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| --- | --- |
| **European Semester 2017/2018 country fiche on disability** | |
| **Portugal** |  |
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| With comparative data provided by the ANED core team |

The [Academic Network of European Disability experts](http://disability-europe.net/) (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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Summary of the overall situation and challenges

**Employment –**

EU-SILC data indicate the employment level in Portugal with a relatively narrow employment gap for disabled people, compared to the EU-average. Activity rates are also comparatively high. **However, the same data indicate that unemployment presents a challenge in Portugal for disabled people and the unemployment gap remains particularly wide for disabled women**. **Although many people with disabilities participate in traineeships and temporary contracts, these rarely turn into permanent jobs.** The 2017 NRP and the Country Report 2017 identified employment activation as a key challenge and suggested active employment measures with a focus on those groups of the population who are most distant from the labour market and who experience more difficulties to return to work**,** includingthe long-term unemployed, which may as well address persons with disabilities**.** Measures proposed by the NRP such as the development of professional qualifications, improvement of public employment services, and promotion of stable and long-lasting working relations may contribute to improve the employability of persons with disabilities.

**Education:** In Portugal, in 2016/2017, despite the high number of students with disabilities attending elementary and secondary regular schools (99% of the students with disabilities attend regular schools and only 1% attend special schools**), there is still a significant disability gap in tertiary education.** There has been a consistent increase of children and young people with special educational needs attending regular schools, yet budget constraints persist, as schools lack adequate resources–material and human. This compromises the quality of inclusive education and also may contribute to the early school leaving of students with disabilities. According to EU-SILC data, young people with disabilities are more likely to leave school early than non-disabled students and are less likely to complete a post-secondary degree. Moreover, Portugal does not have specific legislation requiring the provision of reasonable accommodation for students with disabilities in post-secondary education although a 2% quota of university seats is reserved for them (and this quote is never entirely filled). The NRP 2017 foresees various measures to promote equal access to primary, secondary and higher education and to reduce the number of school drop-outs among Portuguese students by increased support to pupils, including pupils with special education needs. It also stresses the importance of increasing disabled persons’ access to lifelong learning after concluding compulsory education through various services aiming to increase their qualifications. Currently, the legislation on Inclusive Education in mainstream schools (Decree-law 3/2008) in Portugal is under revision, and new regulation was adopted regulating stipends to students with disabilities in tertiary education. While these changes are supposed to contribute to a more inclusive and flexible education, lack of accessibility and lack of provision of personal assistance still require more attention in the Portuguese education system for students with disabilities.

**Poverty and Social Exclusion:** Social inequality and poverty, especially in relation to persons with disabilities and their families, remain a challenge for Portugal despite a reduction of the risk of poverty and social exclusion in 2016 (25,1% compared to 26,6% in 2015) as reported by the NRP 2017. EU-SILC data confirm that the risk of household poverty or social exclusion for disabled people aged 16-64 years old in Portugal decreased in 2015 compared to 2014, however, it increased for disabled people aged 65+. Despite the annual adjustment of social benefits, reintroduced in 2015, there is evidence that available social transfers are not enough to overcome the conditions of highest vulnerability of disabled people in Portugal. In October 2017, a new unified disability benefit – the Social Benefit for Inclusion - and the new national scheme for personal assistance (MAVI), both of which were also mentioned in the NRP 2017, were introduced. The Social Benefit for Inclusion includes three components that will be gradually implemented up until 2019. Personal assistance projects will be launched from January 2018 on. While these important changes may contribute to promote independent living and social inclusion of persons with disabilities in Portugal, in accordance with the CRPD Committee recommendations, their implementation will continue to require systematic monitoring and evaluation.

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

## Strategic targets

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

|  |  |  |
| --- | --- | --- |
|  | Europe 2020 targets | National targets**[[1]](#footnote-2)** |
| Employment | 75% of the 20-64 year-olds to be employed | 70% |
| Education | Reducing the rates of early school leaving below 10% | 10% |
| At least 40% of 30-34–year-olds completing third level education | 40% |
| Fighting poverty and social exclusion | At least 20 million fewer people in or at risk of poverty and social exclusion | Reduce by 200 000 the number of people living in  poverty or social exclusion (compared to 2008) |

Relevant disability targets from national strategies or sources:

Since 2013 Portugal has not had a disability strategy or action plan, only piecemeal legislation, with no specific disability targets attached. This is a clear violation of one of the CRPD Committee recommendations that specifically asked the Portuguese Sate to “adopt a new strategy on the implementation of the Convention, with the involvement of organisations of persons with disabilities in the design, monitoring and assessment stages, a budget allocation, timeframes for implementation and a dedicated monitoring mechanism” (Para. 12).

### 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.[[2]](#footnote-3) 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’.[[3]](#footnote-4) 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.

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

Source: EUSILC UDB 2015 – version of October 2017

Note: the Portuguese disability prevalence estimates are well above the EU28 average in each category. This might affect the estimation of comparative outcome indicators based upon them.

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.[[4]](#footnote-5) 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.).

## Employment data

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:

Although there is no collection of data on the employment of persons with disabilities in regular national labour force surveys, specific data about persons with disabilities enrolled in vocational training and support to employment measures is collected by the *Instituto de Emprego e Formação Profissional* (Institute for Employment and Vocational Training, hereafter IEFP) (Table 6 and Table 7), and data about employees with disabilities in the public and the private sectors is collected by the *Gabinete de Estudos e Planeamento* (Ministry of Employment and Social Solidarity – MTSSS) and the *Directory General of Public Administration and Employment* (DGAEP) (see Table 8 and Table 9)

Table 6: Number of beneficiaries of (special) vocational rehabilitation measures directed towards persons with disabilities and the allocated budget (€ ), December 2010 – December 2016

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **IEFP special measures for persons with disabilities** | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| 1. **ASSESSMENT, ORIENTATION AND TRAINING (Diagnóstico, Orientação e Formação)** | **2044** | **1672** | **2270** | **3696** | **4924** | **4783** | **6892** |
| 1. **ASSISTANCE TO JOB PLACEMENT (Apoio à Inserção e Colocação)** | **1521** | **1055** | **1889** | **3466** | **6317** | **8272** | **8014** |
| 1. **SHELTERED EMPLOYMENT (Emprego Protegido)** | **395** | **396** | **380** | **531** | **527** | **541** | **548** |
| 1. **OTHER ACTIVITIES (OUTROS APOIOS)** | **1** | **0** | **355** | **0** | **299** | **282** | **289** |
| 1. **PROFESSIONAL REHABILITATION** | **7757** | **9406** | **9523** | **11024** | **11862** | **3309** | **7941** |
| **TOTAL NUMBER OF BENEFICIARIES** | **11718** | **12529** | **14417** | **18717** | **23929** | **17187** | **23684** |
| **ALLOCATED BUDGET, €** | **77,256,837.64** | **30,088,532.87** | **25,847,788.33** | **16,165,152.53** | **11,375,717.28** | **11,479,487.96** | **24,119,697.65** |

Source: IEFP Relatório de Execução Física e Financeira, aggregated from reports 2010-2016, available at: <https://www.iefp.pt/estatisticas> and <https://www.iefp.pt/reabilitacao-profissional>

