

## European Semester 2017/2018 country fiche on disability

### 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 practical implementation of the United Nations Convention on the Rights of Persons with disabilities in the EU.

This country report has been prepared as input for the European Semester from a disability perspective.

*Note: The statistics provided in October 2017 are based on the EU-SILC 2015. This is the most recent microdata available to researchers for analysis from Eurostat. This report may be updated as new data becomes available.*

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## 1 Summary of the overall situation and challenges

Spain should deal with a several challenges in the near future. The most significant challenges relate to the high rates of unemployment and poverty risk. The lack of inclusive approaches in education and employment should also be faced. Unemployment, particularly among people with disabilities and the young, is the main problem for Spain. The main challenge for the future is to increase inclusive employment options, specifically for people with cognitive disabilities.

Some of the challenges facing the Spanish economy include strengthening the links between the educational system and the labour market and also strengthening public employment services. There is no active policy for people with disabilities in the last years of education. Connection with public employment services and initiatives of the NGO should be encouraged. Additional issues relate to the lack of support schemes that allow smooth transition to the labour market of those with higher support needs. The decentralization of services and supports and the limited coordination between those responsible for delivering employment and social services makes it difficult for people with disabilities to move to another city in search of employment or better quality of life.

There is a need for a strategy for employment inclusion 2017-2020 for persons with disabilities. It is also necessary to improve the effectiveness that depends on the capacity of the regional public employment services, and more attention should be paid to ensuring high quality employment for disabled workers.

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, and a lack of coordination between employment and social services that leave many jobless people without support in their efforts to (re)enter the labour market.

Regarding inclusive approaches in education and employment, there is a clear need to foster commitment with inclusive practices and outcomes. Operative programmes should focus on initiatives and specific plans, with measures, outcomes and indicators to evaluate the results to improve and enhance the situation of people with disabilities in education and social inclusion.

There is an urgent need to obtain more disaggregated data in many of the programmes and policies implemented, to adequately examine the situation and the tendencies of employment, education and poverty and social exclusion.

Although Spain should continue working to reduce the public-sector debt and to ensure fiscal discipline (CR, 2017), several cautions should be taken in mind so the impact of fiscal adjustment on disabled people does not reduce their quality of life. In this regard, it is advisable to promote the implementation of several measures aimed at protecting disadvantaged groups such as:

- Develop Law 43/2015, of October 9, of the Third Sector of Social Action, approving a Programme 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 and 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 programmes that cannot be territorialized
- Ensuring pharmaceutical co-payment: exemption or revision of the pharmaceutical co-payment, especially in chronic pathologies.
- 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.

Spain must 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 their efforts to (re)enter the labour market. Support to families is low and poorly targeted in low-income families. In this regard, some measures should be implemented in Spain:

- First, 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.
- Second, 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.
- Third, there is also a need for recovering levels of public expenditure in the system of care of people in a situation of dependency.

There is a need for increasing the labour market relevance of tertiary education. There is also a need for addressing regional disparities in educational outcomes, in particular by strengthening teacher training and support for individual students. 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.

## 2 Assessment of the situation of disabled people with respect to the Europe 2020 headline targets

### 2.1 Strategic targets

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

	Europe 2020 targets	National targets <sup>1</sup>
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 level education	44%
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

According to recent analyses<sup>2</sup> Spain is on track to breach most of the commitments made when it signed the Europe 2020 Strategy. In 2016, employment reached 64%, which is far from the 74% national target. The labour market needs more flexibility and less bureaucratic barriers, better trained workers to occupy the positions demanded by the productive fabric and an increase in R & D investment, in order to increase competitiveness and the size of companies.<sup>3</sup>

Concerning education, in recent times, Spain has consistently reduced the early school leaving rate and the percentage stayed at 19% in 2016. Although we are still four points above the target that we should reach within three years, we could stay close to the 15% target or even reach it.<sup>4</sup> Regarding the commitment to achieve 44% of adults between 30 and 34 years with university education, in 2016 the Spanish rate stood at 40%. A percentage that is not very encouraging, given that it is declining in recent years (in 2013 was 42%), due to the expansionary phase of the economy.<sup>5</sup>

<sup>1</sup> See National targets at: <http://ec.eurpa.eu/europe2020/pdf/targetsen.pdf>.

<sup>2</sup> See recent analyses on National targets at: <http://www.eleconomista.es/economia/noticias/8501737/07/17/El-empleo-en-Espana-10-puntos-por-debajo-del-objetivo-europeo-de-2020.html>.

<sup>3</sup> See recommendation to Spain at: <http://www.eleconomista.es/economia/noticias/8501737/07/17/El-empleo-en-Espana-10-puntos-por-debajo-del-objetivo-europeo-de-2020.html>.

<sup>4</sup> See recommendation to Spain at: <http://www.eleconomista.es/economia/noticias/8501737/07/17/El-empleo-en-Espana-10-puntos-por-debajo-del-objetivo-europeo-de-2020.html>.

<sup>5</sup> See recommendation to Spain at: <http://www.eleconomista.es/economia/noticias/8501737/07/17/El-empleo-en-Espana-10-puntos-por-debajo-del-objetivo-europeo-de-2020.html>.

In 2016,<sup>6</sup> the percentage of the disabled Spanish population living at risk of poverty was 30.9%, compared to 26.1% for non-disabled Spanish population. The risk of poverty has increased in 2016,<sup>7</sup> although 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.<sup>8</sup> Relevant disability targets from national strategies or sources:

The Spanish Strategy Action Plan on Disability 2014-2020, approved by the Council of Ministers 12 September 2014, states several policy targets relevant to the EU2020 targets, such as: (1) promoting access for persons with disabilities to employment, including promoting entrepreneurs, 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.

Yet, the main limitation is that these goals are not expressed as quantitative outcome targets. There is a clear need to specify such outcomes.

### 2.1.1 A note on the use of EU data

Unless specified, the summary statistics presented in this report are drawn from 2015 EU-SILC micro data.<sup>9</sup> The EU-SILC sample includes people living in private households and does not include people living in institutions. 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'.<sup>10</sup> Responses to this question vary between countries and national data sources are added for comparison, where available.

In 2015 there was a break in the German data (with significantly reduced prevalence estimates). As Germany is a very large country, this affected both the German national indicators and EU average indicators for this year. For example, the EU28 average disability prevalence indicator decreased between 2014 and 2015 but increased, as in previous years, if Germany is excluded. A similar trend is evident for the EU average employment rate of persons.

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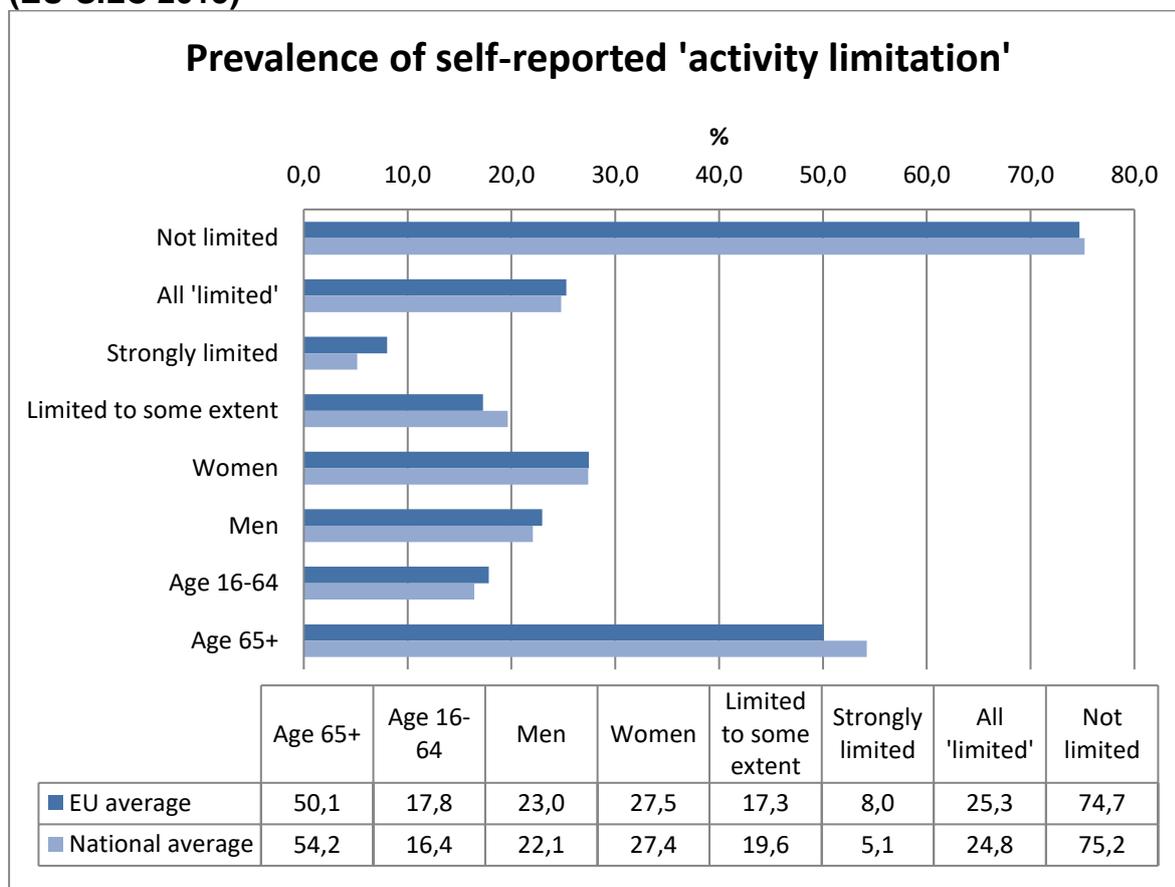
<sup>6</sup> See databank on work conditions and professional trajectories at: <http://www.odismet.es/es/datos/2condiciones-de-trabajo-y-trayectorias-profesionales/215tasa-de-riesgo-de-pobreza-o-exclusion-social-arope-de-la-poblacion-con-discapacidad/2-27/>.

<sup>7</sup> see press release on Living Conditions Survey (ECV). Year 2016. Final results at: [http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476\\_ecv\\_2016.pdf](http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf).

<sup>8</sup> see press release on Living Conditions Survey (ECV). Year 2016. Final results at: [http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476\\_ecv\\_2016.pdf](http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf).

<sup>9</sup> EUSILC UDB 2015 – version of October 2017.

<sup>10</sup> The SILC survey questions are contained in the Minimum European Health Module (MEHM) at: [http://epp.eurostat.ec.europa.eu/statistics\\_explained/index.php/Glossary:Minimum\\_European\\_Health\\_Module\\_\(MEHM\)](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Minimum_European_Health_Module_(MEHM)).

