations requires offering opportunities to work in an open, inclusive and accessible environment. Some policies and specific measures should be oriented towards this goal. In other words, more support to other employment initiatives such as Supported Employment should be reinforced.

As the rate of early leaving among young disabled people is very high, it is important to strengthen links between the educational system and the labour market. In order to do that, some actions can be suggested, such as:

- promoting active transition policies for people with disabilities in the last years of the educational system.
- One way to implement this policy is, for example, by developing Individual Transition Programs looking towards inclusion in the open labour market.

It is also needed to strengthen public employment services, including greater connection between these services and initiatives of the NGOs.

- Provide disaggregated and comprehensive information about participation and outcomes for persons with disabilities in legislative and other measures to promote increased activity and employment rates in general, and programs targeted to increase employment opportunities for women and men with disabilities in the open labour market, including in companies in the productive sector.

***Education***

There are important challenges, mainly related to the educational system and the lack of resources and inclusion approach for students with disabilities. As a consequence of the economic crisis of recent years many programs and resources in education have been reduced or disappeared. Now, it is time to develop and increase specific programs in education to meet the needs of people with disabilities (mainly in transition to adult life, and tertiary education). Some issues that need to be met by means of plans, programs, and laws are:

Develop a disability-strategy and action plan in order to ensure the access to an inclusive and a high-quality education.

Ensure sufficient allocation of human, technical and financial resources so that all children, including the poorest and those with disabilities, receive early childhood education and care.

Ensure the provision of reasonable accommodation and accessible support services on education.

- Ensure the provision of sufficient individual support and care for children with learning difficulties in ordinary schools;
- There is a need to report on resources in mainstream schools to accommodate the diversity of students and develop an efficient system to identify the individual support needs of children.
- Ensure that parents of children with disabilities are not obligated to pay for education or for measures designed to provide students with a reasonable accommodation in traditional schools.

Ensure that decisions to place children with disabilities in special schools or special classes, or to offer them a reduced curriculum, are adopted in consultation with parents.

- There is a need to ensure that the placement of children in segregated settings can be subject to appeal quickly and efficiently.

Comprehensive reports should recommend about issues such as:

- measures adopted to guarantee inclusive and quality education in the law, including an explicit clause that does not allow the rejection of a student because of his / her disability and including extracurricular activities and facilities.
- specific efforts to transform the educational system and the measures and the available financial and human resources and the training that is given to the teachers in the different autonomous communities.
- Data on students with disabilities, in the compulsory and post-compulsory stages, including in segregated schooling modalities (special education).
- Inform how educational decisions on the placement of students with disabilities can be quickly and effectively appealed and what measures are contemplated to give greater participation to students and their parents.

***Poverty and exclusion***

Ensure that the effects of the crisis and the necessary economic adjustments do not continue to negatively affect people with disabilities.
Guarantee special protection for women with disabilities in which other circumstances may also occur that add to their vulnerability (for example: recent maternity, long-term unemployment, concurrent illnesses ...).

- Despite some recent improvements in the labour market, many people remain at risk of poverty and social exclusion in Spain, and people with disabilities face extreme situations because of the scarce measures implemented to ameliorate their position. New measures should be implemented to guarantee the right to a life of quality.

- It is necessary to report on initiatives to ensure that austerity measures against financial crises do not adversely and disproportionately impact the rights of persons with disabilities to access general and disability-specific social protection measures and to prevent them from being excluded and poverty.

***Data collection and analyses***

- There is a need to mainstream a gender perspective in disability legislation and policy. It is important to specify groups of people, including disability, when policies are examining disadvantaged groups in a general way.
- There is a lack of disaggregated data to examine in detail the educational, employment, poverty and social situation of people with disabilities in Spain and its different regions. To alleviate this situation, we propose developing a cross-departmental initiative to determine the situation of people with disabilities to a maximum detail possible, from each responsible department, considering the main relevant personal and environmental variables. The proposal should have a longitudinal character, to identify changes over time.
- The inclusion of specific indicators to evaluate results of action plans and programs is a priority. This would overcome the mere listing of possible measures without any further contrast. The outcome indicators of the proposed measures should be obtained at national and regional levels, so it allows the examination of different existing situations as well as the relationship between public programs and policies and their outcomes.
- It is necessary to promote and encourage independent studies on the outcomes of programs and actions for disabled population, by examining the perceived user satisfaction as well.

## 1.3 The EU2020 targets in relation to disability strategy and rights

As part of Member State commitments to the EU2020 strategy, the targets shown in Table 1 were established for the general population. Disability policies are highly relevant, and it is unlikely that the EU targets can be achieved without actions and investments to mainstream disability equality in these three areas. This country report shows where the main disability equality gaps exist at the national level. It assesses the main policies in place to address these gaps and identifies the opportunities to mainstream disability equality in the semester review process.

**Table 1: Europe 2020 and agreed national targets for the general population**

| | Europe 2020 targets | National targets[2] |
|---|---|---|
| **Employment** | 75% of the 20-64 year-olds to be employed | 74% |
| **Education** | Reducing the rates of early school leaving below 10% | 15% (school drop-outs) |
| | At least 40% of 30-34–year-olds completing third | 44% |

[2] http://ec.europa.eu/eurostat/documents/4411192/4411431/Europe_2020_Targets.pdf.

| | | |
|---|---|---|
| | level education | |
| **Fighting poverty and social exclusion** | At least 20 million fewer people in or at risk of poverty and social exclusion | 1,400,000-1,500,000 |

The statistical annex to this country report provides comparative indicators of the disability equality gaps existing in these target areas (based on ANED's annual analysis of EU-SILC microdata since 2008).[3]

### 1.3.1 Recommendations from the UN CRPD Committee relevant to EU2020

Spain was the first of the EU Member States to receive recommendations from the UN CRPD Committee, in 2011.[4] It is now in the process of the second and third review cycles, a further List of Issues having been raised in 2017, to which Spain responded in 2018 prior to submission of its due periodic implementation report.[5]

The 2011 Concluding Observations of the UN Committee on **employment** (Article 27 CRPD), reflected the Committee's concern with the overall low rate of employment of persons with disabilities. The Committee recommended that Spain:

> …develop open and advanced programmes to increase employment opportunities for women and men with disabilities.

In 2017, the Committee further requested:

> …information on legislative and other measures to promote the increase in employment and activity rates of persons with disabilities and the existence of programmes to increase employment opportunities for women and men with disabilities in the open labour market, in companies of the productive sector.

On **education** (Article 24 CRPD), the Committee drew initial attention to the fact that a 'denial of reasonable accommodation constitutes discrimination' and recommended that Spain should:

a) Increase its efforts to provide reasonable accommodation in education, by: allocating sufficient financial and human resources to implement the right to inclusive education; paying particular attention to assessing the availability of teachers with specialist qualifications; and ensuring that educational

[3] Further explanation and analysis of the comparative data and methodology is included in ANED's annual statistical reports relevant to the EU2020 goals, available at http://www.disability-europe.net/theme/statistical-indicators.

[4] http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/ESP/CO/1&Lang=En.

[5] https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2f2-3&Lang=en.

departments of local governments understand their obligations under the Convention and act in conformity with its provisions;

b) Ensure that the decisions to place children with a disability in a special school or in special classes, or to offer them solely a reduced-standard curriculum, are taken in consultation with the parents;

c) Ensure that the parents of children with disabilities are not obliged to pay for the education or for the measures of reasonable accommodation in mainstream schools;

d) Ensure that decisions on placing children in segregated settings can be appealed swiftly and effectively.

In 2017, Spain was further requested to:[6]

> Provide information on measures to guarantee inclusive and quality education in the law, including an explicit clause that does not allow the rejection of a student because of his / her disability and including extracurricular activities and facilities. Also report on the practical efforts to transform the educational system and on the measures and financial and human resources available and the training given to teachers in the different autonomous communities. Inform students with disabilities, in the compulsory and post-compulsory stages, including in segregated schooling modalities (special education).

With regard to **adequate standard of living and social protection** (Article 28 CRPD) the Committee requested that Spain:

> …..ensure that an adequate level of funding is made available to effectively enable persons with disabilities: to enjoy the freedom to choose their residence on an equal basis with others; to access a full range of in-home, residential and other community services for daily life, including personal assistance; and to so enjoy reasonable accommodation so as to better integrate into their communities.

Subsequently, in 2017, Spain was requested to

> Inform on initiatives to ensure that austerity measures in the face of financial crises do not adversely and disproportionately impact the rights of persons with disabilities to access general and disability-specific social protection measures and prevent them from being excluded and poverty.

The UN Committee's 2011 on living independently in the community (Article 19 CRPD) were also very relevant to the European Semester concerns with **long-term care**. In this respect, the Committee recommended that Spain:

> …expand resources for personal assistants to all persons with disabilities in accordance with their requirements.

6 https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fQPR%2f2-3&Lang=en.

More recently, in 2017, the Committee returned to this issue in more detail and requested Spain to:

> …report on efforts, including legislative reform, to ensure that laws, policies and procedures, mainly those related to the recognition and determination of disability, including the Law for the Promotion of Personal Autonomy, are based on the human rights approach to disability and to review the requirements for the recognition of dependence and assessment scales to harmonize them with the Convention. Detail funding, volume of resources used by autonomous communities and measures planned to streamline care and economic benefits of personal assistance to people already accredited, extend it to more people who need it and guarantee equal coverage by autonomous community whatever the place of residence of people with disabilities. Indicate how the generalized co-payment system for private individuals has been regulated and what happens to those with disabilities for whom it is not possible to provide the corresponding contribution. Please inform if the suppression of the co-payment is expected in all the autonomous communities.
>
> …Explain measures to ensure throughout the territory the recognition of the right of persons with disabilities to choose their residence and to have access to a variety of social services, community support, and other services of daily life, including the personal assistance, based on their individual requirements and not in pre-established amounts. Indicate if the regulation of the personal assistance figure is foreseen and there is some difference with the caregiver.

Also of relevance, the Committee recommended in 2011 that Spain should:

> …systematize the collection, analysis and dissemination of data, disaggregated by sex, age and disability; enhance capacity-building in this regard; and develop gender-sensitive indicators to support legislative developments, policymaking and institutional strengthening for monitoring and reporting on progress made with regard to the implementation of the various provisions of the Convention.

### 1.3.2 National disability strategies, plans and targets relevant to EU2020

The Spanish Disability Strategy 2012-2020 provides a framework that aims to integrate, in a transversal manner, all the specific Programs, Plans and Strategies that are being developed.[7] The strategy aims to contribute to the fulfilment of the established objectives related to the labour market, education, poverty and social exclusion foreseen also in the European Disability Strategy 2010-2020. Likewise, objectives are foreseen for the accessibility to environments, the improvement of knowledge about the life situation of people with disabilities, participation, equal treatment and non-discrimination. These objectives predetermine measures, which

[7] http://www.mscbs.gob.es/ssi/discapacidad/docs/estrategia_espanola_discapacidad_2012_2020.pdf.

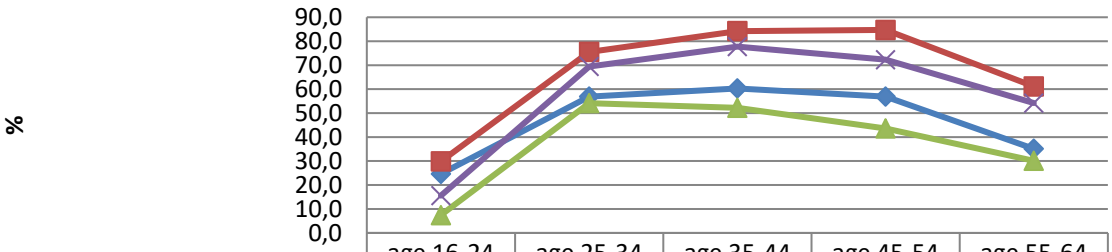
should inspire all public policies and actions that may affect, even tangentially, the situation of persons with disabilities (page. 6).