Table 7: Persons with disabilities beneficiaries of general measures of vocational training and support to employment (2011- 2016)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Medidas Gerais/General measures** | | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
|  | Employment/ Employment | 1,255 | 1,184 | 1,619 | 2,104 | 2,234 | 1,601 |
|  | Vocational training/ Formação Profissional | 2,321 | 3,395 | 4,583 | 6,324 | 6,406 | 3,893 |
| **Total** | | **3,576** | **4,579** | **6,202** | **8,428** | **8,640** | **5,494** |

Source: IEFP

Table 8: Employees with disabilities in the private sector (2012-2015)

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **Employees with disabilities, total** | **Employees, total** | **Ratio employees with disabilities/ total employees** |
| **2012** | 7,874 | 1 866 541 | **0,42%** |
| **2013** | 8,345 | 1 888 209 | **0,44%** |
| **2014** | 9,336 | 1 941 462 | **0,48%** |
| **2015** | 10,210 | 2 013 881 | **0,51%** |

Source: GEP/MTSSS (2012-2015)[[5]](#footnote-6). Balanço social – Coleção Estatísticas.

Table 9: Employees with disabilities in the public sector (2011 – 2016)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **Variation 2016/2011** |
| **Central Admin.** | 8,454 | 8,884 | 9,295 | 9,144 | 10,490 | 11,200 | **+32,5%** |
| **Local Admin.** | 2,502 | 2,495 | 2,605 | 2,702 | 2,910 | 3,129 | **+25,1%** |
| **Admin. Reg. Açores** | 351 | 345 | 343 | 334 | 342 | 342 | **-2,6%** |
| **Admin. Reg. Madeira** | 196 | 192 | 197 | 196 | 188 | 182 | **-7,1%** |
| **Social Security** | 415 | 404 | 411 | 403 | 392 | 409 | **-1,4%** |
| **TOTAL** | **11,918** | **12,320** | **12,851** | **12,779** | **14,322** | **15,262** | **+28,1%** |

Source: DGAEP (2017).[[6]](#footnote-7) Boletim Estatístico do Emprego Público (BOEP), nº 16 – June 2017

### 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 10: Most recent unemployment data, aged 20-64

Source: EUSILC UDB 2015 – version of October 2017

Table 11: Unemployment rate data, by age group

Source: EUSILC UDB 2015 – version of October 2017

Table 12: 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 of unemployment for people with impairments at national level should be treated with some caution.

Alternative data on disability and unemployment from national sources:

As alternative data, we present here data collected by the IEFP regarding unemployed persons with and without disabilities registered at the IEFP Employment Centres (see Table 13 and Table 14).

Table 13: Unemployed persons with disabilities registered at IEFP Employment Centres at the end of the year, thousands, Continent

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Years** | **Registered unemployed (total)** | **Registered Unemployed Persons with Disabilities** | | | **Job placement of PWDs through the IEFP** |
| **Total** | **Total** | **M** | **F** | **Total** |
| **2011** | 576,383 | 10,408 | 6,372 | 4,036 | 572 |
| **2012** | 675,466 | 11,913 | 7,315 | 4,598 | 506 |
| **2013** | 654,569 | 12,537 | 7,668 | 4,869 | 627 |
| **2014** | 564,312 | 12,080 | 7,270 | 4,810 | 881 |
| **2015** | 521,611 | 12,667 | 7,446 | 5,221 | 1,261 |
| **2016** | 468,282 | 13,183 | 7,645 | 5,538 | 1,363 |

*Source: IEFP*[[7]](#footnote-8)

Table 14: Unemployed persons with disabilities registered at IEFP Employment Centres, annual data, Continent

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Year/* *Total* *Registered Unemployed Persons with Disabilities, thousands* | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| **TOTAL** | **10,408** | **11,913** | **12,537** | **12,080** | **12,667** | **13,183** |
| Male | 6,372 | 7,315 | 7,668 | 7,270 | 7,446 | 7,645 |
| Female | 4,036 | 4,598 | 4,869 | 4,810 | 5,221 | 5,538 |
| Youth (<25) | 1,621 | 1,765 | 1,855 | 1,613 | 1,602 | 1,657 |
| Adults (25+) | 8,787 | 10,148 | 10,682 | 10,467 | 11,065 | 11,526 |
| < 12 Months | 5,488 | 5,746 | 5,725 | 4,971 | 5,209 | 5,123 |
| >= 12 Months | 4,920 | 6,167 | 6,812 | 7,109 | 7,458 | 8,060 |
| Unemployed -1st Job | 1,608 | 1,764 | 2,058 | 2,112 | 2,074 | 2,243 |
| Unemployed-New Job | 8,800 | 10,149 | 10,479 | 9,968 | 10,593 | 10,940 |
| < 1º CYCLE Primary Education (PE) | 958 | 1,117 | 1,204 | 1,226 | 1,253 | 1,304 |
| 1º CYCLE PE | 2,430 | 2,610 | 2,801 | 2,557 | 2,526 | 2,477 |
| 2º CYCLE PE | 2,258 | 2,531 | 2,690 | 2,442 | 2,520 | 2,555 |
| 3º CYCLE PE | 2,679 | 3,077 | 3,179 | 3,197 | 3,366 | 3,537 |
| Secondary Education | 1,618 | 2,028 | 2,069 | 2,056 | 2,316 | 2,557 |
| Higher (Tertiary) Education | 465 | 550 | 594 | 602 | 686 | 753 |

Source: Data provided by the IEFP[[8]](#footnote-9)

Note: Primary education: 1st cycle - 1,2,3,4 school years; 2nd cycle – 5 and 6 school years; 3rd cycle – 7,8, and 9 school years; Secondary – 10,11 and 12 school years. In search of the 1st job: those who have never worked (Primeiro emprego - nunca trabalharam). In search of new job: those who have already been employed before (Novo emprego - já trabalharam).

### Economic activity

Table 15: Most recent economic activity data, aged 20-64

Source: EUSILC UDB 2015 – version of October 2017

Table 16: Activity rate data, by age group

Source: EUSILC UDB 2015 – version of October 2017

Table 17: 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:

No alternative data on disability and economic activity exists.

## 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.[[9]](#footnote-10) 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.

### 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 18: 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’ |
| **EU sample** | 32,733 | 2,673 | 54,418 | 4,840 |
| **National sample** | 1,422 | 162 | 2,243 | 297 |

Source: EUSILC UDB 2015 – version of October 2017

Table 19: Early school leavers aged 18-24 (indicative based on above sample size)

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:

There is no alternative data on early school leavers with disabilities from national sources. The INE collects general data about early leavers from education and training (the latest data as of 2015)[[10]](#footnote-11) that show a decrease in 2015 of early school leavers compared to 2014, with a higher percentage of boys than girls, **but these data are not disaggregated by disability.**

### 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 20: 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’ |
| **EU sample** | 23,233 | 2,793 | 49,559 | 6,572 |
| **National sample** | 942 | 188 | 2,146 | 470 |

Source: EUSILC UDB 2015 – version of October 2017

Table 21: 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 22: 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.

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

The General Directorate of Higher Education (*Direcção Geral do Ensino Superior*, hereafter DGES) collects annual data about the placements, through the quota system, of students with disabilities in higher educational institutions (Table 23). However, these data do not represent the total number of students with disabilities in tertiary education.