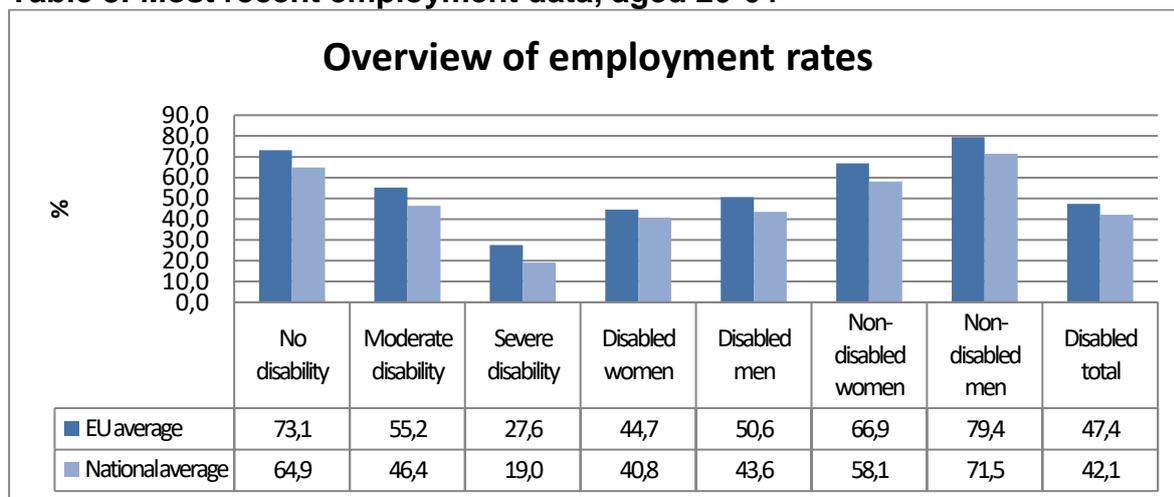
**Table 2: Self-reported 'activity limitations' as a proxy for impairment/disability (EU-SILC 2015)**

Source: EUSILC UDB 2015 – version of October 2017

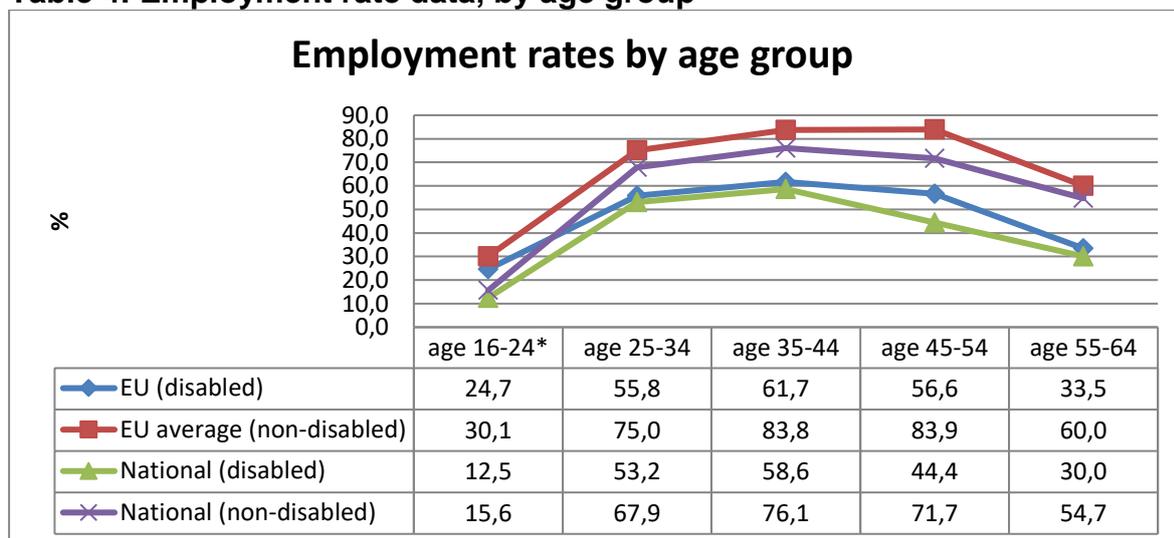
In subsequent tables, these data are used as a proxy to estimate 'disability' equality in the main target areas for EU2020 – employment, education and poverty risk.<sup>11</sup> The tables are presented by disaggregating the estimated proportion of people who report and do not report limitations for each indicator (e.g. among those who are employed, unemployed, at risk of poverty, etc.).

## 2.2 Employment data

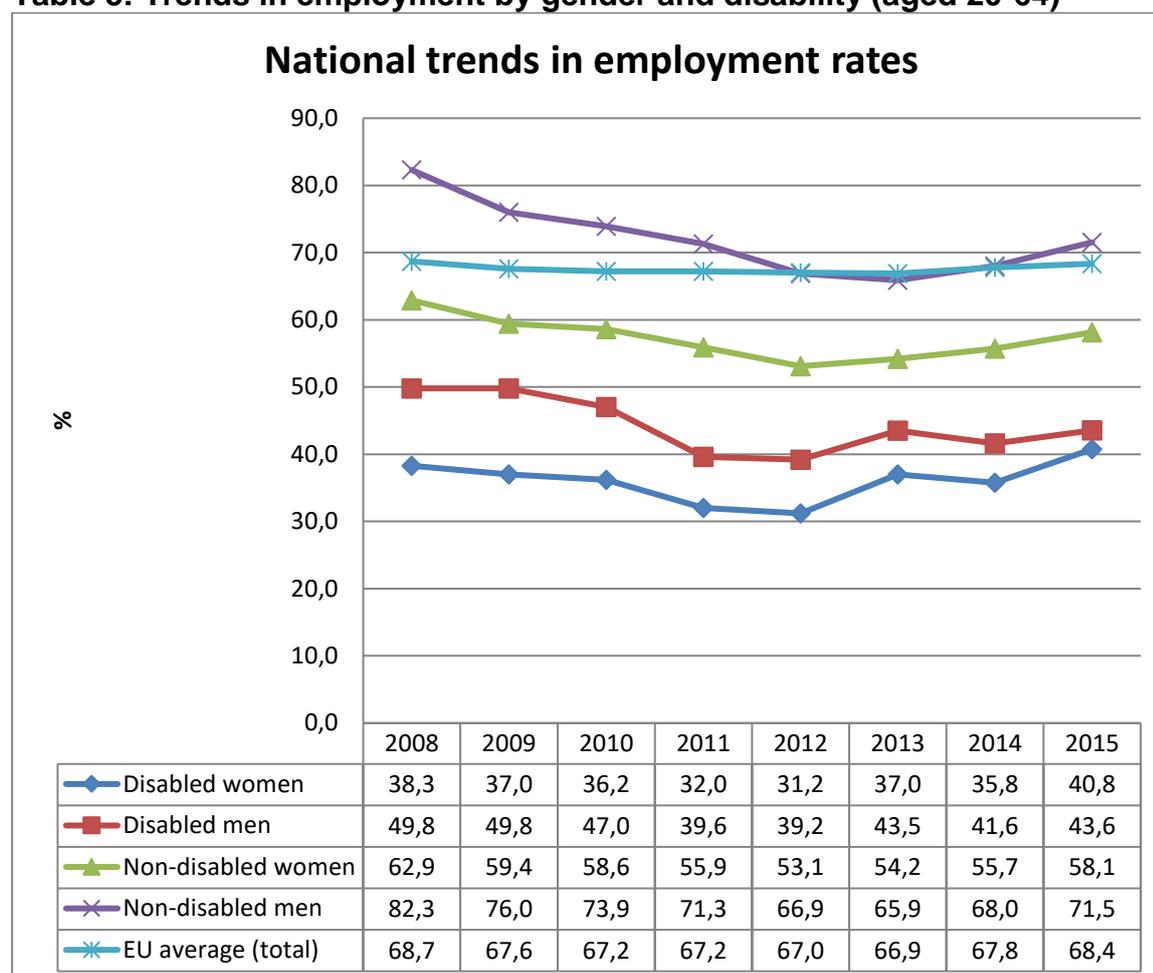
<sup>11</sup> The methodology is further explained in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>.

**Table 3: Most recent employment data, aged 20-64**

Source: EUSILC UDB 2015 – version of October 2017

**Table 4: Employment rate data, by age group**

Source: EUSILC UDB 2015 – version of October 2017

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

Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)

The table above shows a comparison of national employment trends for disabled and non-disabled women and men, and compares this with the EU2020 headline indicator for the EU as a whole.

#### **Alternative data on disability and employment provided by the national expert:**

Statistics on employment for disabled people (Year 2015, published 19/12/2016) reveal that the activity rate is 33.9% which increased 0.3 points from the previous year. Yet, this activity rate is 44.2, inferior to the existing for general population.<sup>12</sup> The small signs of recovery in employment for Spanish population are not as big for disabled population. Disabled men are more active than disabled women and these differences are bigger than in non-disabled population, meaning that disabled women are in a more disadvantaged situation than their non-disabled peers. Most of the active disabled population are 45-64 years of age, whereas for general population

<sup>12</sup> See press release on employment of People with disabilities year 2015 at: <http://www.ine.es/prensa/np1012.pdf>.

the majority of the active population is 25-44 years of age. The percentage of active disabled people with tertiary studies is inferior than for general population.<sup>13</sup>

The employment rate was 23.4%, with an increase from previous year of 0.8 for disabled population, in contrast to the increase of 2 points for general population.

The participation in the labour market is determined by the type and severity of the disability, and those with the most severe disabilities have experienced a reduction in their 2015 activity rates compared to the 2014 activity rates. The only group that has experienced an increase in their activity rate is the one with disability percentages between 33%-44%.

Concerning disability types, those with hearing impairments have much higher activity rates (60.1%) than those with intellectual disabilities (28.1%).

Comparing 2015 data with 2014, there is a reduction in the number of disabled workers with deductions in their contracts, as well as a reduction in the number of contracts for disabled workers.<sup>14</sup> There are significant differences in activity rates among regions.

When comparing data from 2015 of disabled and non-disabled people<sup>15</sup> it can be said that 15.1% of disabled people in active age (18-65) have tertiary education, in contrast to 33.2% of non-disabled peers. Two percent of the youngest (<25) have tertiary studies, in contrast to 12.4% for non-disabled peers. There are significant differences between rural –more disadvantaged- vs. urban areas in terms of tertiary education. Significant differences are also found based on the type of disability, region of residence. Yet, Spain is one of the EU countries with the highest rates of disabled people with tertiary studies, although this is not translated into better outcomes in terms of employment.