The Action Plan of the Spanish Strategy on Disability 2014-2020, approved by the Council of Ministers 12 September 2014, states several policy targets relevant to the EU2020 targets.[8] These include: (1) promoting access for persons with disabilities to employment, including entrepreneurship, decent working conditions, equal opportunities and promoting the reconciliation for workers with disabilities; (2) Promoting socially responsible public employment, and educating the business community and the public sector on working abilities of people with disabilities; (3) supporting schools in the process towards inclusion, including promoting awareness of disability in the curriculum.

8 https://observatoriodeladiscapacidad.info/attachments/article/87/Informe%20Eval%20Fase1%20PAEED%20OED%20web.pdf.

## 2 Disability and employment - analysis of the situation and the effectiveness of policies

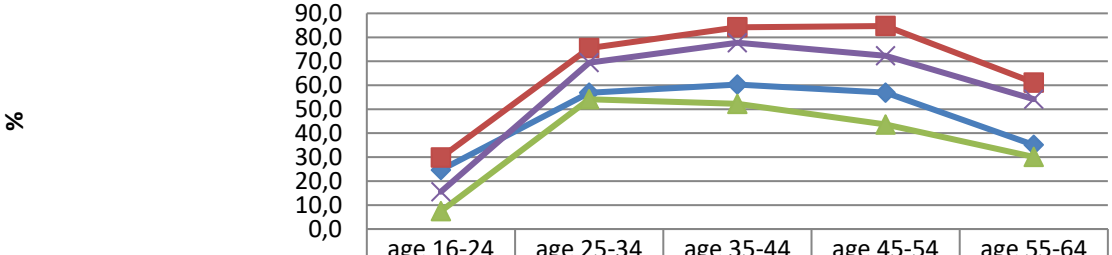
The estimates available from EU-SILC data show how the employment of both persons with disabilities and the general population have been suppressed in recent years (see Table 3 and




| | age 16-24 | age 25-34 | age 35-44 | age 45-54 | age 55-64 |
|---|---|---|---|---|---|
| EU (disabled) | 24,6 | 56,9 | 60,3 | 56,9 | 35,1 |
| EU average (non-disabled) | 29,8 | 75,5 | 84,2 | 84,7 | 61,1 |
| National (disabled) | 7,5 | 54,1 | 52,2 | 43,6 | 30,1 |
| National (non-disabled) | 15,6 | 69,4 | 77,7 | 72,3 | 54,2 |

Table 5 in annex). Spain is not an extreme case in terms of overall disability employment rate but the inequality is very marked for persons who declare more severe levels of activity limitation (the proxy for impairment/disability). Unemployment has been at extremely high levels, but economic activity is also below the EU average for persons with more severe impairments. The disability employment gap appears slightly narrower than the EU average, but its underlying extent may have been masked by the generally challenging employment situation. Policy attention is needed to ensure that this gap does not open up, and that persons with disabilities are not left behind, as labour market conditions strengthen.

In 2016 (

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| EU (disabled) | 24,6 | 56,9 | 60,3 | 56,9 | 35,1 |
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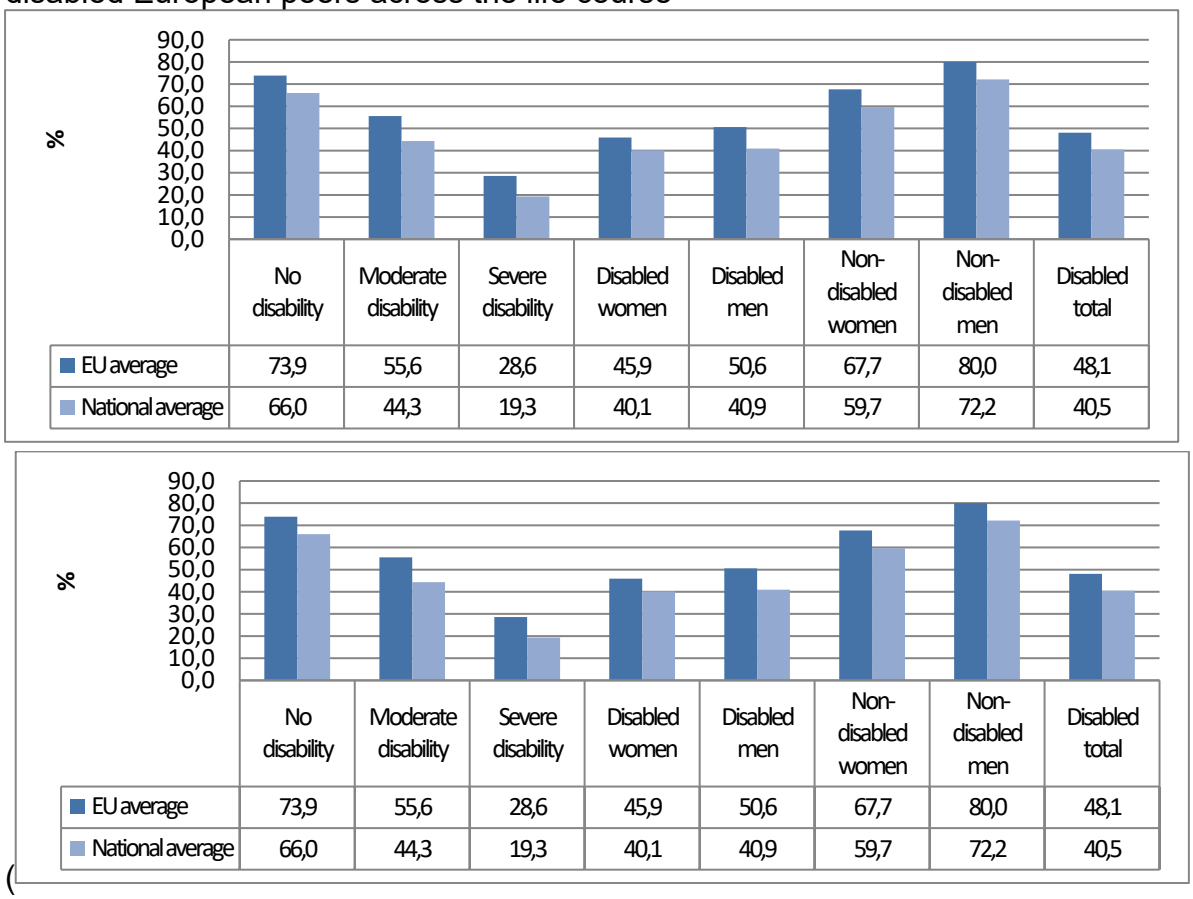
| National (disabled) | 7,5 | 54,1 | 52,2 | 43,6 | 30,1 |
| National (non-disabled) | 15,6 | 69,4 | 77,7 | 72,3 | 54,2 |

Table 5), the employment situation continued a rapid upward tendency that began in 2012 (and creating more jobs in 2017 than any other EU Member State). However, the only group that has surpassed the employment rates of 2008 is disabled women, who were (and still are) the most disadvantaged group. Spain saw a large improvement in its general unemployment situation one of the largest in the EU, but it remains among the highest in Europe, especially for long-term unemployment and

for youth unemployment. Persons with disabilities are also over-represented in these groups. Activity rates have not increased, however.

Employment rates in Spain remain lower than the EU average in all the reference groups (Table 3). Spanish disabled people have lower employment rates than their disabled European peers across the life course




(Table 4) but these differences are larger among the 45-54 age group, followed by the 16-24 age group. In Spain, the 45-54 age group is the most significantly disadvantaged for disabled people and there is an almost 30 points difference compared with their non-disabled peers, followed by the 55-64 age group and the 35-44 age group.

Currently, Spain is experiencing an improvement in terms of employment. In contrast to 2010-2014, when the rate of replacement of public employment was established at 10% for priority sectors (such as education and health), or to 2015 when the replacement rate for priority sectors was up to 50%, in 2016 the replacement rate increased to 100% for priority sectors. Yet, priority and non-priority sectors have experienced a decrease in the quality of the services provided, due to the lack of manpower for several years and the impossibility of increasing the replacement rate more than 100%. In fact, it is estimated that Spain will not reach the pre-crisis employment rate until 2021.[9]

[9] See new from the Spanish press, where it is indicated that Spain will not recover the level of pre-crisis employment until 2021 : https://economia.elpais.com/economia/2017/07/03/actualidad/1499082787_133579.html.

## Sources of evidence

In the Spanish Report on Youth and Labour Market (June 2018), there was no mention of the situation of youth with disabilities.[10] A call for the inclusion of this variable in all the reports is advisable.

Data on Employment in the first trimester 2018 reveal that employment fell by -0.7%. Unemployment increases by 0.8%.[11] Nearly a hundred people have withdrawn from the active population. In seasonally adjusted terms, employment increased by 0.5% and unemployment fell by 3.0%, accumulating more than four years of consecutive decreases. In annual figures, the trend towards job creation is solid: it increased 2.4%, two tenths less than in the previous quarter. It is a euro zone country with a higher growth, in contrast with the euro zone where it grew by 0.3%, and in the EU-28 by 0.2%. Despite this growth, Spain is, after Greece, the country with the highest unemployment rate, 15.9%, compared to Germany, with an unemployment rate of 3.4%. It is also the second country in the European Union with the highest rate of youth unemployment. Unemployment registered a more moderate decrease: it reduced -10.8%, a lower rate than in 2017, when it fell by 12.6%. It has also decreased, although to a lesser extent than in the euro zone, the percentage of young 'ninis', young people up to 25 years old who are neither working nor studying or following any type of training. The activity rate drops four tenths with respect to the previous quarter, to stand at 74.7% for the population aged 16 to 64, remaining among the highest levels since 2005. According to the analysis conducted by the National Institute of Statistics (INE), the downward trend observed in the active population since the end of 2012 is linked to the reduction of the working-age population, as a consequence of the fall in the number of foreigners and the aging of the population, as well as the greater number of young people studying.

The Report on Employment in the first trimester 2018 offers disaggregated data for gender, region, etc., but not for the disability variable. However, it includes Tables with data on contracts in which information on contracts for workers with disabilities are included.[12] Regarding permanent contracts, it can be seen that the number of full-time contracts for these workers has increased by 5.3 points in 2018 compared to 2017. However, this increase is due to the increase of 10.2 of these contracts for men, compared to the reduction of -4.9 points for women. Something similar, although with lower growth, occurs with part-time contracts in which growth of 0.5 points is experienced (2.2 for male disabled workers, compared to -1.1 for female disabled workers). Regarding temporary contracts for people with disabilities, full-time contracts show a growth of 3.4 points. In this case, contracts have increased more for women (5.7 points), compared to men (2.5 points). Temporary part-time contracts have also increased in general terms (5.9 points), being much higher for the case of men (8.9 points), compared to that of women (3.4 points).

[10] http://www.empleo.gob.es/es/sec_trabajo/analisis-mercado-trabajo/jovenes/numeros/2018/junio_2018.pdf.
[11] http://www.empleo.gob.es/es/sec_trabajo/analisis-mercado-trabajo/numeros/125/125.pdf.
[12] See Table 3.18, http://www.empleo.gob.es/es/sec_trabajo/analisis-mercado-trabajo/numeros/125/125.pdf.