In addition, the Working Group Assisting Students with Disabilities in Higher Education (*Grupo de Trabalho para o Apoio a Estudantes com Deficiências no Ensino Superior*, hereafter GTAEDES) conducted an independent survey in 2014 on 292 higher educational institutions in Portugal (public and private) collecting data about the number of students with disabilities attending these institutions in the period of 2011-2014 (Table 24).

Table 23: Quota placements of students with disabilities in public universities, per year (2007-2016)

*Source: DGES, available at* <http://www.dges.mctes.pt/DGES/pt/Estudantes/Acesso/Estatisticas/EstudosEstatisticas/Regime+Geral+ES+P%C3%BAblico.htm>.

Table 24: Students with disabilities attending tertiary education, per type of disability

*Source: GTAEDES, 2014,* available at: <http://gtaedes.ul.pt/gtaedes/inq_superior>

## 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 25: People living in household poverty and exclusion by disability and risk (aged 16-59)

Source: EUSILC UDB 2015 – version of October 2017

Table 26: People living in household poverty and exclusion by disability and gender (aged 16+)

Source: EUSILC UDB 2015 – version of October 2017

Table 27: Overall risk of household poverty or exclusion by disability and age (aged 16+)

Source: EUSILC UDB 2015 – version of October 2017

Table 28: 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:

There is no alternative data on people living in household poverty and exclusion by disability. The Social Security Administration (*Segurança Social*) collects data on beneficiaries of social benefits (Table 29).

The National Statistics Institute (INE) reports on the Portuguese population at risk of poverty and social exclusion,[[11]](#footnote-12) however, these data are not disaggregated by disability.

Table 29: Number of beneficiaries by benefit type and gender (2011-2016)

|  |
| --- |
|  |

*Source: Social Security Statictics*

Tables used: *Pensões de Invalidez, Velhice e Sobrevivência: Dados Anuais Pensões 2001\_a\_2016; and Prestações Familiares, Dados Anuais Prestações Familiares 2005\_a\_2016*, available at: <http://www4.seg-social.pt/estatisticas>.

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

This section summarises the situation for disabled people in Portugal in 2016/2017(?) based on key messages from the statistics presented in Section 2 and discusses the main challenges that exist to achieve the policy targets.

The 2017 Alert Mechanism Report (AMR)[[12]](#footnote-13) noted how unemployment for the general population is now declining all across the EU but remains high in Portugal (still above 10%), and with increased risks of poverty or social exclusion (Portugal remains one of the countries for in-depth review). There has been a particular concern to monitor the very high rates of youth and long-term unemployment (although these are improving). These general concerns affect disabled people too, often disproportionately so.

## Employment

In general, the EU indicates the situation in Portugal as one of moderate employment levels with a relatively narrow employment gap for disabled people, compared to other similar countries. Activity rates are also comparatively high. However, this masks an important challenge. The same data indicates that the unemployment gap is particularly wide, despite a high rate of unemployment for non-disabled people (i.e. the unemployment rate is higher among disabled people in Portugal than predicted by the European trend). Unemployment presents a specific structural challenge in Portugal for disabled people, which needs to be addressed.

Data from the EU-SILC (Table 3) show that, **both at the European and the national levels, the employment rate is lower for disabled people than for non-disabled persons, and is the lowest for those severely disabled**. The employment rate of disabled persons at the national level follows the same trend as the EU-average: it is particularly lower for the youngest (16-24 years old) and the oldest (55-64 years old). Table 4further shows that the rate of employment among disabled people in Portugal in 2015 is slightly above the EU average for the age groups 25-34, 35-44 and 45-54 years old, but it is below the EU average for the age groups 55-64 **and particularly for the 16-25 years old**. Although the rates of youth employment of the non-disabled population are also lower in Portugal than in the EU, **the gap is wider for young people with disabilities.**

Similarly, in Portugal **unemployment rates are higher among people with disabilities** (23.6% for women and 24.7% for men) than among the non-disabled population (15.9% and 17.5%, respectively) and well above the average EU rates (12.1%) (see Table 12). **Again, it is young Portuguese people with disabilities (16-24 years old) who have the highest unemployment rates (41.2%)** well above those of Portuguese non-disabled youth (36.4%) and of the average non-disabled EU youth (23.3%).

As mentioned above, unemployment among disabled people in Portugal is a structural problem. Indeed, while the employment rates of disabled men and women have steadily increased in Portugal since 2012 (see Table 5), unemployment rates also continued to increase up until 2014 - only in 2015 they started showing a downward trend (see Table 12). This suggests that the measures introduced to support and stimulate employment among disabled people have not produced sustainable jobs for people with disabilities.

Additional data may help us understand these trends. Indeed, as Table 6 shows, the level of public spending and the number of disabled persons who benefit from vocational training and support to employment measures has not followed a consistent pattern over the last few years. In 2016, the overall budget allocated to special vocational training and support to employment measures for persons with disabilities significantly increased in relation to 2015. Still, it is well below the level of spending of 2010 (€ 77,256,837.64). The number of beneficiaries, on the contrary, has increased since, meaning that the level of spending per beneficiary is lower than it was before the onset of the financial crisis in 2011. Furthermore, as Pinto et al. (2014)[[13]](#footnote-14) have already shown, although the number of job placements, traineeships and activation policies that offer special and more favourable conditions to employers when the potential worker has a disability has been increasing, most of these traineeships do not later convert into jobs, as employers choose to dismiss disabled workers and replace them with a new trainee. This helps to explain why both the employment and the unemployment rates increased.

The IEFP data presented earlier (Table 6) confirm that the number of registered unemployed persons with disabilities has been increasing since 2011. Furthermore, the IEFP data indicates that unemployment is higher among those 25 years and over, who are looking for a new job (rather than a first job) and who are long-term unemployed (for over 12 months). This data further shows that the majority of the unemployed in 2016 were persons with disabilities with low levels of education: only 20% had secondary school education and about 6% had higher education. While these data do not represent the overall unemployed persons with disabilities in Portugal, but only those who are registered at the IEFP Employment Centres, they suggest that the unemployment of persons with disabilities is an issue that still needs to be tackled in Portugal.

Additionally, to the IEFP data, the data collected by the Ministry of Employment and Social Solidarity (MTSSS)[[14]](#footnote-15) show **an increase from 7,874 persons with disabilities employed in 2012 to 10,210 in 2015 in the private sector** (Table 8). However, when compared to the total number of non-disabled persons employed, the ratio is very small, with less than 1 employee with disabilities per 100 employees without disabilities in the private sector (Table 8). The employment of persons with disabilities in the public sector, as per data reported by the Directory General of Public Administration and Employment (DGAEP), is higher than in the private sector and showed an increase **from 11,918** employees in **2010 to 15,262 in 2016** (Table 9). These data also indicate that the number of women with disabilities employed in the private sector is lower than that of men with disabilities, while in the public sector it is much higher, due to a higher proportion of women in general traditionally employed in the public sector, many of whom are acquiring age-related disabilities.