The recently published *White Paper on access and inclusion in public employment of people with disabilities* (2015)<sup>16</sup> present data about employment and its evolution in recent years (2012-2013), showing an increase in the employment and unemployment situation of persons with disabilities (pp. 45). Data also show an increase in the number of people with disabilities hired from 2013 to 2014 (pp. 49). Data are from the National Public Service on Employment; Ministry of Employment and Social Security [Servicio Público de Empleo Estatal; Ministerio de Empleo y Seguridad Social; SEPE].

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<sup>13</sup> See press release on employment of people with disabilities year 2015 at: <http://www.ine.es/prensa/np1012.pdf>.

<sup>14</sup> See press release on employment of people with disabilities year 2015 at: <http://www.ine.es/prensa/np1012.pdf>.

<sup>15</sup> See database on education and vocational training at: <http://www.odismet.es/es/datos/3educacion-y-formacion-profesional/302tasa-de-personas-con-discapacidad-en-edad-activa-que-han-alcanzado-estudios-superiores/3-30/>.

<sup>16</sup> See white paper on access and inclusion in public employment for people with disabilities at: <https://www.cermi.es/sites/default/files/docs/colecciones/LibroBlancoPcD.pdf>.

The Olivenza 2014 report on disability in Spain<sup>17</sup> states that:

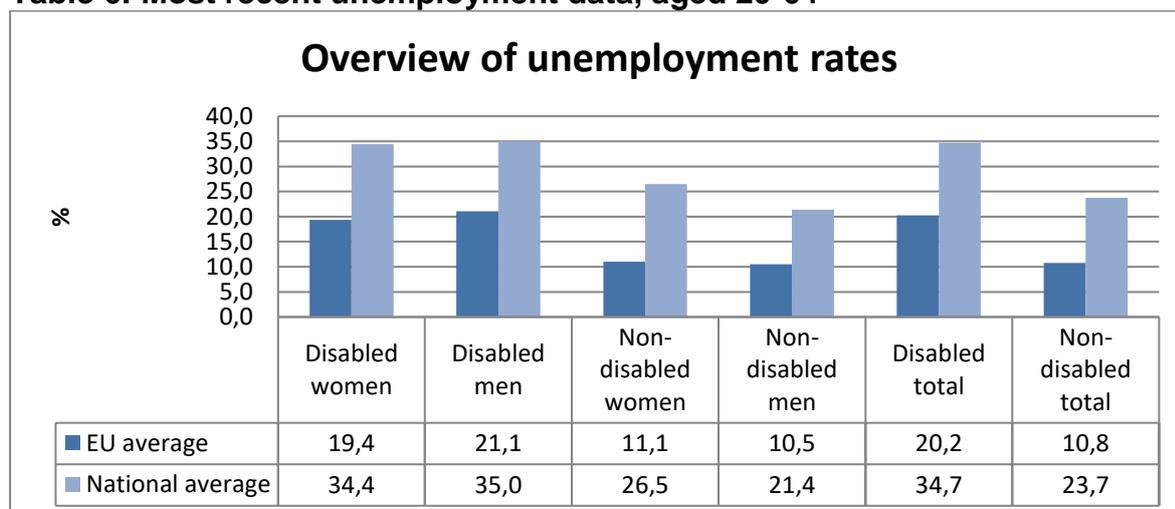
- Regarding and economic inclusion, the disadvantage of the disabled population is almost 33% compared to the general population.
- The risk of poverty<sup>18</sup> affects 32% (N=1,803,749) of the disabled population. This risk is especially high for women with disabilities.
- Regarding social integration, 21.5% (1,211,893.9)<sup>19</sup> of the population with disabilities recognizes that it has few or no friends and the majority (91%) (N=5,754,944)<sup>20</sup> mention that they face barriers for leisure activities.

Other studies suggest that their welfare is maintained below the whole of society.<sup>21</sup>

## 2.2.1 Unemployment

National administrative rules and definitions of ‘unemployment’ vary, and these may affect the way in which disabled people are categorised in different countries. The following tables compare national data with the EU2020 headline indicator for the EU.

**Table 6: Most recent unemployment data, aged 20-64**



Source: EUSILC UDB 2015 – version of October 2017

<sup>17</sup> See State Observatory of Disability (OED, 2014). Olivenza 2014 report, on disability in Spain. (downloadable at:

[https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf)).

<sup>18</sup> See Tables 40 and 41 in the Olivenza 2014 report, on disability in Spain. (downloadable at:

[https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf)).

<sup>19</sup> See Table 84 in the Olivenza 2014 report, on disability in Spain. (downloadable at:

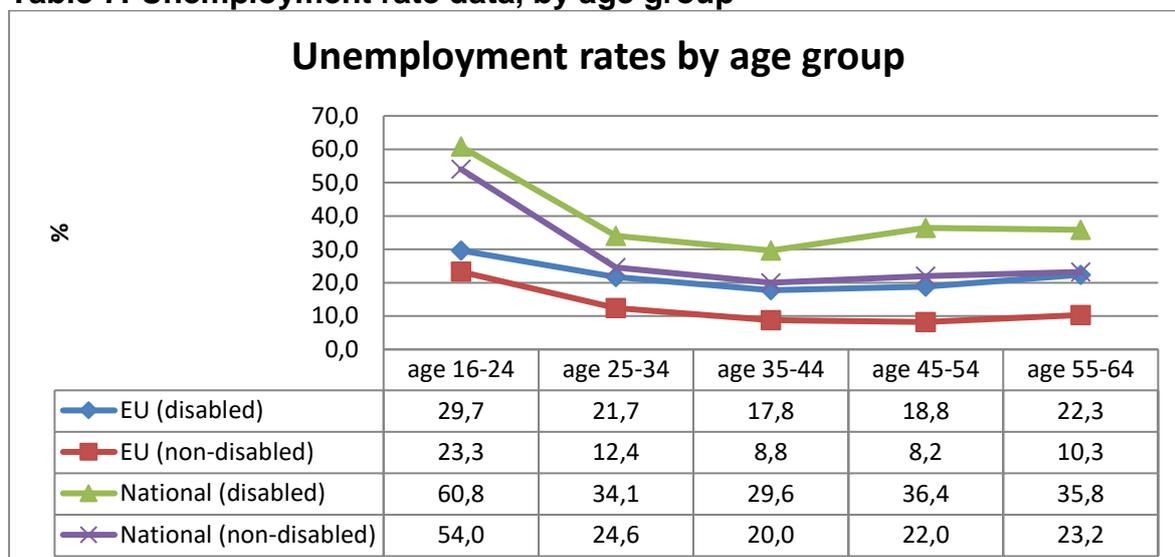
[https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf)).

<sup>20</sup> See Table 85 in the Olivenza 2014 report, on disability in Spain. (downloadable at:

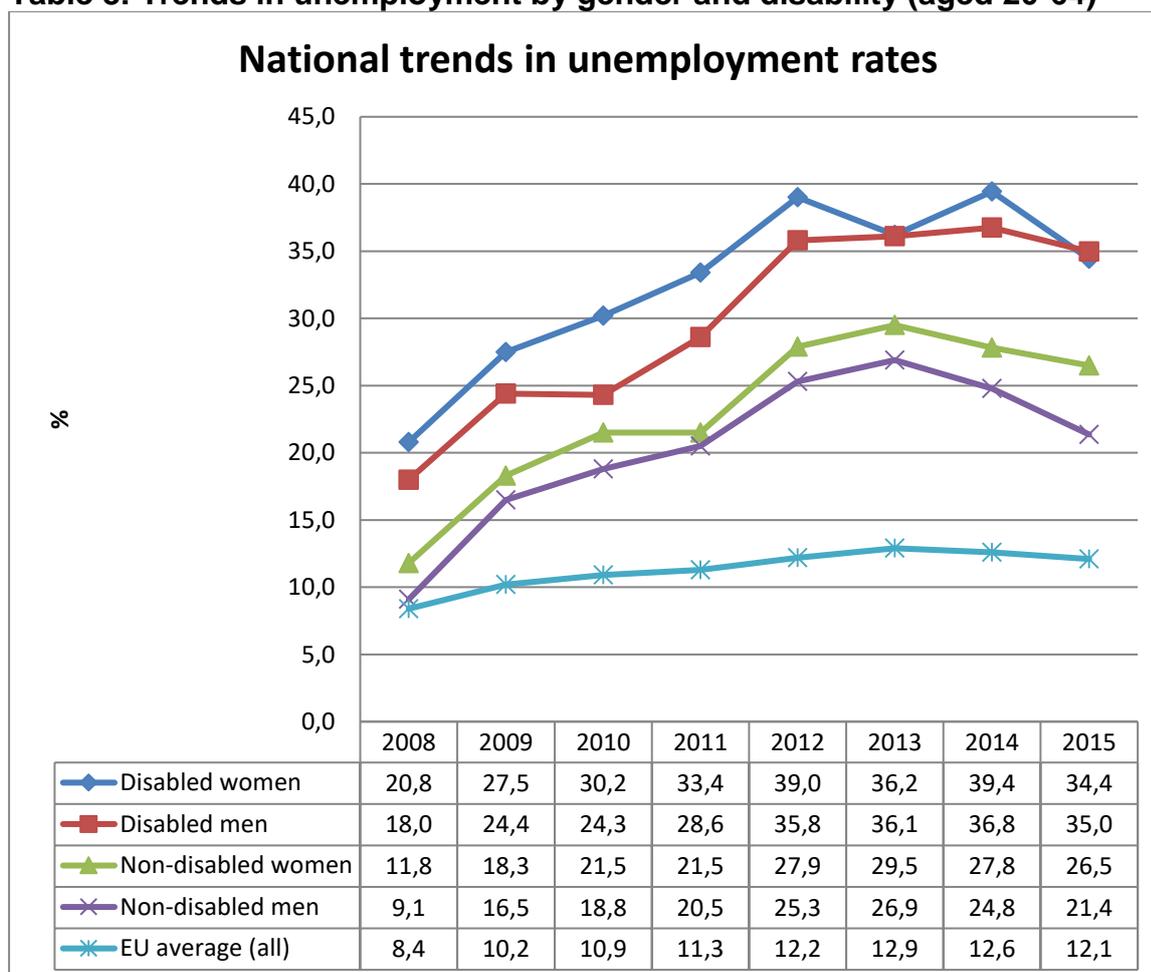
[https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf)).

<sup>21</sup> Access the document from Anaut, S., Arza, J. & Álvarez, M.J. (2014). La incidencia de la exclusión social en los hogares con personas con discapacidad. VII Informe sobre exclusión y desarrollo social en España. Serie: Documento de Trabajo, Madrid, Fundación FOESSA, Cáritas Española Editores (downloadable at:

<http://www.foessa2014.es/informe/uploaded/documentostrabajo/151020141514409069.pdf>).