The Report on the situation of women in the 2017 labour market mentions that inequalities in participation in employment are often linked more to motherhood than to women.[13] Therefore, progress must occur beyond labour regulation, since they have a strong social and cultural component. This report provides data indicating that the activity rate of women with disabilities increased to 35.2% in 2016, compared to 30.6% in 2009. The employment rate increased in the same period from 23.8% to 24.9%. Unemployment increased from 22.3% in 2009 to 29.3% in 2016. The data are better than those for women in the general population aged 16 to 24 years and practically identical to those of men with disabilities, with the exception that unemployment is higher in women than in men.

**Policy developments**

When the UN CRPD Committee reviewed initial progress in 2011 it recommended that Spain 'develop open and advanced programmes to increase employment opportunities for women and men with disabilities'.[14] It will be important to evidence progress on this recommendation in the review of CRPD implementation progress now due. According to the CRPD, a rights perspective should be adopted in all policies to guarantee equal access to employment

The Commission staff in their 2018 Country Report raise several general issues concerning employment policies (see chapter 5 later).[15] Spain is stepping up its activation policies; nevertheless, their effectiveness largely depends on regional public employment services' capacity and coordination with employers and social services, which is only slowly improving (Country Report, 2018).[16]

There was very little direct reference to disability policies in the 2018 NRP and none in relation to employment.[17] Nevertheless, the NRP did refer to various measures that are very relevant for disabled people, and where outcome and progress indicators need be included to monitor their impact on disabled people. At the same time, initiatives have been approved to make full use of the resources of the European Social Fund (see later, in chapter 6) and the Youth Employment Initiative. In all the initiatives and programs, the variable 'disability' should be included to ensure that investments are benefitting disabled people. All these initiatives should be evaluated with clear indicators of progress.

[13] http://www.empleo.gob.es/es/sec_trabajo/analisis-mercado-trabajo/situacion-mujeres/situacion_mujer_trabajo_2017.pdf.

[14] Recommendations can be downloaded from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en.

[15] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

[16] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

[17] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

The new **Employment Activation Strategy 2017-2020**, approved in December 2017, aims to reduce unemployment, increase activation, improve employment services and the level of satisfaction with them.[18] There is a focus on young people and skills, long-term unemployment and older workers, personalisation and career transitions, modernization of the National Employment System, and a holistic approach to collaboration between stakeholders. Axis 3 of the Structural Objectives addresses 'groups that have greater difficulty in access or permanence in employment' and refers specifically to 'special consideration to the situation of people with disabilities' in this context. The Strategy will be implemented through Annual Employment Policy Plans (PAPE). In this regard, there is a commitment to 'include a framework aimed at favouring the labour inclusion of people with disabilities'.

The first Plan was published in March 2018.[19] This makes extensive reference to people with disabilities. This includes provision for programmes of insertion for people with disabilities in both sheltered and open labour markets (programmes PC00013 and PC00014). There are numerous examples of such programmes among the autonomous communities, as well as additional targeted programmes. The indicator of effectiveness concerns the number of long-term unemployed who found and then remained continually in employment (disaggregated by older workers and persons with disabilities).

The Activation for Employment Program and the **Professional Retraining Program (PREPARA)** were continued. These target special measures of protection or activation. PREPARA has been in place since 2011, as a response to the crisis, and provides personalised guidance and retraining as well as financial subsidy for unemployed people without income.[20] However, evaluation has shown that less than one percent of participants secured a permanent job, and two thirds found no job at all. The responsibilities and funding for this programme are somewhat divided between the State and the Autonomous Communities. Current arrangements for providing employment advice and support to disabled people in mainstream employment depend on the Public Employment Service (SEPE) previously known as the INEM (National Institute on Employment). This agency comes under the Ministry of Work and Immigration, but each Autonomous Community has its own public employment service, given that competences in employment, education, health, etc have been transferred to the communities.

Employment outcomes from the **Youth Guarantee** have improved but, again, it is not clear the extent to which young disabled people have benefitted from this.

[18] *Estrategia de Activación para el Empleo 2017-2020*, Estrategia de Activación para el Empleo 2017-2020, https://www.boe.es/buscar/doc.php?id=BOE-A-2017-14858.

[19] *Plan Anual de Política de Empleo para 2018*, http://www.boe.es/boe/dias/2018/03/29/pdfs/BOE-A-2018-4390.pdf.

[20] https://www.sepe.es/contenidos/personas/formacion/programa_prepara/prepara.html.

Disabled jobseekers may be channelled to **Special Employment Centres** (Centros Especiales de Empleo),[21] which provide subsidised and largely segmented employment, or subsidy for **supported employment** in the open labour market.[22]

21 https://www.sepe.es/contenidos/personas/encontrar_empleo/empleo_personas_discapacidad/centros_especiales_empleo.html.

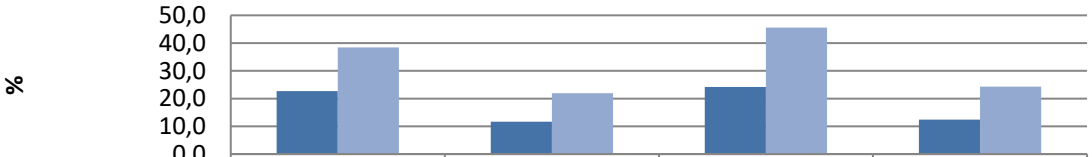
22 https://www.sepe.es/contenidos/personas/encontrar_empleo/empleo_personas_discapacidad/empleo_con_apoyo.html.

## 3 Disability, education and skills – analysis of the situation and the effectiveness of policies

The general rate of early school leaving in Spain has remained high by European standards, both for disabled and non-disabled young people, albeit with a relatively moderate disability gap (see Table 12 in annex). It is among the worst performers on this measure and far from the EU2020 target. This is a significant issue in Spain, as non-disabled early school leavers double the rate of the EU28 average. For Spanish disabled young people, the situation is similar, but given that the European situation for this population is also worse than the situation for their non-disabled peers, the differences are not as large. Nevertheless, according to data from the Report on the Employment of People with Disabilities, drawing on EU-LFS comparisons, Spain ranked fourth worst in 2011 (after Turkey, Portugal, and Malta) for the high percentage of disabled people with low educational level.[23] Three out of ten disabled people (aged 16-64) only had primary education.

In Spain, early school leaving in the population without disabilities (aged 18-24) is still above the average in the EU but, from 2008 to the present Spain has significantly reduced the rate of general early school leaving, by more than 40%. In 2017, the percentage reached 18.28% (against a target of 15%). It is still around eight points above the EU. These data confirm that the rate of early school leaving in Spain is one of the highest of all EU countries (matched only by Malta in 2017) and nearly double the average for the EU-28. Early school leaving among people with disabilities is also above the EU average and the situation is especially critical for disabled young people, whose rate of early leaving is estimated at 34.2% in 2016. Despite improvement, regional disparities persist (between 7% and 26.5%), though the difference has been falling since 2013. Moreover, the rate increased to 38.1% for third-country nationals and 39% for people with disabilities in 2016, the latter being among the highest rates in the EU.

Paradoxically, the tertiary education rate has been slightly above the EU average for both disabled and non-disabled people (




| | Disabled young people (18-24) | Non-disabled (18-24) | Disabled young people (18-29) | Non-disabled (18-29) |
|---|---|---|---|---|
| EU28 average | 22,7 | 11,7 | 24,2 | 12,4 |
| National average | 38,5 | 21,9 | 45,6 | 24,3 |

Table 13) and Spain exceeds its national target level for the population as a whole (41.2% in 2017). Yet, the rate of Spanish disabled population who attain tertiary education levels is following a downward trend since 2008, contrary to the EU

[23] See Persons with disabilities from 16 to 64 years of age by educational level, at http://www.odismet.es/es/datos/3educacion-y-formacion-profesional/301personas-con-discapacidad-de-16-a-64-anos-por-nivel-de-formacion/3-29/.

tendency for this population. In 2016, the rate of Spanish disabled population with tertiary education was below the average for that population at the European level. This finding contrasts with earlier data from 2008 to 2011 when the rate of Spanish disabled population with tertiary education was higher than the EU average.[24] The overall tertiary educational attainment rate for people 30-34 years old (41.2%) remains above the EU average, but is still below the national Europe 2020 target of 44%, with a large gap between people with and without disabilities (19.9 points versus an EU average of 13.6 points).

According to the most recent national data there are many fewer disabled people aged 16-64 with tertiary studies (15.1%) than their non-disabled peers (33.2%).[25] Likewise, there are more disabled people with only primary schooling (23.9%) and without studies (5.8%) than their non-disabled peers (9.6% and 0%, respectively). Disabled men are in a respectively more disadvantaged situation as the educational level rises, as it does with the general population. The group aged 45 to 64 shows inferior educational levels. Disabled people with intellectual and hearing disabilities are in a relatively more disadvantages situation, whereas those with visual and physical disabilities are in a relatively more advantaged situation. The more severe the disability, the lower the educational level. There are very significant differences in educational attainment by regions.

**Schooling policy**

The UN Recommendations in 2011 emphasised the need to reflect on segregative schooling arrangements and to provide improved levels of reasonable accommodation (see chapter 1.3.1 earlier). The 2006 Organic Law on Education was initially opposed by conservative organisations for establishing a more even distribution of pupils with special needs between state schools and publicly-subsidised private schools. One of the key points of the political debate was the clash between the right of parents to choose a school for their children, and the right to education and access on equal terms. A special education system is provided for either temporary or permanent of pupils for whom the ordinary educational system is inaccessible. The country still has 20% of students educated in segregated specific schools. Only two educational levels are carried out in these schools: basic compulsory education (6-16 years of age) and complementary vocational training or programmes for transition to adult life (16-19 years of age). Students at these institutions may be enrolled up to the maximum age of 20 (on an exceptional basis up to the age of 21). In special education classrooms, the ratio is 10-12 students per teacher (physical or serious hearing disabilities), 8-12 (physical disabilities), 6-8 (several disabilities), and 3-5 (autistic or severe personality problems).

[24] This might be affected by changes in the ISEC qualification definitions used in EU-SILC analysis since 2015.

[25] See Persons with disabilities from 16 to 64 years of age by educational level, at: http://www.odismet.es/es/datos/3educacion-y-formacion-profesional/301personas-con-discapacidad-de-16-a-64-anos-por-nivel-de-formacion/3-29/.

Data from the academic year 2014/2015 show that a substantial number of students with special needs do not access post-compulsory secondary education.[26] However, a larger number of students with special needs access vocational/technical studies. The rate (lower than 3%) of students identified with special needs in primary and secondary education is one of the lowest of the EU-28, together with Luxembourg, Italy and the UK. These rates contrast with the high rates (24.3%) of countries such as Iceland. Some authors point out the need for improvement of educational practices in secondary education so as to foster opportunities for labour market participation, from an inclusive viewpoint, for young people with learning disabilities.[27]

The 2018 NRP refers to the launch, in December 2017, of Territorial cooperation program for advancement and support in education and permanence in the education system (**PROEDUCAR**). This targets early leaving and is aimed at upper Primary and 1-4th grade secondary pupils. It includes, among other measures, identification and specific interventions for vulnerable groups. It would be relevant to understand how disability is mainstreamed in this programme and the outcomes for disabled students.