At this regard, it is important to highlight the recommendations of the UN CRPD Committee that Portugal should ‘review its public- and private-sector labour legislation to bring it into line with the Convention’ and ‘go away with segregated working environments’, focusing its efforts on the open labour market and enforcing existing laws and penalties’, namely to promote better employment conditions for women with disabilities. However, despite the increased number of vocational training measures, many of these measures (especially, vocational training programmes) are still performed in segregated schools.

## Education

The available EU data suggest that, overall, Portugal has a high rate of early school leaving with a relatively narrow disability gap on this measure, compared to other EU countries. Conversely, the tertiary attainment rate is low with a moderate disability equality gap. This evidence suggests an accumulation of educational disadvantage among young disabled people in Portugal.

As in the field of employment, Portugal has been challenged by the UN CRPD Committee to ‘review its legislation on education to bring it into line with the Convention’ including ‘regulations on the access of students with disabilities to higher education and vocational training’.

### Early School leavers

The number of school leavers in the general population in Portugal is higher than the EU level. According to EU-SILC data students with disabilities are more likely to leave school early than non-disabled students (as shown in Table 18 and Table 19). However, the number of early school leavers among the disabled young people reduced in 2015 both in the age group of those 18-24 years old (24.1% compared to 32.4% in 2014), and 18-29 years old (35.9% compared to 39.6% in 2014) (Table 19 compared with the data from EU2020 report for 2015/2016). While EU-SILC results concerning this indicator should be treated with caution because of the small sample size, an OECD Report (2016)[[15]](#footnote-16) confirms that early school leaving remains an important challenge in Portugal, as the country shows the third highest rate among all the OECD countries. However, this report has no specific data on students with disabilities who dropout from school in Portugal.

National data provides additional information. According to the DGEEC,[[16]](#footnote-17) between 2011 and 2016 there was an increase of children and young people labelled with ‘Special Education Needs’ attending regular schools**: from 45,395 (in 2010/2011) to 78,175 (in 2015/2016) and 81,672 in 2016/2017.** However, this continuous growth in the number of special needs students has placed a huge challenge for regular schools to meet their specific needs since, as reported by the National Education Council (Conselho Nacional de Educação, CNE),[[17]](#footnote-18) the public expenditure on Special Education has been inconsistent.

The UN CRPD Committee Concluding Observations acknowledge these challenges and recommend that the Portuguese State “review its legislation in the field of education to bring it into line with the Convention, and to provide additional human and material resources to facilitate access to and enjoyment of inclusive education of high quality for all pupils with disabilities”, providing state schools with adequate resources to ensure the inclusion of all students with disabilities in mainstream classrooms.

In compliance with this recommendation, the Portuguese government initiated a public discussion on a new draft law on inclusive education (to amend Decree-Law 3/2008).[[18]](#footnote-19) This draft law[[19]](#footnote-20) aims to provide a more flexible education and ensure differentiated learning processes, namely in regard to methods, activities, time and evaluation, with a more student-centred educational planning developed in partnership with the families. However, the new measures also have a set of drawbacks that will be discussed in more detail in Section 3.2.1.

### Tertiary Education

Data from EU-SILC (Table 21 and Table 22) show that, when we compare Portugal with the EU, there is still a significant gap in terms of completion of tertiary education for Portuguese students. In this context, disabled students are even less likely than their non-disabled counterparts to complete a post-secondary degree. Nevertheless, Table 22 shows an increase in tertiary education rates in 2015 in Portugal, for both students with and without disabilities. Yet, we need to interpret these data with caution since it refers only to the age groups of 30-34 and 30-39.

The survey conducted by GTAEDES[[20]](#footnote-21) (see Table 24) confirmed that the number of students with disabilities attending public and private higher education institutions **increased steadily from 1,184 in 2012 to 1,318 in 2014.** This trend is for all types of disability with the exception of persons with hearing impairments, which decreased **from 216 (in 2012) to 160 (in 2014)**.

In Portugal there is a 2% quota (Ordinance nº 197-B/2015)[[21]](#footnote-22) reserved for students with sensorial and physical disabilities in the public national competition to access Tertiary Education. There has also been a slight upward trend in the use of this quota - **from 115 students in 2012 to 141 in 2016**[[22]](#footnote-23) (Table 23). However these figures do not represent the total the number of students with disabilities studying at higher educational institutions, as there is a very low uptake of this affirmative action measure.

The EC report about Tertiary Education[[23]](#footnote-24) alerts that while Portugal collects data about the number of students with disabilities who attend tertiary education specifically through the institutions of higher education, these data is not used to monitor the evolution and the trends in this field (p.19). So far, the General Directorate of Statistics and Science only collects data about enrolment and the number of graduates, but it does not disaggregate information on students with disabilities.

The UN CRPD Committee recommended Portugal ‘to introduce in its legislation regulations on the access of students with disabilities to higher education on an equal basis with other students, while providing reasonable accommodation and the required support services’. In addressing this recommendation, some new policy measures have been introduced in 2017 that are presented in Section 3.2.2.

In short, the main trends in this field are: (1) disabled students are less likely than non-disabled to complete a post-secondary degree; (2) since 2012 the total number of students with disabilities attending public institutions of higher education has slightly increased.

The main remaining challenges are: (1) lack of data to monitor the situation of students with disabilities in the tertiary education; (2) lack of data to follow up students with disabilities once they graduate, namely to monitor whether they are able to find a job in the open labour market; and (3) lack of specific legislation requiring high education institutions to provide reasonable accommodations and support students with disabilities in higher education

## Poverty and social inclusion

While the EU-SILC indicators suggest the disability poverty gap in Portugal to be less pronounced than in some other countries, the general risk of poverty has been rising and this has impacted disabled people specifically. The risk of poverty among disabled people in Portugal is ameliorated to a lesser extent by social transfers than it is in countries with similar risks, leading to a wider disability poverty gap.

The UN CRPD Committee drew attention to this issue in their recommendations and urged Portugal to ‘review austerity measures to prevent further negative and regressive effects on the standard of living and social protection of persons with disabilities’ and step up its social protection efforts towards this group.

EU-SILC data show that the overall household poverty risk is higher for disabled people of 16-64 years of age than for the disabled group of 65 years of age and older (Table 27). Moreover, for disabled people with 65 years or more there has been a decrease from 2010 to 2015 of the risk of household poverty or social exclusion: 30.9% against 25.2% (Table 28).

Nevertheless, the risk of household poverty is always higher in all age groups for disabled people when compared with non-disabled people in all the years analysed. A study conducted by Portugal et al. (2010)[[24]](#footnote-25) offers evidence that helps to explain why the risk of poverty and social exclusion of disabled people in Portugal is higher than for non-disabled people. Disabled people in Portugal have lower levels of education, lower employment rates, lower employment income and higher health expenditures than non-disabled people and this may help to explain why their risk of household poverty or social exclusion is higher (Portugal et al., 2010). As confirmed by EU-SILC, the risk of poverty on the national average in 2015 is the highest among disabled persons with low income (24.7%), low work intensity (21.2%) (Table 25), and those severely disabled (36.4%) (Table 26).