**Table 7: Unemployment rate data, by age group**

Source: EUSILC UDB 2015 – version of October 2017

**Table 8: Trends in unemployment by gender and disability (aged 20-64)**

Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)

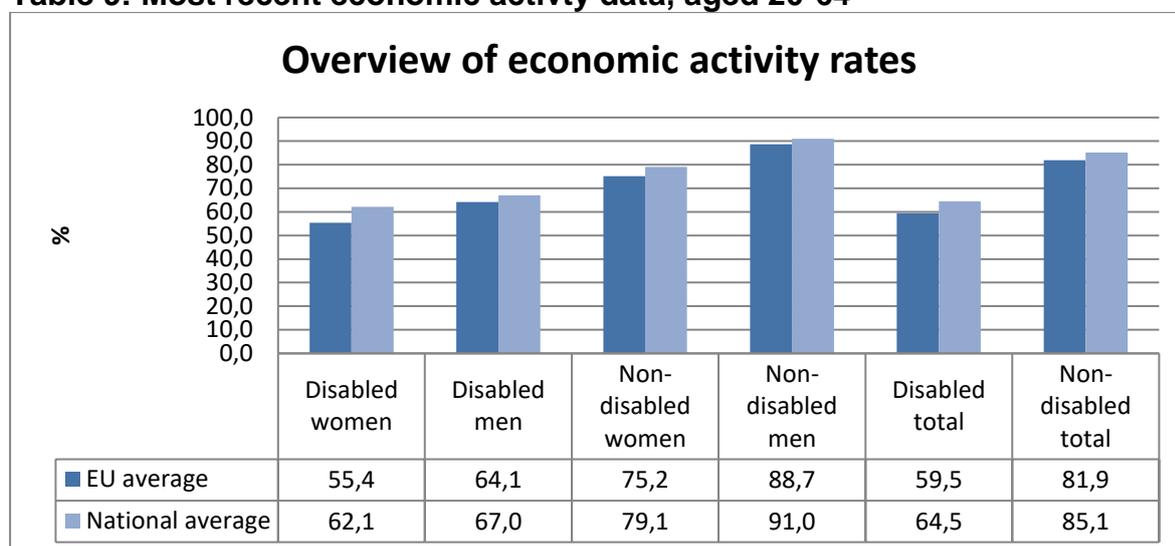
Fluctuations in the gendered trends for people with impairments should be treated with caution, although the pattern is somewhat similar for those without.

### Alternative data on disability and unemployment from national sources:

See data under employment (earlier). The recent *White Paper on access and inclusion in public employment of people with disabilities (2015)*<sup>22</sup> presents data about employment and its evolution in recent years (2012-2013), showing an increase in the claim for unemployment of persons with disabilities (p. 45).

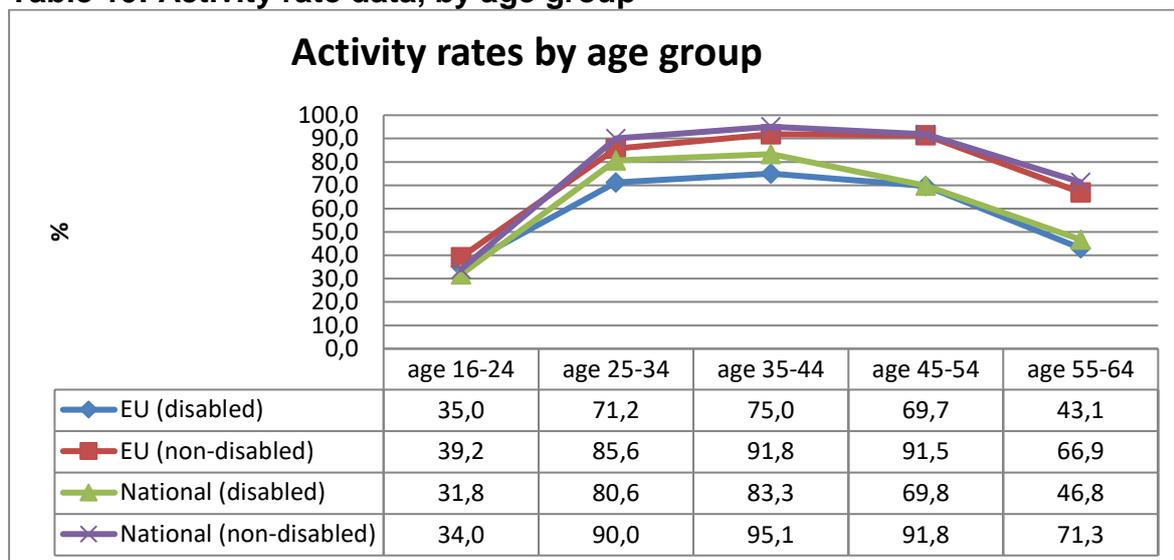
### 2.2.2 Economic activity

**Table 9: Most recent economic activity data, aged 20-64**

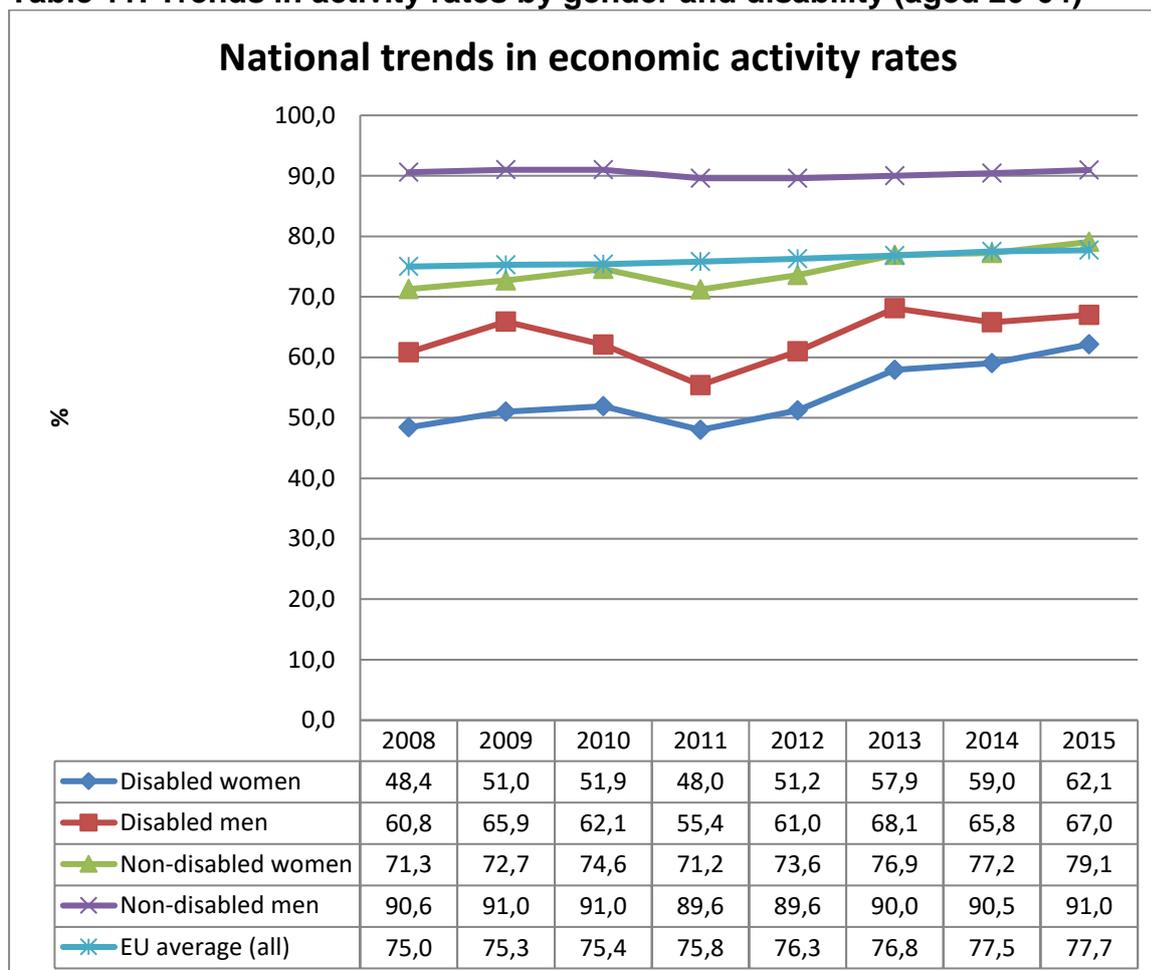


Source: EUSILC UDB 2015 – version of October 2017

<sup>22</sup> See white paper on access and inclusion in public employment for people with disabilities at: <https://www.cermi.es/sites/default/files/docs/colecciones/LibroBlancoPcD.pdf>.

**Table 10: Activity rate data, by age group**

Source: EUSILC UDB 2015 – version of October 2017

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

Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)

**Alternative data on disability and economic activity provided by the national expert: -.**

## 2.3 Education data

EU statistical comparisons are more limited concerning the education of young disabled women and men in the EU2020 target age groups. Data is available from EU-SILC (annually) as well as the Eurostat Labour Force Survey ad-hoc disability module (for 2011), but with low reliability for several countries on the key measures.<sup>23</sup> Using a wider age range can improve reliability but estimations by gender remain indicative. EU trends are evident but administrative data may offer more reliable alternatives to identify national trends, where available. Confidence intervals for the disability group are wide on both indicators at the national level but reliable at the EU level. An average over several years may provide a more robust national indication.

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

### 2.3.1 Early school leavers

The EU-SILC sample for the target age group (aged 18-24) includes the following number of people reporting activity 'limitation' (as a proxy for impairment/disability).

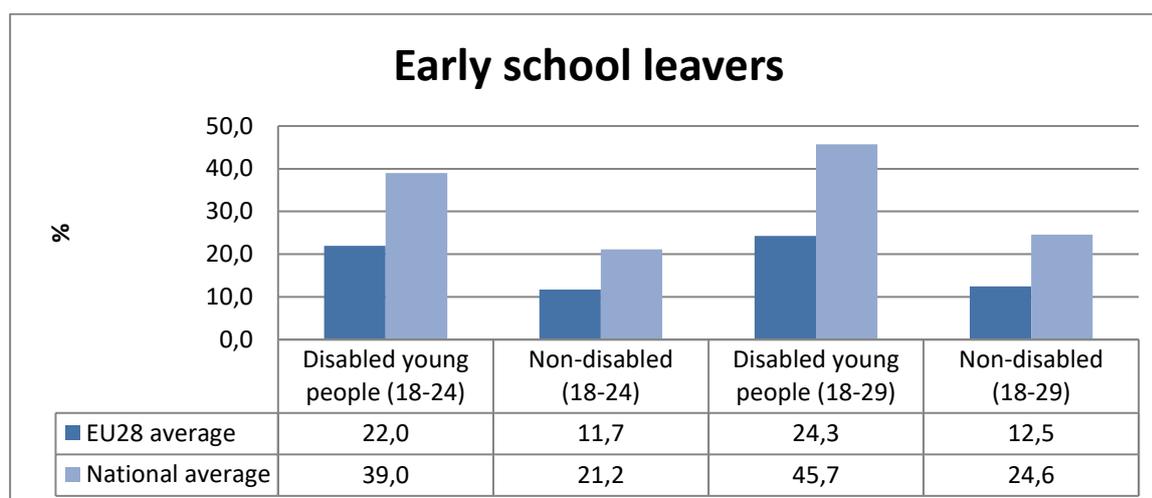
**Table 12: EU-SILC sample size in the target age group 18-24 versus 18-29**

	Age 18-24		Age 18-29	
	No activity 'limitation'	Activity 'limitation'	No activity 'limitation'	Activity 'limitation'
<b>EU sample</b>	32,733	2,673	54,418	4,840
<b>National sample</b>	2,204	157	3,572	277

Source: EUSILC UDB 2015 – version of October 2017

**Table 13: Early school leavers aged 18-24 (indicative based on above sample size)**

<sup>23</sup> For the LFS AHM data see, Early school leavers at: [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth\\_de010&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de010&lang=en). and for tertiary educational attainment, access this link: [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth\\_de020&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de020&lang=en).