The amount for scholarships was increased last year (Royal Decree 728/2017), which included 95,599 scholarships for students with special educational needs.

### Tertiary education policy

The Commission staff, in their 2018 Country Report,[28] states that there was limited progress in increasing the labour market relevance of tertiary education and addressing regional disparities in educational outcomes. Regarding progress in reaching the national targets under the Europe 2020 strategy, according to the Country Report 2018,[29] the tertiary education rate is close to the target. According to the Country Report 2018,[30] Spain faces challenges with regard to the European Pillar of Social Rights concerning education: early school leaving keeps improving but, there are high percentages of young people not in education and training.

One main issue regarding the national data is that we do not know how many disabled students access tertiary education, as National statistics do not include a

[26] See Rate of students with special educational needs derived from a disability enrolled in Teachings of General Scheme, at: http://www.odismet.es/es/datos/3educacion-y-formacion-profesional/305tasa-de-alumnado-con-necesidades-educativas-especiales-derivadas-de-una-discapacidad-matriculado-en-ensenanzas-de-regimen-general/3-33/.

[27] E.g. Pallisera, M., Vilà, M. & Fullana, J. (2012). Beyond school inclusion: secondary school and preparing for labour market inclusion for young people with disabilities in Spain. *International Journal of Inclusive Education, 16* (11), 1115-1129.

[28] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

[29] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

[30] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

disability variable, but other personal characteristics such as gender, age or nationality. There are only two studies conducted by Universia Foundation.[31] [32]

Data from 2013[33] suggests that the participation of disabled students in Spanish tertiary education has remained practically the same since 2012 (see previous ANED reports), in contrast to comparison groups (i.e. non-disabled national, non-disabled EU, disabled EU). A positive trend in the indicator in 2014 has been noted in some studies, that state that disabled university population represent 1.3% of the university community.[34] These data show that the percentage of students with disabilities in undergraduate tertiary studies is about 1.3%. The percentage of students from Master and PhD studies is less than 1.3%, which suggests that not all students with disabilities who access tertiary education finish their Master or PhD studies.

The 2018 NRP notes development of the Spanish **Strategy for Higher Education** in 2017, with the intention to enhance provision and quality. This remains in development. The previous NRP (2017) mentioned the need to reform the education system by achieving a State, Social and Political Pact for the Education (this was delayed). Specific indicators of student with disabilities should be incorporated in this strategic initiative and to ensure the support services necessary to provide equal opportunities for learning and participating. Thus, good practices in inclusive tertiary education should be institutionalized, so they do not depend so much on the motivation, good will and competence of individual professionals.

As stated in the document on *Factors of Educational Exclusion in Spain* (Unicef, 2017),[35] there is a need to fight against the economic, cultural, political, and affective exclusion factors that take place at the different levels (policies, centres, classrooms of the educational system). For example, at the economic level, it is necessary to implement measures such as: (1) increasing public aid for material and extracurricular activities, (2) increasing the public offer of pre- and post- compulsory education, (3) implement fines for access discrimination of disabled students, (4) avoid classroom grouping models (i.e. homogeneous) that generate disadvantages to access resources. Likewise, at a cultural level it is necessary to promote policies that support a broad conception of diversity and school success and that guarantee maximum time in the common curriculum. It is also necessary to decentralize the curricular design to adapt it to the peculiarities of the different areas where the

[31] Study on the degree of inclusion of people with disabilities in the Spanish university system, at: https://www.cermi.es/sites/default/files/docs/novedades/UNIVERSIDAD_Y_DISCAPACIDAD.pdf.

[32] Second Study on the degree of inclusion of people with disabilities in the Spanish university system, available at: http://sid.usal.es/idocs/F8/FDO26780/II_Estudio_universidad_discapacidad.pdf.

[33] See Olivenza report (2014), at: https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf.

[34] News in the press that indicates that the number of university students with disabilities who have access to higher education has increased, available at: http://noticias.universia.es/actualidad/noticia/2014/10/09/1112876/aumento-numero-universitarios-discapacidad-acceden-estudios-superiores.html.

[35] The document on Factors of Educational Exclusion in Spain is downloadable at: https://www.unicef.es/sites/unicef.es/files/comunicacion/Factores_de_exclusion_educativa_en_espana.pdf.

educational centres are located. It is also important to ensure the sustainability of pioneering educational initiatives (e.g., Second Chance Schools ...) and to provide financial incentives for teachers working in challenging settings. These and other changes should guarantee full inclusion of disabled students in ordinary settings.

All these measures should be linked to indicators of early school leaving, percentages of educational attainment, rates of vocational training, and rates of tertiary education, among other indicators, all of them disaggregated by disability types.

There are important challenges, mainly related to the educational system and the lack of resources and inclusion approach for students with disabilities. As a consequence of the economic crisis of recent years many programs and resources in education have been reduced or disappeared. Now, it is time to develop and increase specific programs in education to meet the needs of people with disabilities (mainly in transition to adult life, and tertiary education). Some issues that need to be met by means of plans, programs, and laws are:

- Develop a disability-strategy and action plan in order to ensure the access to an inclusive and a high-quality education.
- Ensure sufficient allocation of human, technical and financial resources so that all children, including the poorest and those with disabilities, receive early childhood education and care.
- Ensure the provision of reasonable accommodation and accessible support services on education.
- Ensure the provision of sufficient individual support and care for children with learning difficulties in ordinary schools.
- There is a need to report on resources in mainstream schools to accommodate the diversity of students and develop an efficient system to identify the individual support needs of children.
- Ensure that parents of children with disabilities are not obligated to pay for education or for measures designed to provide students with a reasonable accommodation in traditional schools.
- Ensure that decisions to place children with disabilities in special schools or special classes, or to offer them a reduced curriculum, are adopted in consultation with parents.
- There is a need to ensure that the placement of children in segregated settings can be subject to appeal quickly and efficiently.

Comprehensive reports should recommend about issues such as:

- Measures adopted to guarantee inclusive and quality education in the law, including an explicit clause that does not allow the rejection of a student because of his / her disability and including extracurricular activities and facilities.
- Specific efforts to transform the educational system and the measures and the available financial and human resources and the training that is given to the teachers in the different autonomous communities.

- Data on students with disabilities, in the compulsory and post-compulsory stages, including in segregated schooling modalities (special education).

Inform how educational decisions on the placement of students with disabilities can be quickly and effectively appealed and what measures are contemplated to give greater participation to students and their parents

In sum, all the educational initiatives must consider the right for inclusive education and the right to receive high quality training with necessary adaptations. Inclusion should guarantee not only participation, but also learning for all.

## 4 Disability, poverty and social exclusion – analysis of the situation and the effectiveness of policies

On average, people in Spain have been more at risk of low work intensity and low income than the EU average over recent years, while the risk of severe material deprivation remains slightly above the average. This was true for both disabled and non-disabled groups in 2016 (see Table 14 in annex). In fact, the overall risk of poverty or social exclusion was also slightly below the EU average for persons with more severe impairments, and for disabled women, than the EU average while it was above for all other groups (Table 15). A clear distinction is evident in the higher average risks of household poverty or exclusion for younger adults than for older persons (Table 16). This risk, strongly connected with marginalisation from employment, has risen faster for the disability group (Table 17). While the general AROPE indicator improves through recent job creation there is a risk that the disability gap widens and persons with disabilities are left behind.

The 2017 EU Alert Mechanism Report highlighted an increased risk of poverty or social exclusion in Spain, contrary to the EU trend. Despite the very high risk of poverty in Spain, the risk for severely disabled people of working age has fallen below the EU average, after social transfers, resulting in the appearance of a relatively narrow disability poverty gap. However, this is a measure of 'relative' poverty against a falling norm – the actual risk of in-work poverty is almost the highest in Europe and social transfers have had relatively little protective effect for working age disabled people in Spain, compared to other EU countries. The critical risk of poverty in Spain is accentuated for people with disabilities and needs to be monitored.

Household poverty risks for Spanish disabled and non-disabled populations are higher than those existing for the average EU disabled and non-disabled population and the distance between both groups increased in 2016. One of the main issues is low work intensity, which negatively impacts both groups of Spaniards. Overall poverty risk factors are higher in Spain than in the EU, for most of the studied groups, with the exception of people with severe disabilities, and disabled women.
According to the Spanish Survey of Living Conditions 2016 (released in May 2017),[36] in 2016, 22.3% of the Spanish population were living below the poverty line, which has increased 0.2% from previous year. The AROPE rate has reduced from 28.6% to 27.9%, due to reductions in two of its components: (1) severely materially deprived, and (2) low intensity in employment.[37] On the other hand, the risk of poverty has increased due to the increase in the levels of income in Spain.[38] In

[36] Press release on Final Results of the Living Conditions Survey, Year 2016, at: http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf.
[37] Press release on Final Results of the Living Conditions Survey, Year 2016, at: http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf.
[38] News in the press that indicates that the level of poverty in Spain decreases, although the risk of exclusion increases, at: http://www.europapress.es/epsocial/igualdad/noticia-baja-segundo-ano-nivel-pobreza-espana-aumenta-riesgo-exclusion-social-subir-renta-20170425114633.html.

addition, 42.2% of people living in households formed by an adult with dependent children were at risk of poverty in 2016.[39]

In 2016[40] the percentage of the disabled Spanish population living at risk of poverty was 30.9%, compared to 26.1% for non-disabled Spanish population. There is higher risk for disabled men aged 16 to 29 years. The risk of poverty in Spain for general population is similar to the EU-28 average.

A recent study,[41] shows how people with disabilities face additional costs in the form of additional expenditure on the acquisition of goods and general services (such as having to spend more on transportation), or expenses in goods and services specifically related to disability, such as technical assistance and support products, home adaptations to improve accessibility, or staffing personal assistance. In addition, the average income of people with disabilities is often below the average for the whole population.

**Policy developments in 2018-19**

Concerning poverty and social exclusion, as stated in the NRP (2018), in 2017 Spain implemented the National Strategy for Prevention and Fight against Poverty and Social Exclusion 2017-20, the Comprehensive Plan to Support the Family, and the National Comprehensive Strategy for the Homeless, and the mapping of resources and social benefits. All these plans and programmes should be evaluated with ongoing and final indicators, with the disability variable (disaggregated by severity, type, age, etc.) included in each of them.

The 2018 NRP acknowledges the strong link between unemployment and poverty risk, assuming that employment recovery is the key to poverty reduction (p. 35-36).[42] This assumption may be problematic for groups marginal to the labour market, including persons with disabilities, who risk being left behind in a jobs-led recovery if there are not effective targeted policies to support them in entering the labour market and employment. The main policy developments relating to employment support were discussed earlier (in chapter 2). These include the Spanish Strategy for Employment Activation 2017-2020, as well as the Employment Activation Program (PAE) and the Program of Professional Retraining (PREPARA), aimed at long-term unemployed.

In the area of pensions, the NRP (2018) expressed that the Government will continue to address the challenges facing the sustainability of the Social Security system. Policies aimed at job creation and reforms undertaken in recent years seek

[39] Press release on Final Results of the Living Conditions Survey, Year 2016, at: http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf.

[40] Databank on the risk of poverty or social exclusion (AROPE) of the population with disabilities, at: http://www.odismet.es/es/datos/2condiciones-de-trabajo-y-trayectorias-profesionales/215tasa-de-riesgo-de-pobreza-o-exclusion-social-arope-de-la-poblacion-con-discapacidad/2-27/.