Disabled people and their families in Portugal are entitled to a number of social benefits, including: **a Disability Allowance, an Invalidity Pension, a Social Invalidity Pension, an Allowance for Special Education**, and **a Disability Supplement to Family Allowance**.[[25]](#footnote-26) They can be also entitled to an **Allowance for Third Person Assistance**. Data collected from the Social Security Administration Statistics[[26]](#footnote-27) shows that the vast majority are recipients of invalidity pension, which is paid to people who are in a situation of permanent incapacity to work (not acquired at work) (Table 29).

However, social transfers do not overcome the high economic insecurity of disabled people as the amounts provided are very low (Pinto et al., 2014,[[27]](#footnote-28) Sanches, 2014).[[28]](#footnote-29) The amounts of most benefits so far remain below the threshold of the poverty risk (€ 422 per month), as indicated by the Income and Living Conditions Report.[[29]](#footnote-30)

Unfortunately, the EU-SILC data do not provide information on the risk of household poverty or exclusion of children with disabilities under the age of 16. There is evidence that households with children in Portugal are the most vulnerable to poverty even after social transfers (UNICEF, 2013,[[30]](#footnote-31) OECD, 2016).[[31]](#footnote-32) By excluding this group, the EU-SILC data may offer a biased description of the risk of household poverty and social exclusion of disabled people in Portugal.

Therefore, social inequality and poverty, especially in relation to persons with disabilities and their families, remains a challenge in Portugal. However, in 2017 several important policy changes have been introduced (see for more detail section 3.3.).

In short, the main trends in this field are: (1) persons with disabilities and their households tend to experience higher risk of poverty or social exclusion; (2) the disability-related benefits available have been insufficient to overcome this vulnerability; (3) the number of beneficiaries of these benefits has been decreasing.

The main challenges remaining are: (1) the lack of data to monitor at national level the risk of poverty and social exclusion of persons with disabilities and their households; (2) the lack of adequate levels of benefits to support a life with independence for persons with disabilities in Portugal, including the lack of personal budgets and the lack of an independent living scheme. While the newly introduced benefits and services might bring about positive changes overtime, systematic monitoring is necessary, especially regarding how the new benefits will contribute to independent living of persons with disabilities.

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

The 2017 NRP refers directly to disability policies in the context of services and benefits (p. 62), mentioning the introduction of the new Social Benefit for Inclusion (*Prestação Social para a Inclusão*) and the personal assistance model to Support Independent Living (*Apoio à Vida Independente*), as well as the upgrade of the Disability Complement to Family Allowances for families with children and youth with disabilities (*Bonificação por Deficiência*) and of the Allowance for Third Person Assistance (*Subsídio por Assistência à 3ª Pessoa*), which were frozen since 2009. A general commitment to improve access to health care and to reduce inequalities at all levels of education was also included (p. 64). Furthermore, the 2017 NRP foresees the possibility in public procurement of favouring contracts with entities that employ people with disabilities (or other disadvantaged workers). These measures are elaborated also in the Annexes (see Targets 6, 7, and 8). In addition, several of the general policy measures proposed in the NRP could be usefully assessed from a disability perspective.

## Employment

The 2017 NRP recognizes that despite the improvement in employment indicators in Portugal the rates of unemployment among young people and the number of long-term unemployed is still high and raises concerns over an increase in the number of ‘non-permanent’ or temporary employment contracts (which rose 3.5% in 2016 compared to the 1.6% rise of permanent employment contracts). Similarly, the 2017 EU Joint Employment Report[[32]](#footnote-33) (p. 18, 28) expressed concerns about high youth unemployment rates, as well as about at-risk-of-poverty and income inequality indicators in Portugal, and attracted attention to the measures for firms to discourage the abuse of temporary contracts. Persons with disabilities make a large proportion of both unemployed youth and the long-term unemployed, as we have signalled before in this report (see sections 1 and 2), and often are unable to get permanent contracts.

Therefore, employment activation measures, especially for youth and long-term unemployed, remain a priority identified by the 2017 NRP. The measures proposed by the 2017 NRP to address these challenges include the provision of professional traineeships (job placements), support to employers to hiring (young) job seekers and increasing permanent work contracts, support to both young people’s and adult population to return to education to improve their knowledge and skills (requalification), and increasing the quality of work and employment overall.

To promote professional traineeships and to support employers in this process, the NRP (p. 17) in 2017 mentions several initiatives that also address persons with disabilities; of these are particularly important the following:

1. **Contrato-Emprego (Employment contract)**,[[33]](#footnote-34) established in 2017 by Ordinance 34/2017 of 18 January[[34]](#footnote-35) toreplace the previous **Apoio à Contratação/Employment Incentive** (*Estímulo Emprego*). Under this measure, employers receive financial support for signing employment contracts with the unemployed registered at the employment centres, and especially for ‘employing especially vulnerable groups’, including persons with disabilities;
2. **Estágios Professionais (Employment traineeships)**[[35]](#footnote-36) **lasting from 6 to 12 months** which also may include persons with disabilities (in which case the duration of the traineeship extends from 9 to 12 months) (see Ordinance 131/2017 of 7 April 2017).[[36]](#footnote-37) To stimulate the creation of permanent jobs an additional financial support is announced in the NRP (pp.17-18): the ‘employment award’ (*prémio-emprego*) to be provided to those employers who employ trainees after the termination of the traineeship in permanent positions (on permanent contracts). Furthermore, the NRP states that employability regarding previously funded internships will be considered as new criteria to qualify employers for renewed internship grants. This measure addresses an important concern that was raised in the civil society Parallel Report submitted to the CRPD Committee in 2016.

In addition, the NRP (p. 17) proposes to introduce **Contrato-Geração (Generation Contract)**[[37]](#footnote-38) until 2019. This new policy measure will provide a government subsidy to businesses that allow their older workers to reduce working hours while keeping their wages. The subsidy is to allow these businesses to hire unemployed youth and therefore it is also likely to benefit young people with disabilities.

Even though not mentioned by the 2017 NRP, it is worth mentioning that the previously dispersed vocational training measures have been recently joined in one legislation - **Ordinance 131/2017 of 7 April 2017**,[[38]](#footnote-39) that replaced former measures such as ***Reactivate*** (previously regulated by Ordinance 86/2015, of 20 March) and ***Estágios Emprego*** (previously regulated by Ordinance 204 -B/2013, of 18 June, and amended by Ordinance 149-B/2014, of 24 July).[[39]](#footnote-40) The new legislation creates the measure of professional Internships targeting all age groups including young people (until 30 years of age), the long-term unemployed above age 31 and people over 45 years of age. Interns are entitled to a monthly individual grant that varies from € 505,58 to € 737,31 per month and is covered by the IEFP (from 65% up to 80% depending on the type of employer and the level of qualification of the intern). Persons with disabilities are explicitly defined as beneficiaries of this measure and for them the grant amount increases and they may be additionally entitled to a transportation subsidy (Article 11**º** and Article 14**º**). Employers are entitled to an additional financial award if they sign a permanent employment contract with the intern after the termination of the internship (Article 17**º**).