Source: EUSILC UDB 2015 – version of October 2017

Note: The confidence intervals for disability group are large and so the reliability is low. It may be more useful to consider an average of several years.

**Alternative data on disability and early school leavers provided by the national expert: -.**

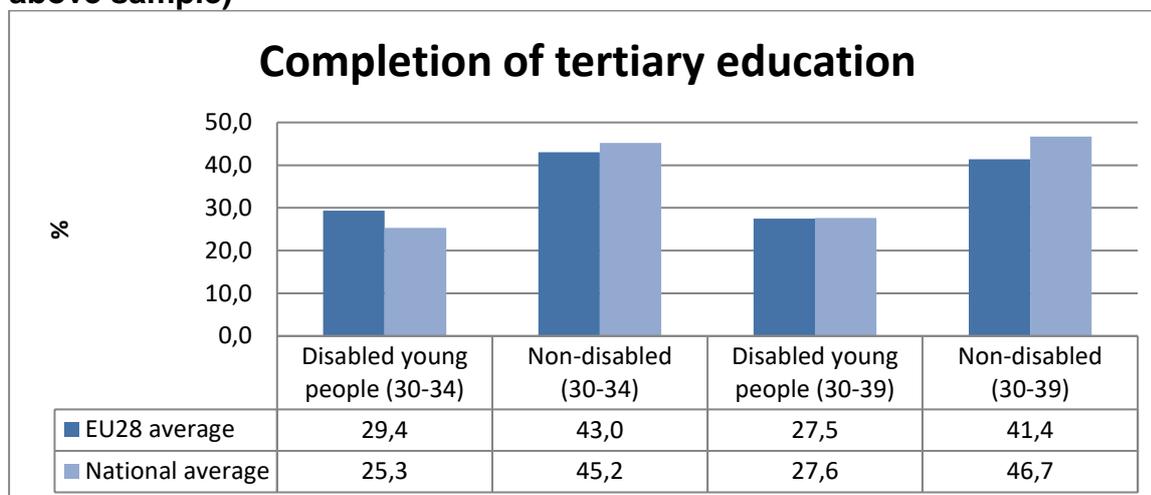
### 2.3.2 Tertiary education

The EU-SILC sample for the target age group (aged 30-34) includes the following number of people reporting activity 'limitation' (a proxy for impairment/disability) although the number of missing observations is larger than the number of observations for activity limitation.

**Table 14: EU-SILC sample size for the target age group 30-34 versus 30-39**

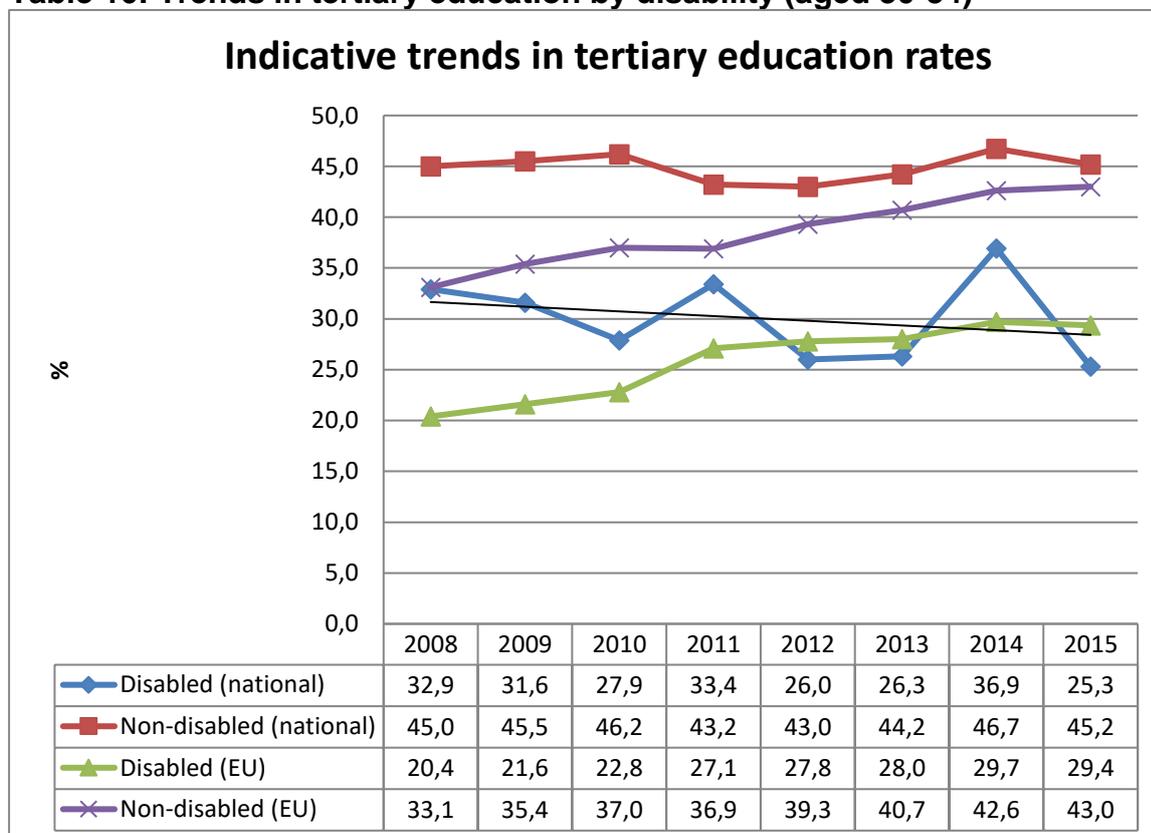
	Age 30-34		Age 30-39	
	No activity 'limitation'	Activity 'limitation'	No activity 'limitation'	Activity 'limitation'
<b>EU sample</b>	23,233	2,793	49,559	6,572
<b>National sample</b>	1,540	175	3,430	431

Source: EUSILC UDB 2015 – version of October 2017

**Table 15: Completion of tertiary or equivalent education (indicative based on above sample)**

Source: EUSILC UDB 2015 – version of October 2017

The survey sample is not sufficient to provide robust trend data disaggregated by gender in the narrow EU2020 target age group. In general the achievement of tertiary education was higher for women than for men in both disabled and non-disabled groups.

**Table 16: Trends in tertiary education by disability (aged 30-34)**

Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)

Fluctuations in trends for people with impairments should be treated with caution at the national level. An indicative trend line is added to the Spanish data for illustration only.

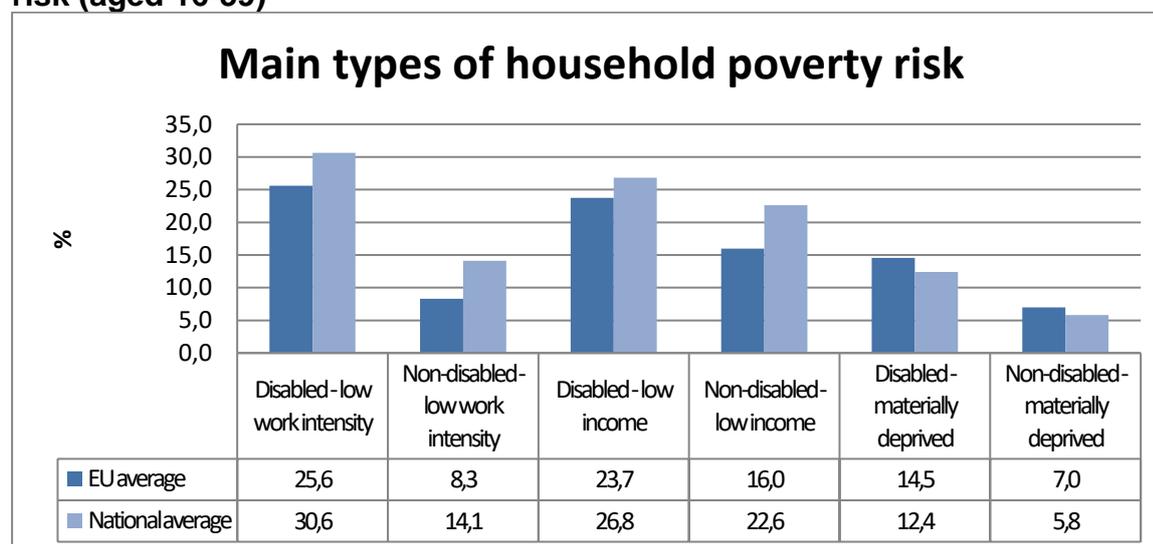
### Alternative data on disability and tertiary education provided by the national expert:

The Olivenza 2014 report on disability in Spain,<sup>24</sup> which utilizes statistical data from 2012,<sup>25</sup> states that with regard to education, the disadvantages shown some signs of stagnation, especially related to illiteracy rates in the population with disabilities. Differences in access to higher education are also very marked: almost 21% of people without disabilities have higher education, compared to a slim 6.7% of the population with disabilities who have higher education.

## 2.4 Poverty and social exclusion data

EU SILC data provides indicators of the key risks for people with disabilities. In addition to household risks of low work intensity, there are risks of low income (after social transfers), and material deprivation. These three measures are combined in the overall estimate of risk. The risks for older people do not include work intensity (Eurostat refers to the age group 0-59 for this measure). The survey does not distinguish 'activity limitation' (the proxy for impairment/disability) for children under the age of 16. Relevant data provided by the national expert is added where available.