[41] Document from Huete García, A. (2015). Pobreza y exclusión social de las mujeres con discapacidad en España [Poverty and social exclusion of women with disabilities in Spain.]. Madrid: CERMI. Available at: http://repositoriocdpd.net:8080/handle/123456789/934.

[42] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

to ensure the sustainability of the system. But it is also necessary to anticipate the long-term demographic challenges of an aging workforce. That is why the Government is promoting the work of the Monitoring and Evaluation Committee of the Toledo Pact Agreements, which aims to strengthen the sustainability of the Social Security system and safeguarding the welfare state for future generations. In this regard, the impact of these actions on disadvantages populations should be monitored, as that population is at risk of poverty if social transfers are removed.

Progress on de-institutionalisation and the development of support for long-term community support services are also a concern from a disability perspective. In 2011, the UN CRPD Committee recommended Spain 'to ensure that an adequate level of funding is made available to effectively enable persons with disabilities: to enjoy the freedom to choose their residence on an equal basis with others; to access a full range of in-home, residential and other community services for daily life, including personal assistance; and to so enjoy reasonable accommodation so as to better integrate into their communities' (see chapter 1.3.1).[43] As economic constraints are still limiting the number of dependent population who are receiving services and benefits, those with the least dependent levels may see their opportunities to participate and sustain themselves in inclusive settings limited. Relatives of those dependent populations are also seeing their opportunities to participate in the job market and other social facets of inclusive life being reduced, as they do not have support enough for their dependent relatives.

According to the Country Report 2018,[44] Spain faces challenges to the European Pillar of Social Rights regarding to poverty and social exclusion (see the following chapter 5). There is a high risk of poverty among children, and the impact of social transfers (other than pensions) on poverty reduction is weak. The risk of poverty or social exclusion is especially high for people with disabilities, although there is still insufficient knowledge about the situation of families with disabled children. To prevent these negative effects, some measures are suggested:

- Ensure that the effects of the crisis and the necessary economic adjustments do not continue to negatively affect people with disabilities.
- Guarantee special protection for women with disabilities in which other circumstances may also occur that add to their vulnerability (for example: recent maternity, long-term unemployment, concurrent illnesses ...)
- Despite some recent improvements in the labour market, many people remain at risk of poverty and social exclusion in Spain, and people with disabilities face extreme situations because of the scarce measures implemented to ameliorate their position. New measures should be implemented to guarantee the right to a life of quality.
- It is necessary to:

[43] Recommendations can be downloaded from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en.

[44] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

- report on initiatives to ensure that austerity measures against financial crises do not adversely and disproportionately impact the rights of persons with disabilities to access general and disability-specific social protection measures and to prevent them from being excluded and poverty.

## 5 Opportunities to mainstream disability equality in the European Semester review documents

As in the previous year, the text of the 2018 Country Specific Recommendation adopted by Council made no direct reference to disability issues.[45] Nevertheless, Recommendation 2 refers to issues that do have a significant impact on people with disabilities in Spain. For example, it refers to the need to 'Ensure that employment and social services have the capacity to provide effective support for jobseekers, including through better cooperation with employers'. As shown earlier (in chapter 2), people with disabilities are over-represented among the unemployed and this should be acknowledged in the challenge. It is particularly important that employment services have the specific capacity to provide effective support to this group. Similarly, the Recommendation to reduce early school leaving 'by better supporting students and teachers' has a high relevance to the specific support needed for young disabled people, who are over-represented as early leavers (see chapter 3).

In contrast to the previous year, the 2018 Commission Country Report[46] does mention disability issues. It highlights that early school leaving rates are especially high for people with disabilities in Spain (p. 41) and states that the gap between them and those without disabilities in tertiary education attainment remains and exceeds the EU average (p. 42). Concerning social policies, it also acknowledges that the risk of poverty or social exclusion is especially high for people with disabilities (p.43). There was, however, no reference to any specific policies addressing disability equality in the Commission's analysis.

In addressing Recommendation 1, to strengthen the fiscal and public procurement frameworks, it is advisable to promote the implementation of measures aimed at protecting disadvantaged groups such as:

- Develop Law 43/2015, of October 9, of the Third Sector of Social Action, approving a Program to Promote the Entities of the Third Sector of Social Action.
- Finalize the approval of a new regulation on public contracting that includes: social clauses on labour integration for contractors or public services suppliers; reservation of contracts for special employment centres and insertion companies; and a special regime for the provision of social services through social agreements based on licenses and authorizations.
- Fiscal incentives for families with relatives with disabilities in order to compensate for the higher expenses related to the disability.
- Social assistance under the IRPF (taxes): establish a new model of social assistance management with 0.7% of the IRPF, maintaining a state tranche for programs that cannot be territorialized.
- Ensuring pharmaceutical co-payment: exemption or revision of the pharmaceutical co-payment, especially in chronic pathologies.

[45] https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-specific-recommendation-commission-recommendation-spain-en.pdf.

[46] https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-report-spain-en.pdf.

- Ensuring access for people with disabilities to basic goods such as electricity and gas.
- End user funds for people with disabilities and in situations of exclusion: follow up on the implementation of the new final user funds for the education of disabled people and for social purposes.

Another CSR deals with reinforcing the coordination between regional employment services, social services and employers. As shown in the previous chapter (chapter 4), little progress has been made in reducing poverty risk and income inequality. Also, unemployment remains very high, above all among young and low-skilled workers. The existing statistics on employment and disability also confirm that the disabled population experience much higher inactivity rates, inferior employment rates and higher unemployment rates (see chapter 2 and annex). The situation is worse for disabled women and for those with intellectual disabilities. There is a need to increase the rate of disabled people with tertiary education, as education is related to employment. Also, regional disparities are very large, and more efforts should be made to ensure an equal access to services and resources for disabled population. To promote mobility among regions, there is a need to ensure that cost of living as well as aids (technical, persons, pharmaceutical, etc.) are comparable.

The new Employment Activation Strategy 2017-2020 include relevant priorities and measures. It will be important to analyse and evaluate progress on the capacity of employment services to support older and disabled jobseekers in 2019, and to disaggregate their employment outcomes, as envisaged in the indicators for Annual Employment Policy Plan for 2018.

In this regard, some recommendations from the third sector that are included in the 2018 NRP should be implemented and reinforced by European Commission. More specifically, there is a need for developing a strategy for employment inclusion 2017-2020 for persons with disabilities, including a law on this, modify the regulations on access to public employment of persons with disabilities, establish measures to promote the maintenance of employment of persons with disabilities, and to support self-employment for persons with disabilities. This measure is aligned with the CSR regarding taking measures to promote hiring on open-ended contracts. It also acknowledges the fact that Spain is taking measures to strengthen individual support for the long-term unemployed, but their effectiveness depends on the capacity of the regional public employment services (CR, 2017) and the coordination with employers and social services, which is only slowly improving (Country Report, 2018).[47] More attention should be paid in ensuring high quality employment for disabled workers.

Also, some CSR deal with addressing regional disparities and fragmentation in income guarantee schemes and improve family support, including access to quality childcare. CR (2017) also stressed that Spain should face challenges such as limited coverage of social benefits other than pensions, and a lack of coordination between employment and social services that leave many jobless people without support in

[47] https://ec.europa.eu/info/sites/info/files/2018-european-semester-national-reform-programme-spain-es.pdf.

their efforts to (re)enter the labour market. Support to families is low and poorly targeted to low-income families. In this regard, some initiatives proposed by the third sector in the NRP 2018 should be implement in Spain, and deserve some analysis and recommendations:

1. Several measures should be implemented concerning social security and social protection: improving family benefits and the condition of large families; reform the rules on work compatibility and disability, contributory and non-contributory pensions; reform the non-contributory invalidity pension and link it with a state minimum income.
2. There is a need for developing, at the legislative level, the Convention on the Rights of Persons with Disabilities, and Royal Legislative Decree 1/2013, of 29 November, approving the Consolidated Text of the General Law on the Rights of Persons with Disabilities and their social inclusion.
3. There is also a need for recovering levels of public expenditure in the system of care of people in a situation of dependency.

Finally, both the 2017 and 2018 CSR stress the need for increasing the labour market relevance of tertiary education. Also, CRs (2017, 2018) highlights that Spain still has the highest share of early school leavers and low basic skills among adults in the EU, and that there are wide regional disparities and relatively low employability of university graduates. Similarly, CSR 2017 and 2018 urge addressing regional disparities in educational outcomes, in particular by strengthening teacher training and support for individual students. In this regard, the third sector proposes several initiatives on education in NRP 2018, such as deepening the inclusiveness of the educational model of care for people with disabilities with schooling in ordinary schools for this student body. They also propose establishing an inclusive health plan strengthening mental health. These measures deserve further attention in upcoming Country Specific Recommendations and Reports.

CR 2017 states that public sector debt has not been reduced, although the CR 2018 acknowledges that some improvements have been made. Other issues are the high levels of poverty and income inequalities, the slow progress toward addressing previous CSR,[48] concerning tertiary education, early school leaving, employment and poverty risk. It is necessary to include data on disabled people as a cross-sectional issue, as they are in a disadvantaged situation in all the variables (tertiary education attainment, poverty, early school leaving, low quality of employment, inequality of access to services and products among regions, etc.).

[48] http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486055100657&uri=CELEX%3A52016DC0329.

## 6 Implementation of the European Structural and Investment Funds (ESIF) in relation to disability

Spain benefits from ESIF funding of €37.4 billion, through 64 national programmes. This represents an average of €804 per person from the EU budget over the period 2014-2020.[49] The ESF Operational Programs (2014-2020) focus on the following thematic objectives: (1) Promoting sustainable and quality employment and supporting labour mobility (axis 1), (2) Promoting social inclusion, combating poverty and any discrimination (axis 2) , (3) Investing in education, training and vocational training for skills and lifelong learning (axis 3).

The three operational programs have been monitored since their implementation. There are reports of the: (1) Operational Program for Social Inclusion and the Social Economy,[50] of which the Annual Execution report (2016) and summary can be accessed by the general public.[51] The reading of the documents shows how many people with disabilities have benefited from this program, through the programs that various entities have carried out; (2) Youth Employment Operational Program[52] and its corresponding annual Execution report.[53] According to the 2016 report, more than 325,000 young people have participated in actions of this program until 2016, of which 20,693 were young people with disabilities; (3) Operational Program for Employment, Training and Education.[54] and its annual Execution report,[55] in which the involvement of the Public State Employment Service (SEPE) in the promotion of employment of people with disabilities can be appreciated. In this objective, actions in 2016 regarding disability are subject to less attention.

Some examples of previously funded operational programs that involve people with disabilities are:

- *Disabled people land jobs thanks to special web portal* (26/03/2015):[56] A jobs portal in Spain is helping disabled people get jobs and find suitable training

49 https://cohesiondata.ec.europa.eu/countries/ES.
50 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/inclusion_social/PO_DE_INCLUSION_SOCIAL_Y_DE_LA_ECONOMIA_SOCIAL.pdf.
51 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/Resumen_ciudadania/Anexo_I_InformeCiudadanxa_POISES_070617_rev.pdf.
52 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/empleo_juvenil/POEJ_Modif_Versixn_2_1_Julio2016.pdf.
53 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/Resumen_ciudadania/Anexo_I_Resumen_al_ciudadano_POEJ_Junio2017.pdf.
54 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/empleo_formacion_educacion/PO_FSE_14-20_EMPLEOx_FORMACIxN_Y_EDUCACIxN.pdf.
55 http://www.empleo.gob.es/uafse/es/fse_2014-2020/programas_operativos/Resumen_ciudadania/Resumen_Ciudadanxa_Anexo_I_POEFE_090617.pdf
56 http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=1503.

options. ESF Contribution: € 700 000 – Number of Participants: 200 000+ disabled people; 4 000 employers.