To improve the qualifications and employability of the Portuguese adult population measures such as The Qualification Passport (*Passaporte Qualifica*), the Portal Qualifica, and the expansion of the network of Qualification Centres (pp. 20-21) are prioritised in the 2017 NRP (p. 20). These programmes are considered relevant to promote the recognition and acquisition of new skills, thus enhancing lifelong learning of adult population; and while they do not target specifically persons with disabilities they may include them.[[40]](#footnote-41)

The 2017 NRP continues also to prioritise the development of the digital competences of the Portuguese population and addresses the development of new training/employment opportunities, through the launch of the new National Initiative e.2030-InCode 2030[[41]](#footnote-42) (pp.14,19, 22). Although this initiative does not refer specifically to persons with disabilities, ‘Inclusion’ is one of its main pillars aiming to “democratise access and use of digital technologies” and that may benefit persons with disabilities (see Target 1.1. Development of Digital Competencies / Promoção das competências digitais).[[42]](#footnote-43)

In order to support the employment activation process, the NRP considers necessary to modernise public services. The new service - “One Stop Job Desk” (*Balcão Único do Emprego*) initially proposed in the 2016 NRP will continue in operation aiming to simplify the process of active job searching, both offline and online, by creating a virtual platform for the unemployed and for the employers. The online journal ‘Publico.pt’[[43]](#footnote-44) informs that the government has already started working on the digital component of this platform that will be finalised in 2018. While this measure is considered especially important for the NEETs and the long-term unemployed, it will likely benefit persons with disabilities too.

A more targeted and similar service is already in place for persons with disabilities: the Network of Inclusion Service Centres (*A Rede de Balcões da Inclusão*) that was launched on 21 April 2016 and now covers all the 18 districts of the country. These Centres provide information to persons with disabilities and their families related to social benefits, technical assistance as well as employment and vocational training.

In addition, the 2017 NRP (p. 41) mentions the Personalised Support Model (MAP) provided by employment services (PES) for the unemployed after their registration at the Employment Centre (in force from 31 October 2016 introduced by Ordinance 282/2016 of 27 October 2016)[[44]](#footnote-45) in order to improve the service provision to the long-term-unemployed and to promote their active return to employment. However, this measure does not specifically address persons with disabilities.

It is important to mention that in the context of the modernisation of public services, the 2017 NRP (p. 45) also plans to revise the Public Procurement Code (*Código dos Contratos Públicos)*,[[45]](#footnote-46) mentioning the possibility to reserve a quota of contracts for enterprises that employ persons with disabilities or other vulnerable groups of the population. If implemented, this action may contribute to increase the employability of persons with disabilities.

Furthermore, among the measures to promote employment activation, the 2017 NRP also focuses on supporting entrepreneurship and creating start-up companies (pp. 25-26, 42, 78). As it indicates, the ‘Momentum Programme’ was launched to support recent graduates from higher education institutions who benefitted from social support while studying, and who wish to develop their own business idea after graduation but lack the financial conditions to do so.[[46]](#footnote-47) Even though young persons with disabilities are not explicitly mentioned this measure may also benefit them since they are entitled to receive social support while studying at HEIs (see more details in 4.2.2.). However, there is no statistical data on the number of businesses created by persons with disabilities.

Despite all these measures, those persons with disabilities who have jobs (either in public or the private sector – see Section 3.1.) may face economic insecurity and poor work quality, as also reported by the NRP.

On one hand, the 2017 NRP considers necessary to increase the income of households, especially those who are most vulnerable and at risk of poverty and exclusion, including low-income workers, and to promote equal pay between employed men and women (pp. 18, 27, 62). Decree-law 254-A/2015, of 31 of December[[47]](#footnote-48) has already augmented the minimum salary from € 505 to € 530 since 1st of January 2016 and to € 557 in 2017 according to Decree-law 86-B/2016, of 29 of December.[[48]](#footnote-49) A further increase is planned for 2018. These measures are likely to contribute to improve the income level of the disabled working population, who are overrepresented amongst the workers with minimum wages.

On the other hand, the 2017 NRP (p. 18) focuses on improving working conditions, monitoring compliance with labour standards legislation, reducing the number of temporary contracts, and promoting the quality of jobs. In 2016, the ‘Green Book on Employment Relations’ (*Livro Verde sobre as Relações Laborais)*[[49]](#footnote-50) was introduced explicitly addressing the employment of persons with disabilities. While this may raise employers’ awareness, the quality of jobs, the prevalence of temporary work and precarious jobs for persons with disabilities are all features that still need to be improved. The foreseen measures proposed by the 2017 NRP will need careful monitoring to ensure that they are effective especially in relation to employees with disabilities

The employment situation of **persons with intellectual disabilities** continues to be very complex, and it is insufficiently addressed by the NRP. Although the IEFP funds training programmes (of up to 3600 hours)[[50]](#footnote-51) targeted to persons with intellectual and multiple disabilities as well as other groups who are unable to access regular training, in Portugal, according to the 2015 *Caritas Portuguesa* Report, occupational activity centres continue to be the most common service provided to persons with intellectual disabilities and autism. The Committee on the Rights of Persons with Disabilities in its Concluding Observations (Art. 27)[[51]](#footnote-52) considered these centres ‘segregated environments, including [in regard to] the average salary that people receive there’.

In the context of disability, another important area related to that of employment concerns accessibility and transportation. While the NRP recognises the need to revitalise the urban infrastructure and to modernise the public transport system, it does not indicate any specific measures in terms of increasing its accessibility for the use of disabled people. Furthermore, the measures proposed by the NRP concern predominantly the main cities of Lisbon and Porto. However, lack of accessibility in the built environment and transportation systems is a widespread problem throughout the country and it may also prevent access to employment for persons with disabilities in small towns and rural areas. The Accessibility Law (Decree-Law 163/2006, of August 8, amended by Decree-Law 136/2014 of 9 September and Decree-Law 125/2017 of 04 October)[[52]](#footnote-53) foresees sanctions in case of non-compliance, but there is a lack of enforcement of these policies (ODDH Parallel Report, 2015, p. iv),[[53]](#footnote-54) which may also create a barrier in access to employment of persons with disabilities. The Committee on the Rights of Persons with Disabilities has also recommended that Portugal explicitly sets out in its legislation the obligation to provide reasonable accommodation to persons with disabilities in all areas covered by the Convention.

## Education

Regarding education, the NRP 2017 (pp. 18, 64) considers important to ensure innovation and modernisation of the education system, to guarantee equal access of all children to primary, secondary and higher education, and to promote better learning and teaching processes and students’ support, resulting in the acquisition of knowledge and the development of skills adapted to the labour market needs. While students with disabilities are not explicitly mentioned, these measures target them as well. Regarding tertiary education, the NRP 2017 explicitly states the importance to reinforce social assistance to ‘students with economically vulnerable backgrounds’ (*estudantes carenciados)*. The 2017 EU Joint Employment Report noted ‘efforts to promote inclusive education’ in Portugal over the last year but did not refer to disability explicitly nor did it problematise segregative special schooling for this group (p. 48).