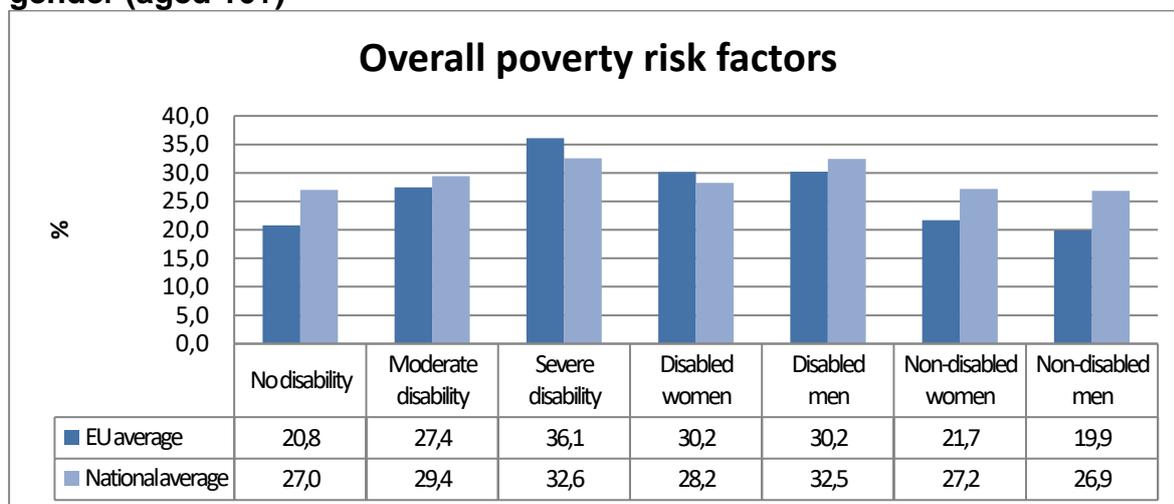
**Table 17: People living in household poverty and exclusion by disability and risk (aged 16-59)**



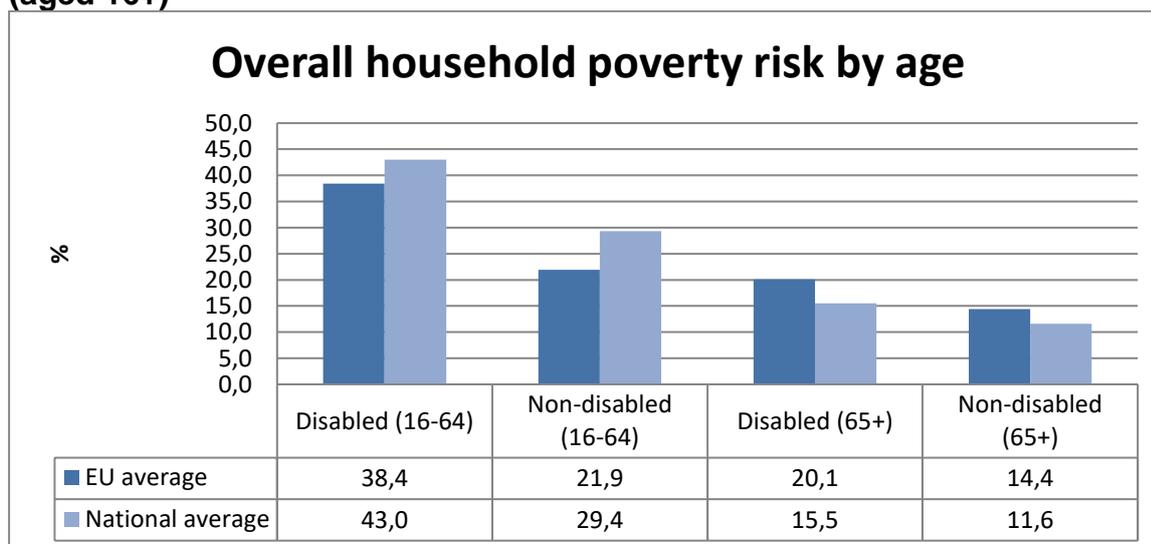
Source: EUSILC UDB 2015 – version of October 2017

<sup>24</sup> The Olivenza 2014 report can be downloadable at: [https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf).

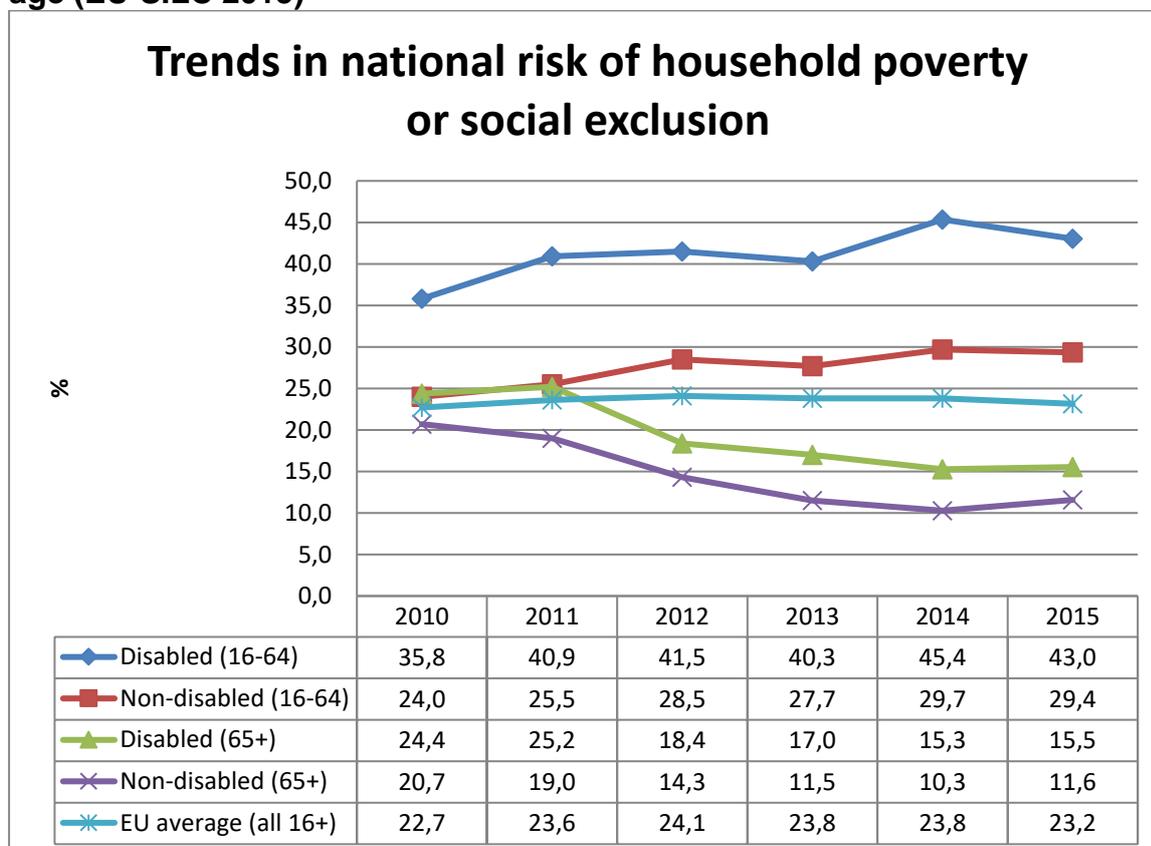
<sup>25</sup> Statistical data on employment (2012) are available at: <http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t15/p470/p01/2012/&file=pcaxis>.

**Table 18: People living in household poverty and exclusion by disability and gender (aged 16+)**

Source: EUSILC UDB 2015 – version of October 2017

**Table 19: Overall risk of household poverty or exclusion by disability and age (aged 16+)**

Source: EUSILC UDB 2015 – version of October 2017

**Table 20: Trends in household risk of poverty and exclusion by disability and age (EU-SILC 2015)**

Source: EUSILC UDB 2015 – version of October 2017 (and previous UDB)

### Alternative data on disability and risk of poverty or social exclusion provided by the national expert:

In 2016,<sup>26</sup> 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 latest data available has been published by Fundación FOESSA.<sup>27 28</sup> This report concludes that the economic crisis has continued to increase the levels of poverty of individuals without disabilities, while they have stabilized for those with disabilities. At the same time the situation with disabilities has tended to equalize. According to the authors<sup>9</sup>, these data are explained by the fact that the number of people in a recognised dependency situation has progressively increased among those who say they have disabilities (40.6%) The number of individuals with disability and

<sup>26</sup> Data bank on working conditions and career paths available 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/>.

<sup>27</sup> VII Report on exclusion and social development in Spain 2014 available at: [http://www.foessa2014.es/informe/uploaded/capitulos/pdf/24102014184629\\_5505.pdf](http://www.foessa2014.es/informe/uploaded/capitulos/pdf/24102014184629_5505.pdf).

<sup>28</sup> Report on the incidence of social exclusion in households with people with disabilities, available at: [http://www.foessa2014.es/informe/uploaded/documentos\\_trabajo/15102014151440\\_9069.pdf](http://www.foessa2014.es/informe/uploaded/documentos_trabajo/15102014151440_9069.pdf).

certificates recognizing this has also increased. Therefore, it seems that certain mechanisms and protection benefits such as recognition of dependence and / or disability are cushioning, not reducing, the intensity of the impact of the current crisis. This document also indicates that severe poverty among people with disabilities has remained the same between 2007 and 2013 while that in the combined population has increased. In addition, moderate poverty among persons with a disability recorded a significant increase. In 2009 there was a shift towards moderate poverty from both non-poverty as well as from severe poverty. Consequently, there has been an overall increase in poverty for people with disabilities.

The Olivenza 2014 report on disability in Spain<sup>29</sup> states that:

- Regarding and economic inclusion, the disadvantage of the disabled population is almost 33% compared to the general population. This is for the huge difference in labour force participation rate and by the disadvantaged in poverty levels.
- The risk of poverty affects 32% of the disabled population. This risk is especially high for women with disabilities.
- Regarding social integration, 21.5% of the population with disabilities recognises that it has few or no friends and the majority have difficulties for participating in cultural, sporting and leisure activities.

Other studies suggest their welfare is maintained below the whole of society.<sup>30</sup>

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<sup>29</sup> State Observatory of Disability (OED, 2014). Olivenza 2014 report, on disability in Spain. (downloadable at: [https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf)).

<sup>30</sup> Report from Anaut, S., Arza, J. & Álvarez, M.J. (2014). La incidencia de la exclusión social en los hogares con personas con discapacidad. VII Informe sobre exclusión y desarrollo social en España. Serie: Documento de Trabajo, Madrid, Fundación FOESSA, Cáritas Española Editores (downloadable at: <http://www.foessa2014.es/informe/uploaded/documentostrabajo/151020141514409069.pdf>).