- *Helping the vulnerable into work* (16/09/2016):[57] A project in Spain helps socially excluded people (people with low educational attainment, single parents, immigrants, refugees and people with disabilities.) into the jobs market. A training and skills course provide individuals with the confidence and motivation they need to find work (ESF Contribution: €5 837 473 – Number of Participants: 1 500+).
- *Guidance, training, insertion: the inclusive road to success* (17/10/2013):[58] A project offering a step-by-step labour market insertion programme to people at risk of social exclusion helps job seekers in the Canary Islands enter the labour market (ESF Contribution: 85% (2011) – Number of Participants: 1195).
- *Guiding the excluded towards long-term employment* (17/10/2013):[59] In the Canary Islands, a project creates subsidised job opportunities which serve as pathways into the regular labour market (ESF Contribution: € 317 175,29 – Number of Participants: 36).
- Giving youth a chance (03/07/2013):[60] The PCPI project helps young people gain the educational qualifications and competences they need to compete in the labour market (ESF Contribution: € 842 585 – Number of Participants: + 300).

Given that disability is a transversal variable and that it is present in all operational programs, it should be easier to access data on the number and type of beneficiaries of the different programs, disaggregated by age, sex, disability, etc. This information should be available and public in downloadable monitoring databases of the official agencies with competences in the matter. At this time the information is still scattered, and it is difficult to get an overall idea of the state of the issue and the relationship between programs-financing-typology of beneficiaries, etc.

The development of a database shared by all the countries of the euro zone, in a similar way to that existing in terms of employment, is key for the evaluation and improvement.

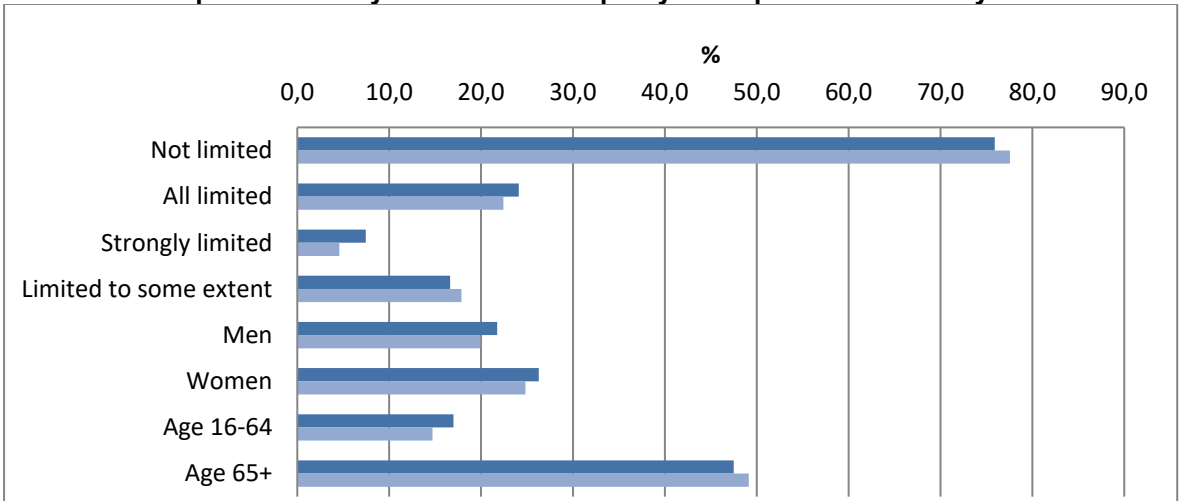
57 http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=1879.
58 http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=742.
59 http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=741.
60 http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=524

# 7 Statistical annex: disability data relevant to EU2020

Unless specified, the summary statistics presented in this report are drawn from the most recent EU-SILC micro data available to ANED researchers from Eurostat. Where available, estimates based on national data sources should be compared. The EU-SILC sample includes people living in private households and does not include people living in institutions (congregative households). The sampling methods and responses vary in each country.

The proxy used to identify people with disabilities (impairments) is whether 'for at least the past 6 months' the respondent reports that they have been 'limited because of a health problem in activities people usually do'.[61]

**Table 2: Self-reported 'activity limitations' as a proxy for impairment/disability**




| | Age 65+ | Age 16-64 | Women | Men | Limited to some extent | Strongly limited | All limited | Not limited |
|---|---|---|---|---|---|---|---|---|
| EU average | 47,5 | 17,0 | 26,3 | 21,8 | 16,6 | 7,5 | 24,1 | 75,9 |
| National average | 49,1 | 14,7 | 24,8 | 19,9 | 17,9 | 4,6 | 22,4 | 77,6 |

*Source: EU-SILC UDB 2016 – version of March 2018*

In subsequent tables, these data are used to estimate 'disability' equality gaps and trends for the three target areas in EU2020 – employment, education and poverty reduction – comparing the outcomes for persons who report and do not report 'limitations'.[62] National estimates are compared with EU28 mean averages. [63]

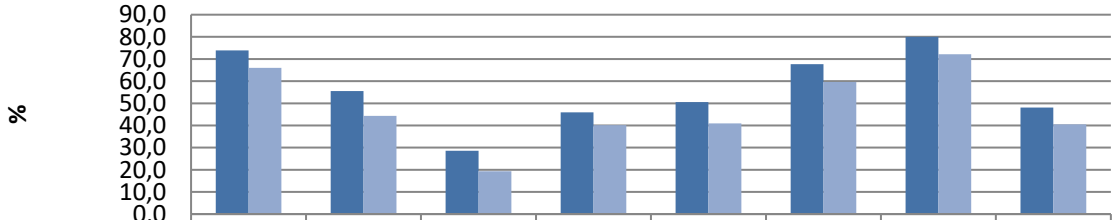
[61] The SILC survey questions are contained in the Minimum European Health Module (MEHM) http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Minimum_European_Health_Module_(MEHM).

[62] The methodology is further explained in the annual statistical reports of ANED, available at http://www.disability-europe.net/theme/statistical-indicators.

[63] A discontinuity in the German disability data due to a definitional change in 2015 (reducing prevalence estimates) and affected the estimation of EU average indicators and trends. A break in the Italian prevalence data in 2016 was also large enough to affect the EU average.

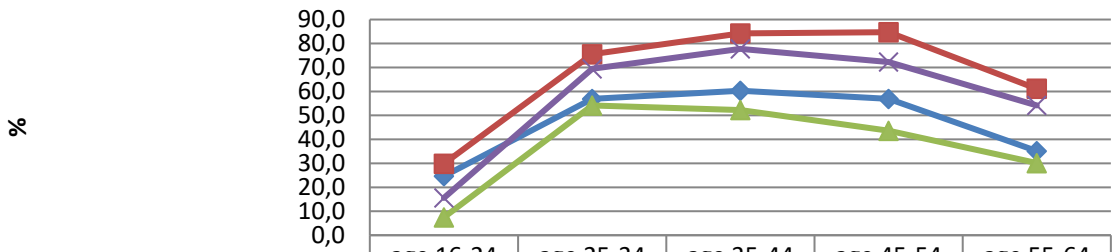
## 7.1 Disability and employment data from EU-SILC

**Table 3: Employment rates, by disability and gender (aged 20-64)**



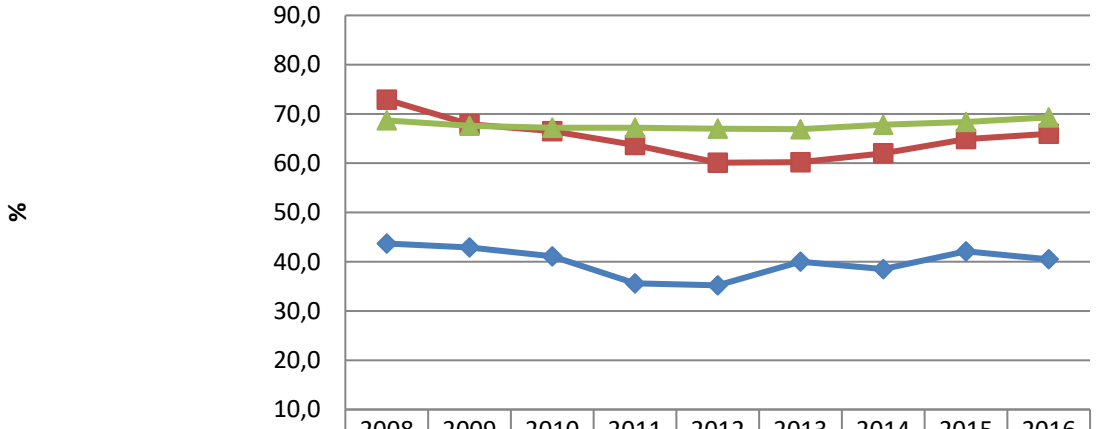

| | No disability | Moderate disability | Severe disability | Disabled women | Disabled men | Non-disabled women | Non-disabled men | Disabled total |
|---|---|---|---|---|---|---|---|---|
| EU average | 73,9 | 55,6 | 28,6 | 45,9 | 50,6 | 67,7 | 80,0 | 48,1 |
| National average | 66,0 | 44,3 | 19,3 | 40,1 | 40,9 | 59,7 | 72,2 | 40,5 |

**Table 4: Employment rates, by age group**




| | age 16-24 | age 25-34 | age 35-44 | age 45-54 | age 55-64 |
|---|---|---|---|---|---|
| EU (disabled) | 24,6 | 56,9 | 60,3 | 56,9 | 35,1 |
| EU average (non-disabled) | 29,8 | 75,5 | 84,2 | 84,7 | 61,1 |
| National (disabled) | 7,5 | 54,1 | 52,2 | 43,6 | 30,1 |
| National (non-disabled) | 15,6 | 69,4 | 77,7 | 72,3 | 54,2 |

**Table 5: Trends in employment by disability status (aged 20-64)**

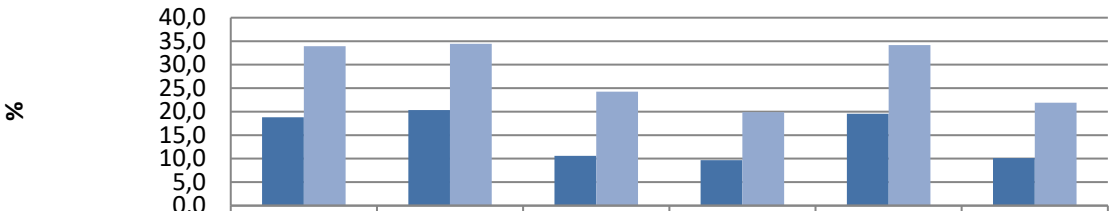



| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|---|---|
| National (disabled) | 43,7 | 42,9 | 41,1 | 35,6 | 35,2 | 40,0 | 38,5 | 42,1 | 40,5 |
| National (non-disabled) | 72,9 | 67,9 | 66,5 | 63,7 | 60,1 | 60,2 | 62,0 | 64,9 | 66,0 |
| EU average (all persons) | 68,7 | 67,6 | 67,2 | 67,2 | 67,0 | 66,9 | 67,8 | 68,4 | 69,3 |

*Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)*

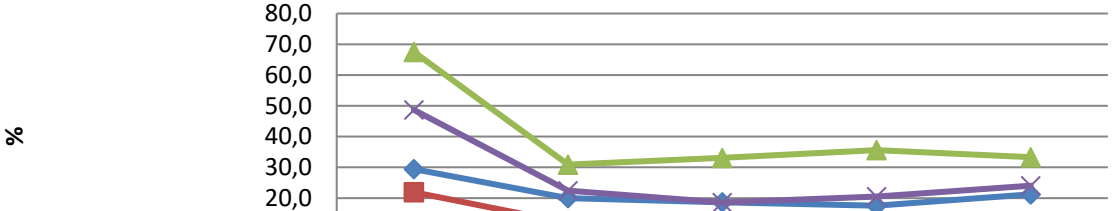
### 7.1.1 Unemployment

**Table 6: Unemployment rates by disability and gender (aged 20-64)**



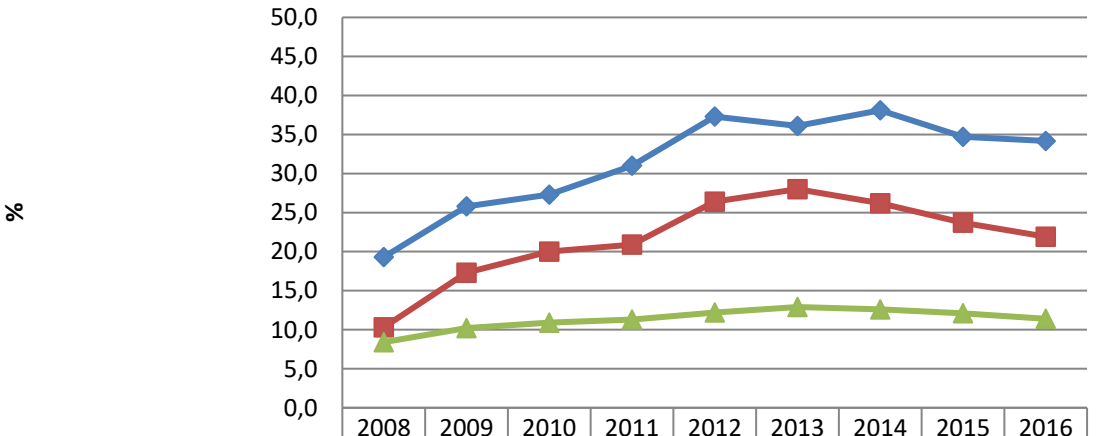

| | Disabled women | Disabled men | Non-disabled women | Non-disabled men | Disabled total | Non-disabled total |
|---|---|---|---|---|---|---|
| EU average | 18,8 | 20,4 | 10,6 | 9,7 | 19,6 | 10,1 |
| National average | 33,9 | 34,4 | 24,3 | 19,9 | 34,2 | 21,9 |

**Table 7: Unemployment rates, by age group**




| | age 16-24* | age 25-34* | age 35-44 | age 45-54 | age 55-64 |
|---|---|---|---|---|---|
| EU (disabled) | 29,4 | 20,0 | 18,6 | 17,5 | 21,2 |
| EU (non-disabled) | 21,9 | 11,9 | 8,5 | 7,6 | 9,8 |
| National (disabled) | 67,5 | 30,9 | 33,1 | 35,6 | 33,3 |
| National (non-disabled) | 48,7 | 22,4 | 18,6 | 20,5 | 24,0 |

**Table 8: Trends in unemployment rate, by disability status (aged 20-64)**

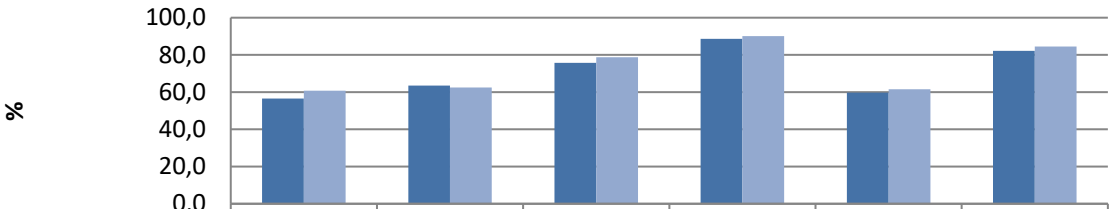



| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|---|---|
| National (disabled) | 19,3 | 25,8 | 27,3 | 31,0 | 37,3 | 36,1 | 38,1 | 34,7 | 34,2 |
| National (non-disabled) | 10,3 | 17,3 | 20,0 | 20,9 | 26,4 | 28,0 | 26,2 | 23,7 | 21,9 |
| EU average (all persons) | 8,4 | 10,2 | 10,9 | 11,3 | 12,2 | 12,9 | 12,6 | 12,1 | 11,4 |

*Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)*

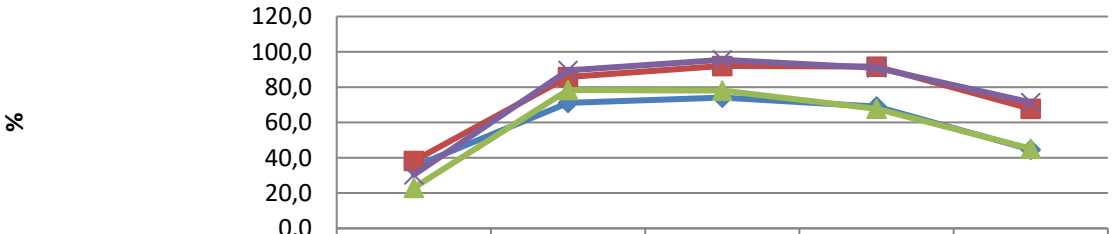
### 7.1.2 Economic activity

**Table 9: Economic activity rates, by disability and gender (aged 20-64)**



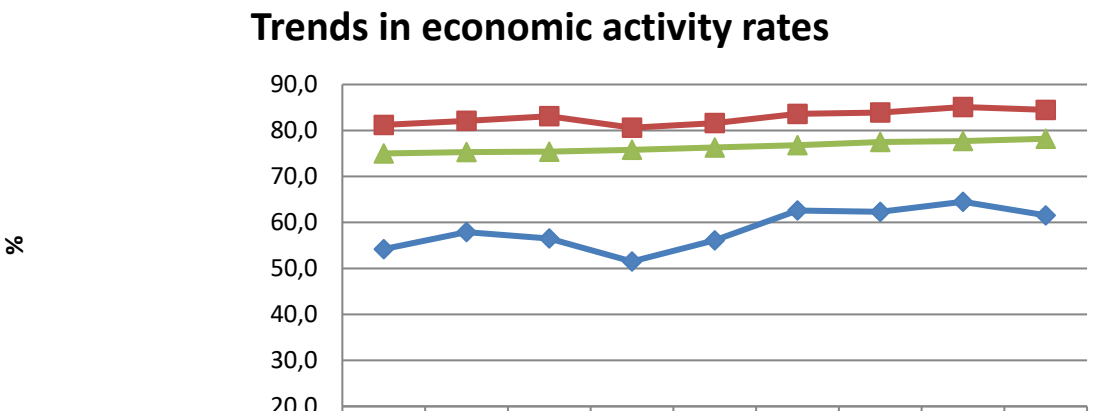

| | Disabled women | Disabled men | Non-disabled women | Non-disabled men | Disabled total | Non-disabled total |
|---|---|---|---|---|---|---|
| EU average | 56,5 | 63,5 | 75,7 | 88,6 | 59,7 | 82,2 |
| National average | 60,7 | 62,4 | 78,8 | 90,1 | 61,5 | 84,5 |

**Table 10: Activity rates, by age group**




| | age 16-24 | age 25-34 | age 35-44 | age 45-54 | age 55-64 |
|---|---|---|---|---|---|
| EU (disabled) | 34,9 | 71,1 | 74,1 | 69,0 | 44,6 |
| EU (non-disabled) | 38,2 | 85,8 | 92,0 | 91,6 | 67,8 |
| National (disabled) | 22,9 | 78,4 | 78,1 | 67,7 | 45,1 |
| National (non-disabled) | 30,3 | 89,5 | 95,5 | 90,9 | 71,3 |

**Table 11: Trends in activity rates, by disability status (aged 20-64)**




| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|---|---|
| National (disabled) | 54,2 | 57,9 | 56,5 | 51,5 | 56,1 | 62,6 | 62,3 | 64,5 | 61,5 |
| National (non-disabled) | 81,2 | 82,1 | 83,1 | 80,6 | 81,6 | 83,6 | 83,9 | 85,1 | 84,5 |
| EU average (all persons) | 75,0 | 75,3 | 75,4 | 75,8 | 76,3 | 76,8 | 77,5 | 77,7 | 78,2 |

*Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)*

### 7.1.3 Alternative sources of national disability employment data

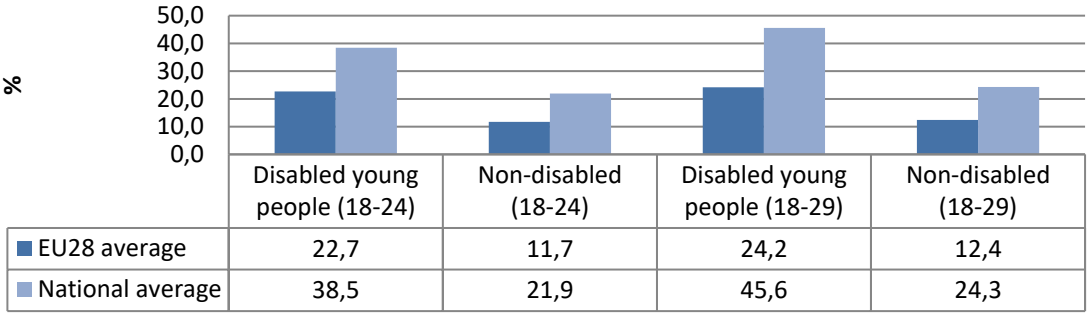
An extensive and detailed Report on the Labour Market Situation of Persons with Disabilities is published annually by SEPE, most recently in 2018 with data for 2017.[64]

As mentioned in chapter 2, the Report on Employment includes one Table of administrative data concerning employment contracts for workers with disabilities.[65] This refers to registered contracts for persons assessed as having a certain degree of impairment disability and known to the employment service.

## 7.2 Disability and educational attainment data from EU-SILC

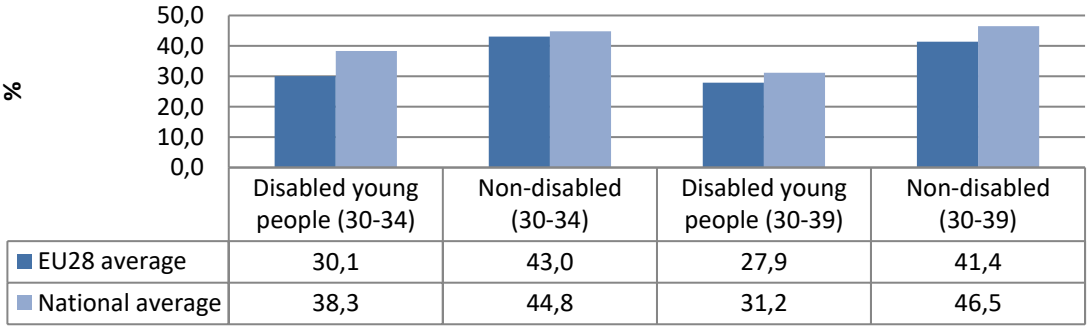
National comparisons are more limited in the EU2020 target age groups (a wider range improves reliability, but gender breakdowns are not reliable). The EU level indicator is reliable but there is low reliability at the national level in individual years. The following tables show an average of the three most recent years (2014-2016).