Although, not mentioned by the NRP, Decree-law 3/2008 on Inclusive Education is currently under revision and a public consultation process on a new legislation closed on 30 September 2017.[[54]](#footnote-55) While the outcome of this consultation is not yet known, the most important change foreseen in the legislation that was made available for consultation concerns the types of support provided in mainstream schools which will be organised according to the level of pupils’ needs. In this regard, three types of support measures were proposed: 1) ‘universal ‘– for all children; 2) ´selective’ – for children who require some adaptions and limited support; and 3) ‘additional’ for pupils with permanent special needs (severe and long-lasting disabilities) (Chapter II, Articles 7-10).[[55]](#footnote-56) In order to implement these measures every school will set-up a multidisciplinary team of specialists, involving a range of professionals and not just special education teachers. These measures are supposed to contribute to a more inclusive and flexible education system taking into account all pupils’ needs. However, there is a concern about how this new system will be funded since the law mentions that schools will have to count on ‘local resources’ (Article 33) and/or use combined resources from education, health, social security and vocational training (Article 11(5)) to address the needs of these students. Therefore, there is a risk that the responsibility may fall mainly upon schools, which would create inequalities in the provision of supports across the country.[[56]](#footnote-57)

### Early School leavers

In 2017 in Portugal 99% of students with special educational needs attend regular schools (87% in public, and 12% in private schools).[[57]](#footnote-58) Only 1% attend Special Schools. This is due to the legislation on Inclusive Education in place since 2008 (Decree-Law 3/2008)[[58]](#footnote-59) which led to the closure of special education schools and the massive mainstreaming of disabled children into regular schools. This Decree-Law applies to pre-school, basic and secondary education and gives children with special educational needs ‘the right to be admitted to kindergartens and schools together with other children’ (Art. 2). Attendance at a special school is regarded by law as the last resort, only in cases when inclusion in the mainstream school fails.

The UN Committee on the Rights of Persons with Disabilities in its Concluding Observations refers to Decree-Law 3/2008 as one of the positive aspects of the Portuguese legal reforms. While this Law can be considered as very progressive and rights-oriented, its implementation has been fraught by a number of problems, notably following the austerity measures in place since 2011, namely lack of human, material and financial resources. Usually, Resource Centres for Inclusion (*Centros de Recursos para a Inclusão* - CRI) provide support to children and young students with disabilities attending mainstream schools. The evaluation conducted by the Ministry of Education in 2015[[59]](#footnote-60) concluded that CRIs play a very important role in supporting students with disabilities while recognizing that the reduced time available to support each student compromised the implementation of the inclusive model.[[60]](#footnote-61) In 2016/2017 2251 CRI specialists provided support to pupils with special needs in public schools which is, however, less than in 2015/2016 (2819 CRI specialists).[[61]](#footnote-62) Moreover, the caseload per staff was considered heavy with one psychologist, for instance, having to support 78 students/ per week[[62]](#footnote-63) and often supporting students in various schools. According to various reportsand recommendations, scarce resources, both material and human, prevent effective inclusion. In accordance with the recommendation of the Committee on the Rights of Persons with Disabilities, it is necessary to take steps to increase human and material resources allocated to inclusive education and to facilitate access and enjoyment of a quality inclusive education for all pupils with disabilities, providing public schools with adequate resources.[[63]](#footnote-64) As mentioned above, Decree-Law 3/2008 is currently under revision, but it is unknown the extent to which the proposed amendments, while innovative and rights-oriented in principle, will contribute to address these problems.

To reduce the number of school drop-outs and promote educational success, the 2017 NRP (p. 14-15) announces various measures and increased support to pupils, including pupils with special education needs.

Regarding pre-schools, the NRP proposes to extend the number of pre-schools to include all children from 3 years old on in 2019 (p. 14, 68) and to make digital resources available to these pre-schools. While this activity does not explicitly mention children with disabilities, given the inclusive education policy in the country it will likely benefit them too. In addition, the National Early Intervention System (*Sistema Nacional de Intervenção Precoce na Infância* – SNIPI)[[64]](#footnote-65) established by Decree-Law 281/2009 as of 12 of October,[[65]](#footnote-66) continues to provide Early Childhood Intervention (ECI) measures to children and families, including prevention and rehabilitation activities related to education, health and social care. These services are very important since they aim to promote children’s well-being and integration.

To prevent early school leaving in elementary and secondary schools, the NRP 2017 (p. 14-15, p. 105) continues to focus on increasing individualised support to students, especially to needy children (‘*estudantes carenciados’*) and proposes to increase the number of special education teachers (professores de educação especial) (NRP 2017, p. 15; p. 105).

Regarding support to pupils with special needs, the NRP 2017 (p. 14-15) describes an increase in the presence and participation of these students in class activities, a reduction of the number of students per class and the provision of necessary individual support (including socio-educational supports such as meals, accommodation, transportation, etc).[[66]](#footnote-67) In this regard, Normative Order 1-H/2016, of April 14, 2016[[67]](#footnote-68) entered into effect in the school year 2016/17, amending the previous Normative Order 7-B/2015.[[68]](#footnote-69) This amended Order states that classes that include pupils with disabilities should be reduced to a maximum of 20 pupils and no more than two pupils with special needs per class, but only if the disabled student stay in class for at least 60% of the time. These changes are said to encourage the presence of the students with disabilities in the mainstreamed classes rather than their removal to receive special support out of the regular classroom. However, the Teachers’ Union states that there are different views in this respect: while some consider this as a ‘truly inclusive measure’ (as it will encourage the permanence of disabled students in regular classrooms to enable the class to benefit from the size reduction), others state that in most cases children with disabilities do not make the required percentage of time in the classroom so in reality the measure will contribute to decrease the number of classes with reduced number of students.

Other measures stated in the NRP that may also positively contribute to reducing early school leavers among pupils with disabilities and promote their participation in class activities include:

* **National Programme to Promote Educational Success** (*Programa Nacional de Promoção do Sucesso Escolar)*[[69]](#footnote-70) introduced in April 2016, according to which schools make plans to improve their teaching practices and the students’ learning skills and get funding for the implementation of these projects.
* **‘Full-Time School’** (*Escola a Tempo Inteiro*),[[70]](#footnote-71) which provisions that pupils up until 15 years old (1st cycle) may stay at schools the whole day from 08:30am until 7:30 pm (but not more than 8 hours) in order to develop students’ skills (Ordinance/Portaria 644-A/2015 of 24 of August, 2015).[[71]](#footnote-72) Pupils with special educational needs may also attend these activities according to their Individual Educational Plans (Art. 18 (2-b)).

In secondary education, the NRP (pp. 14-15, 21) foresees developing students’ vocational qualifications and skills and issuing a double certification (both educational and vocational) as well as providing traineeships in the labour mart in order to support students transition to work. While the NRP does not refer to pupils with disabilities or special needs in this regard, the Portuguese government has introduced in 2015 the so-called Individual Transition Plans (*Planos Individuais de Transição* – PIT) (Ordinance 201-C/2015)[[72]](#footnote-73) to promote a smooth transition from school to community of students with disabilities 15 years of age or older, who attend mainstream secondary schools (11-12 school years). These Plans (PIT) identify the personal, social and vocational skills that these students should develop during the two final years of their education, including through traineeships, in order to obtain a certification attesting the knowledge and skills acquired and facilitate their transition to the labour market.