### 3 Description of the situation and trends in relation to each target area

#### 3.1 Employment

While the general employment rate in Spain remains very low, as it does for disabled people, it is not associated with a relatively wide disability gap. Indeed, the disability employment rate ranks slightly higher than the general employment rate when compared with other EU Member States. Nevertheless, it is well below the EU average. Economic activity rates are generally high in Spain but there is a significant disability gap on this measure. Unemployment remains among the highest in Europe, which may hide the extent of any underlying disability gap. The 2017 EU Joint employment report identified youth unemployment in Spain as a 'critical situation', among which young disabled people are over-represented. Unemployment presents the main policy challenge.

Employment rates in Spain are lower than the EU average in all the studied groups (Table 3). Considering age groups (Table 4), Spanish disabled people have lower employment rates than their disabled European peers. These differences are larger for 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.

In 2015 (Table 5), the employment situation has continued an upward tendency that began in 2012. In fact, the only group that has surpassed the employment rates of 2008 is disabled women, who were (and still are) the most disadvantaged 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 was 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.<sup>31</sup>

The General Budgets of the State for 2017<sup>32</sup> that were passed in June 2017, pursue the priority objective of further reducing the public deficit and fulfilling the commitments of fiscal consolidation with the European Union. In Spain there is economic growth, an increase in tax resources, and an increase in foreign markets towards Spain. Yet, these improvements are not visible to the general population

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<sup>31</sup> See news 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](https://economia.elpais.com/economia/2017/07/03/actualidad/1499082787_133579.html).

<sup>32</sup> Access to Law 3/2017, of June 27, of the General Budgets of the State for the year 2017, at: <https://www.boe.es/boe/dias/2017/06/28/pdfs/BOE-A-2017-7387.pdf>.

and, concerning disabled people, just one out of four is currently employed,<sup>33</sup> with salaries 16% inferior to those from the general population. Protected employment (social enterprises or Social and solidarity enterprises) generate 72% of the contracts for disabled people, with a clear lack of opportunities in the open labour market.

Spanish employment rates are inferior to European averages, not only for the non-disabled population, but also for the population with disabilities, both men and women. The same results are found concerning employment rates by age group, with Spanish people with disabilities experiencing a lower rate of employment for every age group. Concerning employment trends in 2008-2014, are lower than rates from 2008-2010, before the economic crisis.

The 2017 EU Alert Mechanism Report saw unemployment rates falling across the EU but remaining high in Spain, including youth unemployment. The unemployment rate in Spain for the general population is twice that existing in the EU and almost triple for people with disabilities (both men and women), compared to rates of unemployment in the EU.

Spanish activity rates (Table 9) are higher than the EU average, both for disabled and non-disabled groups, and these differences are larger for Spanish disabled women, whose economic activity rates are almost 7 points higher than for EU disabled women. According age groups (Table 10), the differences between Spanish and EU groups are larger for people aged 25 to 44. In contrast, the youngest EU disabled people show slightly higher activity rate than their Spanish disabled peers.

Concerning national trends in economic activity rates (Table 11), these have increased since 2012 for disabled Spanish people, in contrast to the situation for the EU average and for the non-disabled Spanish people, where there seems to be a ceiling effect.

The Olivenza 2014 report on disability in Spain (National Observatory on Disability (OED, 2014)<sup>34</sup> states that regarding active population, gross profit analysis (salary) indicates significant differences close to 2,500 euros per year among people with and without disabilities, with very pronounced differences depending on sex and age.

Spain has unemployment rates at least ten points less than EU average (Table 6). Women are more disadvantaged than both non-disabled and disabled women, who have 15 or more points of difference, compared to the EU average.

Regarding unemployment rates by age group (Table 7), Spanish disabled people are in a disadvantaged situation compared to their non-disabled Spanish peers and the differences are larger for the 45-54 age group. It is important to stress the significantly high unemployment rates for Spanish disabled and non-disabled people

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<sup>33</sup> See News of the Spanish press, where it is indicated that social enterprises generate 72% of contracts, at:

[https://economia.elpais.com/economia/2016/11/25/actualidad/1480099763\\_298223.html](https://economia.elpais.com/economia/2016/11/25/actualidad/1480099763_298223.html).

<sup>34</sup> [https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf).

aged 16-24, in contrast to the EU unemployment rates, where the differences among age groups are not as large.

The impact of the economic crisis in Spain (Table 8) has been much more significant than the EU average; if in 2008 the unemployment rate for Spanish disabled people was twice the unemployment rate for the EU average, in 2015 the unemployment rate for Spanish disabled people tripled the existing rate for the EU average. A similar situation has taken place for non-disabled Spanish population, compared to the EU average, although the distance between these groups is not as large.

The low employment rates of disabled workers are also the result of the lack of measures focused on compliance. For example, the White Paper on access and inclusion in public employment of people with disabilities [Libro blanco sobre acceso e inclusión en el empleo público de las personas con discapacidad (Instituto Nacional de Administración Pública, 2015)<sup>35</sup> proposes some measures such as: (1) Adaptation to information technologies and knowledge for applications for participation in selection processes and the responsible use of statements that provide accreditation status of disabled person. (2) Increase the current quota in public employment of 5% for general disability and 2% for intellectual disabilities. Further establish the bodies and scales on which the reservation is made. Keep the places that have not been occupied in previous calls for future calls. (3). Improving the selection process for potential workers with disabilities. Make best practice guidelines. (4). Other proposals relate to the requirement to demonstrate that a company complies with the quota to attend public administration contracts.

### 3.2 Education

The general rate of early school leaving in Spain has been high by European standards, albeit with a relatively moderate disability gap. 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 duplicate the rates 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.

Conversely, the tertiary education rate has been above the EU average for both disabled and non-disabled people. Yet, the rate of Spanish disabled population who attain tertiary education levels is following a downward trend since 2008 (Table 16), contrary to the EU tendency for this population. In 2015, the rate of Spanish disabled population with tertiary education was inferior to the existing average for that population at the European level. This finding contrasts with the previous year as well as data from 2008 to 2011 when the rate of Spanish disabled population with tertiary education was higher than the EU average.

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<sup>35</sup> See White Paper on access and inclusion in public employment of people with disabilities (National Institute of Public Administration, 2015, at: <https://www.cermi.es/sites/default/files/docs/colecciones/LibroBlancoPcD.pdf>).

In Spain, early school leaving in population without disabilities (ages 18-24) is triple the existing in the EU. Early school leaving with disabilities are double that existing in the EU. From 2008 to the present has significantly reduced the percentage of early school leaving. In 2016, the percentage reached 25.7%. These data confirm that the number of early school leaving in Spain is the highest of all EU countries and double the figure for the EU-28 (National Institute of Statistics, updated April 2015) and for the 2015-2016 school year.<sup>36</sup> The situation is especially critical for disabled young people, whose percentages of early school leavers are higher than 42%.

Data from the academic year 2014/2015<sup>37</sup> show that a substantial number of students with special needs do not access post-compulsory secondary education. However, a larger number of students with special needs access vocational/technical studies. The rate (lower than 3%) of students 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 Island.

According to the most recent data<sup>38</sup> there are fewer disabled people aged 16-64 with tertiary studies (15.1%) than their non-disabled peers (33.2%). In contrast, there are more disabled people with primary studies (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 disadvantaged 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.

Spain is the fourth country (after Turkey, Portugal, and Malta) with the highest percentage of disabled people with low educational level.<sup>39</sup> Three out of ten disabled people only have primary education.

Some authors<sup>40</sup> 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.

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<sup>36</sup> See data and figures of the Spanish educational system. Course 2015/2016, at: <https://www.mecd.gob.es/servicios-al-ciudadano-mecd/estadisticas/educacion/indicadores-publicaciones-sintesis/cifras-educacion-espana/2015-16.html>.

<sup>37</sup> 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-enseanzas-de-regimen-general/3-33/>.

<sup>38</sup> 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/>.

<sup>39</sup> 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 on completion of tertiary education suggest that, whereas the percentage of Spanish disabled young people (ages 30-34) finishing tertiary education is somewhat lower than the existing average percentage for EU28 disabled people, the percentage of Spanish disabled older people (ages 30-39) finishing tertiary education is higher than the existing for EU28 disabled people and for non-disabled. In addition, data from 2013<sup>41</sup> suggests that Spanish disabled students in tertiary education have remained practically the same since 2012 (see previous ANED reports), in contrast to the remaining comparison groups (i.e. non-disabled national, non-disabled EU, disabled EU). Yet, in 2014 there has been a significant improvement in the percentage of disabled students in tertiary education, which rates have surpassed the EU rates for disabled students. This increase has been noted in some studies, that state that disabled university population represent 1.3% of the university community.<sup>42</sup>

One main issue regarding these data is that we do not know how many disabled students access tertiary education, as National statistics do not include a disability variable, but other personal characteristics such as gender, age or nationality. There are only two studies conducted by Universia Foundation.<sup>43 44</sup> 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.

### 3.3 Poverty and social inclusion

The 2017 EU Alert Mechanism Report highlighted an increase in 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 also have 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, which needs to be monitored.

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<sup>40</sup> See article from 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.

<sup>41</sup> See Olivenza report (2014), at: [https://www.cermi.es/sites/default/files/docs/novedades/Informe\\_Olivenza\\_2014.pdf](https://www.cermi.es/sites/default/files/docs/novedades/Informe_Olivenza_2014.pdf).

<sup>42</sup> 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>.

<sup>43</sup> 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](https://www.cermi.es/sites/default/files/docs/novedades/UNIVERSIDAD_Y_DISCAPACIDAD.pdf).

<sup>44</sup> 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](http://sid.usal.es/idocs/F8/FDO26780/II_Estudio_universidad_discapacidad.pdf).

Concerning household poverty risk for disabled population, national averages are higher than European averages (Table 17) for low work intensity and low income. Nonetheless, Spanish rates of materially deprived disabled population are lower than the rates for European disabled population. Being disabled is a risk situation in Spain and Europe, for the different types of household poverty risk. Data on overall poverty risk factors (Table 18) show that disabled people experience higher rates of such factors than the national and European average without disabilities. The overall household poverty risk by age (Table 19) is much higher for the working-age disabled group (16-64), and this tendency has somewhat increased since 2010 (Table 20). In contrast, the risk of household poverty or social inclusion for disabled people over 65 has experienced a decrease for the same period of time, with a similar pattern for non-disabled people over 65. The rates of risk are much higher in 2015 than in 2010, due to a worsening of the situation for disabled people younger than 65, together with an improvement of the situation for people older than 65.

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 has increased in 2016. One of the main issues is low work intensity, which negatively impacts in 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),<sup>45</sup> in 2016, 22.3% of the Spanish population was 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.<sup>46</sup> On the other hand, the risk of poverty has increased due to the increase in the levels of income in Spain.<sup>47</sup> In addition, 42.2% of people living in households formed by an adult with dependents dependent children were at risk of poverty in 2016.<sup>48</sup>

In 2016,<sup>49</sup> 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 average in the EU-28.