**Table 12: Three-year average early leaving rates, by disability status (aged 18-24 and 18-29)** [66]




| | Disabled young people (18-24) | Non-disabled (18-24) | Disabled young people (18-29) | Non-disabled (18-29) |
|---|---|---|---|---|
| EU28 average | 22,7 | 11,7 | 24,2 | 12,4 |
| National average | 38,5 | 21,9 | 45,6 | 24,3 |

**Table 13: Three-year average tertiary or equivalent education rate (age 30-34 and 30-39)**




| | Disabled young people (30-34) | Non-disabled (30-34) | Disabled young people (30-39) | Non-disabled (30-39) |
|---|---|---|---|---|
| EU28 average | 30,1 | 43,0 | 27,9 | 41,4 |
| National average | 38,3 | 44,8 | 31,2 | 46,5 |

*Source: EU-SILC UDB 2016 – version of March 2018 (and preceding UDBs)*

64 https://www.sepe.es/contenidos/que_es_el_sepe/publicaciones/pdf/pdf_mercado_trabajo/imt2018_datos2017_estatal_discapacidad.pdf.

65 See Table 3.18, http://www.empleo.gob.es/es/sec_trabajo/analisis-mercado-trabajo/numeros/125/125.pdf.

66 There was a change from ISCED 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition in 2015.

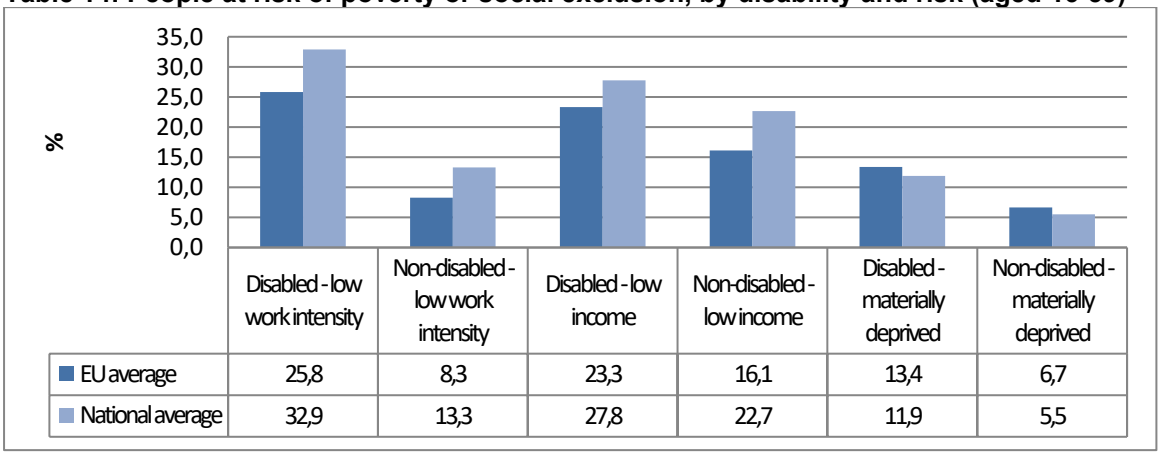
*Note: Confidence intervals for the disability group are large and reliability low. An average of several years may be needed to establish trends. National administrative data may provide alternative indications, where available.*

### 7.2.1 Alternative sources of national disability education data

No directly relevant alternative data was identified.

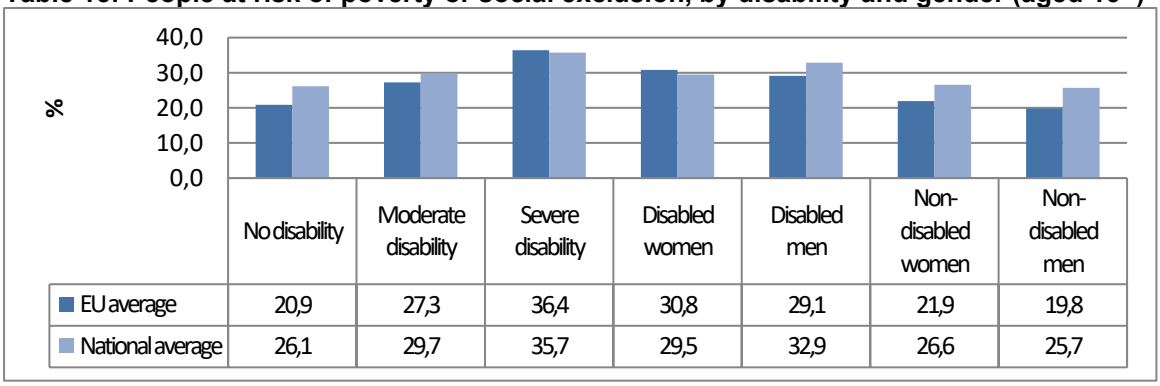
## 7.3 Disability and poverty or social exclusion data from EU-SILC

**Table 14: People at risk of poverty or social exclusion, by disability and risk (aged 16-59)**



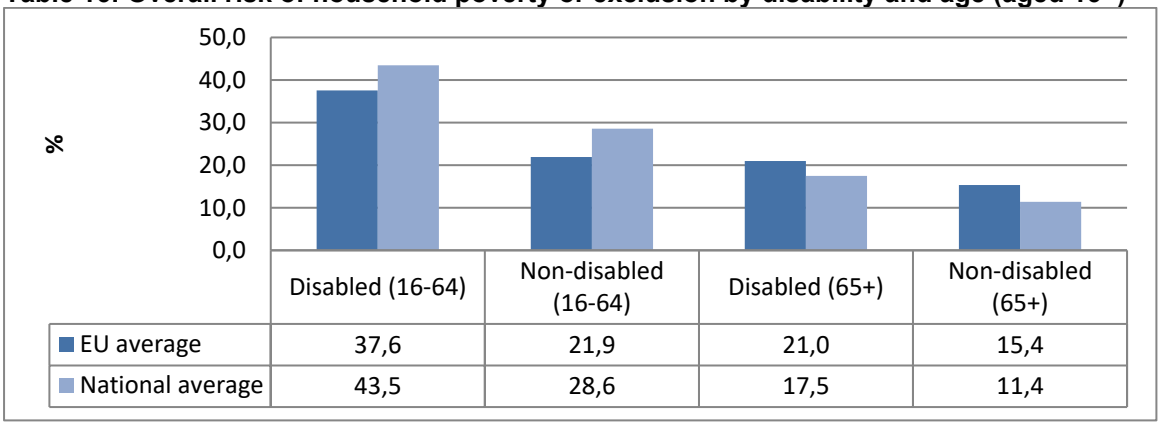

| | Disabled - low work intensity | Non-disabled - low work intensity | Disabled - low income | Non-disabled - low income | Disabled - materially deprived | Non-disabled - materially deprived |
|---|---|---|---|---|---|---|
| EU average | 25,8 | 8,3 | 23,3 | 16,1 | 13,4 | 6,7 |
| National average | 32,9 | 13,3 | 27,8 | 22,7 | 11,9 | 5,5 |

**Table 15: People at risk of poverty or social exclusion, by disability and gender (aged 16+)**



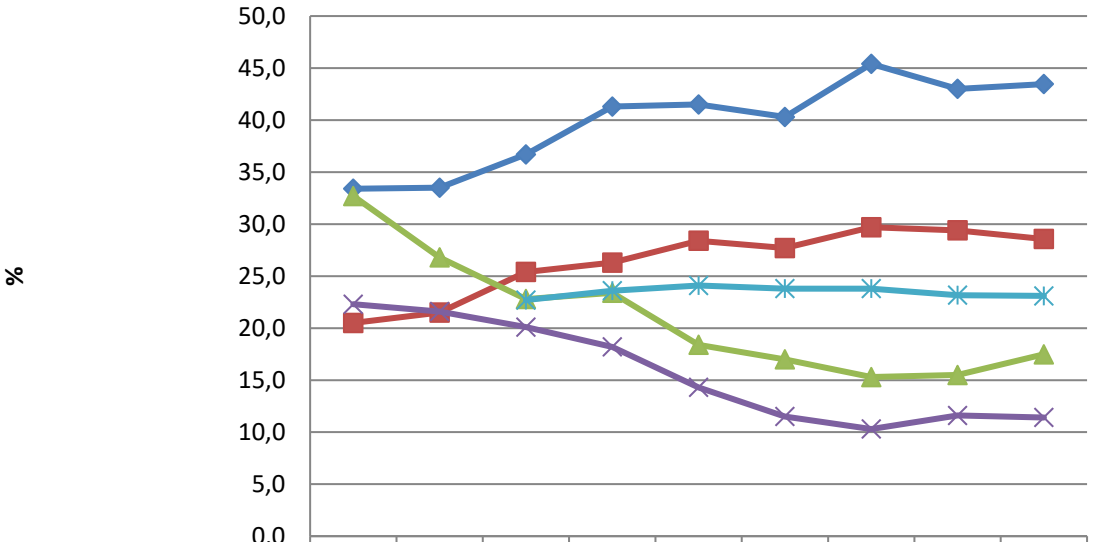

| | No disability | Moderate disability | Severe disability | Disabled women | Disabled men | Non-disabled women | Non-disabled men |
|---|---|---|---|---|---|---|---|
| EU average | 20,9 | 27,3 | 36,4 | 30,8 | 29,1 | 21,9 | 19,8 |
| National average | 26,1 | 29,7 | 35,7 | 29,5 | 32,9 | 26,6 | 25,7 |

**Table 16: Overall risk of household poverty or exclusion by disability and age (aged 16+)**




| | Disabled (16-64) | Non-disabled (16-64) | Disabled (65+) | Non-disabled (65+) |
|---|---|---|---|---|
| EU average | 37,6 | 21,9 | 21,0 | 15,4 |
| National average | 43,5 | 28,6 | 17,5 | 11,4 |

**Table 17: Trends in household risk of poverty or social exclusion, by disability and age group**




| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|---|---|
| Disabled (16-64) | 33,4 | 33,5 | 36,7 | 41,3 | 41,5 | 40,3 | 45,4 | 43,0 | 43,5 |
| Non-disabled (16-64) | 20,5 | 21,5 | 25,4 | 26,3 | 28,4 | 27,7 | 29,7 | 29,4 | 28,6 |
| Disabled (65+) | 32,7 | 26,8 | 22,8 | 23,4 | 18,4 | 17,0 | 15,3 | 15,5 | 17,5 |
| Non-disabled (65+) | 22,3 | 21,6 | 20,1 | 18,2 | 14,3 | 11,5 | 10,3 | 11,6 | 11,4 |
| EU average (all 16+) | | | 22,7 | 23,6 | 24,1 | 23,8 | 23,8 | 23,2 | 23,1 |

*Source: EU-SILC UDB 2016 – version of March 2018 (and previous UDB)*
*Note: The risks for older people do not include work intensity (Eurostat refers to the age group 0-59 for this measure) and the survey does not distinguish 'activity limitation' (the proxy for impairment/disability) for children under the age of 16.*

### 7.3.1 Alternative sources of national disability poverty data

In general, the EU-SILC data provides the most comprehensive and reliable source concerning poverty or social exclusion rates in the Member States. However, national disability surveys or studies may offer additional information.