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<sup>45</sup> Press release on Final Results of the Living Conditions Survey, Year 2016, at: [http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476\\_ecv\\_2016.pdf](http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf).

<sup>46</sup> Press release on Final Results of the Living Conditions Survey, Year 2016, at: [http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476\\_ecv\\_2016.pdf](http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf).

<sup>47</sup> 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>.

<sup>48</sup> Press release on Final Results of the Living Conditions Survey, Year 2016, at: [http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476\\_ecv\\_2016.pdf](http://www.eapn.es/ARCHIVO/documentos/noticias/1493114476_ecv_2016.pdf).

<sup>49</sup> 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/>.

A recent study,<sup>50</sup> evidences 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.

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<sup>50</sup> 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>.

## 4 Assessment of policies in place to meet the relevant headline targets

### 4.1 Employment

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'.<sup>51</sup> It will be important to evidence progress against this recommendation at the next review of CRPD progress.

Concerning employment or job creation, the NRP (2017) establishes three specific objectives: (i) making the National Employment System more effective, (ii) increasing the effectiveness of training measures, and (iii) improving the efficiency of the plans for active policies and integration in the labour market.

To this end, Spain proposes various measures that are very relevant for disabled people, so outcome and progress indicators need be included to monitor their impact on disabled people. Some of these measures include:

- Renewal of the Activation Strategy for Employment 2017-2020, to increase activity rated for this population. A gender perspective is also needed.
- Implementation of the Portfolio of Common Services of the Autonomous Communities.
- Revision of the Framework Agreement for Collaboration with Private Placement Agencies.
- Implementation of the Law reforming the vocational training system for employment; approval of a new Strategy for Youth Entrepreneurship and Employment.
- Joint Action Programme for the Long-term Unemployed.
- Introduction of the "social card", to know the economic social benefits received by a person. The objective is to improve the coordination of the different public administrations, enhancing the effectiveness of social benefits (E2020, 8.2), contributing to the fulfilment of the objectives of CSR 2 (page 53, NRP).
- Improvement of the Regime of Autonomous Workers, and the measures to foster entrepreneurship.
- Promotion of digital training; as a way to promote employability in disabled people. For some specific groups (e.g. Asperger), ICTs could be an especially adequate way to foster their employment integration,
- Implementation of the Agreement to improve the quality of employment and to reduce temporality in Public Administrations. These measures should mention the quality in the quota system that is established to promote the employment for disabled population.

At the same time, different initiatives have been approved to make full use of the resources of the European Social Fund and the Youth Employment Initiative. In all

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<sup>51</sup> [Recommendations can be downloaded from: http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fE SP%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fE SP%2fCO%2f1&Lang=en).

the initiatives and programmes, the variable “disability” should be included to ensure that EU funds are benefiting disabled people.

All these initiatives should be evaluated with clear indicators of progress toward intended measures. According to the CRPD, a rights perspective should be undertaken to guarantee equal access to employment, benefits, etc.

## 4.2 Education

The UN Recommendations in 2011 emphasised the need reflect on segregative schooling arrangements and to provide improved levels of reasonable accommodation.<sup>52</sup>

Regarding education, the NRP (2017) mentions the need to reform the education system by achieving a State, Social and Political Pact for the Education. Specific indicators of student with disabilities should be incorporated. A clear commitment with inclusive measures should be incorporated. It is important, not only to guarantee the access to regular education, but also the opportunities for learning and participating. Thus, good practices in inclusive education should be institutionalized, so they do not depend on the motivation, good will and competence of certain professionals. As stated in the document on Factors of Educational Exclusion in Spain (Unicef, 2017),<sup>53</sup> 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 aids 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 cultural level it is needed 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 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.

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<sup>52</sup> Recommendations can be downloaded from:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en).

<sup>53</sup> 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\\_esp\\_ana.pdf](https://www.unicef.es/sites/unicef.es/files/comunicacion/Factores_de_exclusion_educativa_en_esp_ana.pdf).

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.

### 4.3 Poverty or social exclusion

Concerning poverty and social exclusion, as stated in the NRP (2017), in 2017 Spain is implementing the National Strategy for Prevention and Fight against Poverty and Social Exclusion, the Comprehensive Plan to Support the Family, and the National Comprehensive Strategy for the Homeless, and the mapping of resources and social benefits. The critical risk of poverty in Spain is accentuated for people with disabilities, and needs to be monitored. Consequently, 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. Thus, it should be noted that the actual risk of in-work poverty is almost the highest in Europe and social transfers also have relatively little protective effect for working age disabled people in Spain, compared to other EU countries.

Also, in the area of pensions, the NRP (2017) expresses 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 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 strengthening the sustainability of the Social Security system and safeguarding the welfare state for future generations. In this regard, the impact of these actions on disadvantaged 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'.<sup>54</sup> 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 population 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.

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<sup>54</sup> Recommendations can be downloaded from: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fESP%2fCO%2f1&Lang=en).

#### **4.4 Synergies between developments in the different areas**

The existence of general plans such as the National Action Plan for Social Inclusion 2013-2016, the Strategic Plan for Equal Opportunities 2014-2016 and, focusing on disability, the Spanish Disability Strategy 2012-2020, have the advantage of increasing synergies between policies.

In many plans, disability is included as cross-variable, regardless of whether a programme is intended for children, the elderly, young people, unemployed, etc. The inclusion of this perspective is beneficial. However, this should be followed by performance indicators that include the variable disabilities in their measures to effectively assess whether the policies are following the precepts of equal opportunities, non-discrimination and universal accessibility.

The excessively large number of programmes and policies for each stakeholder (i.e. groups at risk of exclusion) can hinder the achievement of results, creating duplication in some cases and in others, gaps. It must have a management or coordinating unit that can follow the advances taken place in each strategy, plan, goal, etc.

There are possible tensions between equality of opportunity, non-discrimination, universal accessibility and financial and structural constraints in respect of employment, pensions, social services.

## **5 Review of the European Semester from a disability perspective**

### **5.1 Progress on disability-specific Country Specific Recommendations (CSRs)**

There were no disability specific Recommendations for Spain in 2017 and disability was not referred to directly in the text approved by the Council.<sup>55</sup>

The text does acknowledge that 'Certain vulnerable groups are left out of the income guarantee arrangements' (para. 12) although no specific grounds are mentioned.

### **5.2 Progress on other CSRs from a disability perspective**

According to the country recommendations, Spain should continue working to reduce the public-sector debt and to ensure fiscal discipline (CR, 2017). The Spanish government includes in the NRP 2017 a series of proposals by the third sector that should be taken in mind when answering the CSR 2017, so the impact of fiscal adjustment on disabled people does not reduce their quality of life. Thus, Country specific recommendations for 2017 and 2018 include strengthen the fiscal and public procurement frameworks. In this regard, it is advisable to promote the implementation of several measures aimed at protecting disadvantaged groups such as:

1. Develop Law 43/2015, of October 9, of the Third Sector of Social Action, approving a Programme to Promote the Entities of the Third Sector of Social Action.
2. 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.
3. Fiscal incentives for families with relatives with disabilities in order to compensate for the higher expenses related to the disability.
4. 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 programmes that cannot be territorialized
5. Ensuring pharmaceutical co-payment: exemption or revision of the pharmaceutical co-payment, especially in chronic pathologies.
6. Ensuring access for people with disabilities to basic goods such as electricity and gas.
7. 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.

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<sup>55</sup> Council recommendation of 11 July 2017 on the 2017 National Reform Programme of Spain and delivering a Council opinion on the 2017 Stability Programme of Spain is available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A32017H0809%2808%29&rid=5>.

Another CSR deals with reinforcing the coordination between regional employment services, social services and employers. As the Commission Staff Working Document Country Report Spain 2017 (CR, 2017) highlights, 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<sup>56</sup> show that disabled population experience much higher inactivity rates, inferior employment rates and higher unemployment rates. 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.

In this regard, some recommendations from the third sector that are included in the 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 to the long-term unemployed, but their effectiveness depends on the capacity of the regional public employment services (CR, 2017). 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 stresses 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 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 should be implement in Spain:

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 articulate 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

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<sup>56</sup> See press release on Employment of Persons with Disabilities, Year 2015, at: <http://www.ine.es/prensa/np1012.pdf>.

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, CSR 2017 stresses the need for increasing the labour market relevance of tertiary education. Also, CR (2017) 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 urges 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 2017, 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.

### **5.3 Assessment of disability issues in the Country Report (CR)**

CR2017 states that public sector debt has not been reduced. Other issues are the high levels of poverty and income inequalities, the slow progress toward addressing the 2016 CSR concerning tertiary education, early school leaving, employment and poverty risk.

It is necessary to mention 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.).

## **6 Assessment of the structural funds ESIF 2014-2020 or other relevant funds in relation to disability challenges**

The measures included in the Operational Programmes of FEIE should ensure the principle of non-discrimination and universal accessibility in all its actions and support specifically and complementary from different funds:

- (1) Specific measures to active inclusion of people with disabilities (mainly through integrated and personalized itineraries).
- (2) Integrated projects generating investment and employment aid for social enterprises.
- (3) Investment in health and social infrastructure which contribute to national, regional and local development, reducing health inequalities and promoting social inclusion through improved access to social, cultural and recreational services.
- (4) Investments in the framework of local development strategies and support for physical, social and economic regeneration of deprived communities in urban and rural areas.
- (5) Reduction of delays in the public sector, which hurt the entities providing social services, respecting an average payment period to its commercial providers of 30 days.

## 7 Recommendations

The Spanish government is implementing specific measures to satisfy the rights and needs of people with disabilities in different fields, but still there are important challenges to face, mainly related to the educational system and the open labour market. As a consequence of the economic crisis of the last years many programmes and resources in education have been reduced or disappeared. Now, it is time to develop and increase specific programmes in education to meet the needs of people with disabilities (mainly in transition programmes to adult life, and tertiary education) and to invest in projects to improve inclusion on open labour market.

Some of the challenges facing the Spanish economy include strengthening the links between the educational system and the labour market and also strengthen public employment services. There is no active policy for people with disabilities in the last courses of the educational system. It would be important to develop Individual Transition Programmes looking for inclusion in the open labour market. Connection with the public employment services and initiatives of the NGO should be encouraged.

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. A good application of the article 27 of the Convention (CRPWD) of United Nations requires to offer opportunities of work in an open, inclusive and accessible environment. Some policies and specific measures should be oriented towards this goal.

Despite the very recent light improvement 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 decent life.

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 to develop 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 programmes 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 programmes and policies and their outcomes.

It is needed to promote and encourage independent studies on the outcomes of programmes and actions for disabled population, by examining the perceived user satisfaction as well.