### Tertiary Education

In relation to tertiary education, the focus of the NRP 2017 is largely on promoting innovation, research, science, increasing science-related positions in HEIs, and extending university cooperation with the private sector (e.g. p. 24, 77, 106). Furthermore, the NRP 2017 considers important to increase the number of graduates with higher education diplomas, especially among those aged 30-34 years old (up to 40%) (pp. 15, 19 and to promote the return to higher education of students with professional degrees and/or those population groups older than 23 years of age (see Ordinance 10211/2016 of 12 of August and Ordinance 6261-B/2017 that increases the 5% quota for these students at HEIs).[[73]](#footnote-74) Regarding needy students (estudantes carenciados), the NRP (p. 64) mentions that they shall be guaranteed access to lifelong learning after completing secondary education and provided adequate social support and scholarships (*bolsas de estudo*) to access higher education and to continue studying. The above-mentioned measures may also target students with disabilities.

However, as concluded by a recent study (Porfírio et al.,2016),[[74]](#footnote-75) there is a lack of personalised supports in HEIs, and professors lack the knowledge and skills to teach students with special needs (especially those with visual and hearing disabilities), which may also result in their university dropout. The existing legislation so far only regulates access of students with disabilities to tertiary education establishing a 2% quota for students with disabilities (Ordinance 197-B/2015).[[75]](#footnote-76) However, the data provided by the Ministry of Education shows that just a few students with disabilities take up this affirmative action measure (128 in 2014 and 120 in 2015, although an increase to 141 was observed in 2016 – see Table 23).[[76]](#footnote-77)

Other than the quota, and the anti-discrimination act (Law nº 46/2006 which prohibits discrimination in all areas of social life, including education) there is no other legislation imposing on universities any kind of reasonable accommodation duties in relation to students with disabilities. The Law on Higher Education Funding (Law nº 37/2003) in its paragraph 4, Article 20, states, nevertheless, that "the provision of specific support to students with disabilities should be considered". Accordingly, some universities have developed guidelines for professors and staff, set up Disabled Students Support Offices and provide accessible materials and equipment (see GTAEDES ‘Directory of Support Services for Students with Disabilities in Higher Education’).[[77]](#footnote-78) According to the survey conducted by the GTAEDES in 2014, referred to earlier in Sections 2.2.2. and 1.3.2. (see Table 24), out of the 292 responding HEIs (both public and private) only 172 reported having a dedicated staff or service to support students with special education needs.[[78]](#footnote-79) The same study identified many problems that students with disabilities face while studying, such as lack of accessibility of the facilities and classrooms, lack of special accommodations during classes and exams, and lack of special guidelines for students with disabilities.

The National Council on Education (Conselho Nacional de Educação) has proposed to the Parliament an Overview of the Initiatives to be introduced to promote better access of students with disabilities to higher education and to improve accessibility in higher educational institutions.[[79]](#footnote-80) Among the initiatives this document mentioned increasing scholarships to students with disabilities. Recently, Order 7031-B/2015 of 24 June 2015 (Art. 24) that regulates the allocation of funding (scholarships) to students including to students with disabilities (Article 24) was replaced by Order 8584/2017,[[80]](#footnote-81) of 29 September, which provided a monthly stipend exclusively for students with disabilities who attend Polytechnic Institutes or pursue a Bachelor, Masters or PhD degree at a higher educational institution and have an incapacity level of 60% or above. The amount of the scholarship is defined by Law 42/12016 of 28 December, Article 161,[[81]](#footnote-82) and equals the amount of the monthly fee the student is required to pay. This new law enters into effect in the academic year 2017/2018.

Additionally, a Network of Inclusive Support Centres (*Balcão IncluiES*)[[82]](#footnote-83) for Higher Education has been launched by the Ministry of Education (DGES) that provides online information regarding supports available to students with disabilities, promote best practices and increase international mobility of students with disabilities among other services.

## Poverty and social inclusion

The NRP 2017 (p. 74) mentions that the number of people at risk of poverty and social exclusion reduced in 2016 (25,1% compared to 26,6% in 2015). Nevertheless, it is still highly important to address the social inequality and poverty faced by the Portuguese society, which worsened in the preceding years due to the austerity measures put in place in the country. Therefore, the priority areas defined by the NRP in 2016 and in 2017 focus on: 1) combatting poverty and social exclusion for the most vulnerable groups; 2) reducing inequalities by increasing the family income, and 3) promoting access of all citizens to public goods and services (Section 3.6. ‘Strengthening Social Cohesion and Equality’, p. 61).

To combat poverty and social exclusion and to increase family income for the most vulnerable groups, the NRP 2017 (pp. 61-62) continues to prioritize updating the amounts of social transfers to persons with disabilities and to families with children with disabilities, namely:

* In 2017, the minimum amount of the **Invalidity pension** (*Pensão de Invalidez*)[[83]](#footnote-84) **increased to € 264,32 per month** for those with less than 15 years of contributory career and **€ 382,46** for those with more than 31 years of contributory career (compared to 2016: € 263 and € 380,56 per month). The disability allowance (*Subsídio mensal vitalício*) increased in 2017 to € 177,64 (compared to € 176.76 in 2016).

The amount of the **Allowance for Assistance by Third Person**[[84]](#footnote-85) has also increased from **€ 88,37 in 2015 to** **€ 101,17 in 2016 and 101,68 in 2017**. This benefit aims to help families, who receive a family allowance or have a member that receives a disability allowance, and needs 24 hours assistance by a third person. Likewise, the amount of the **Dependency Supplement** (*Complemento por Dependência*)[[85]](#footnote-86) for persons who receive an invalidity, old age or survival pension and are dependent on the assistance of a third person to address their basic everyday needs has increased from € 91,05 and € 182,11 in 2016 to € 91,51 and € 183,02 from 1 January 2017 (according to the applicant´s degree of dependency and the pension type that he/she already receives). **The Social Invalidity** **Pension** (*Pensão Social de Invalidez*)[[86]](#footnote-87) has also increased up to € 203,35/month in 2017 compared to € 202,34/month in 2016.

The amounts of **the benefits paid to single-parent families with children with disabilities**[[87]](#footnote-88) were set up at € 83.12 and € 162.05 per month in 2017 (depending on the age group of the child) compared to € 61.57and € 120.04 for families with both parents NRP 2017 (p. 61).

* In addition, families who have disabled children (up to 24 years old) who attend private **Special Educational schools are entitled to a Special Education Subsidy** according to Regulatory Decree 3/2016, of 23 of August.[[88]](#footnote-89) The subsidy may cover the monthly fee or the individual technical support fees.

Despite these updates, most benefits still remain below the threshold of the poverty risk (€ 422 per month, as indicated by the Income and Living Conditions Report),[[89]](#footnote-90) and, therefore, do not adequately protect against the social and economic risks faced by persons with disabilities and their families.

However, in 2017 some progress has been observed which was also addressed by the NRP.

Firstly, The NRP 2017 (p. 62) reports on the adoption of a new Independent Living Support Model (MAVI) for persons with disabilities.[[90]](#footnote-91) On 9 October 2017 a new Decree-Law 129/2017[[91]](#footnote-92) was passed providing for the development of personal assistance services at national level. The program will be developed through pilot projects that will for a period of three years — 2017/2020 — and will be funded through ESF within the framework of the Portugal 2020 initiative. Persons with disabilities will be provided with a personal assistance service through Independent Living Support Centres (CAVIs).[[92]](#footnote-93) Personal assistants will not be family members and are expected to support with personal care, health, nutrition, travel, higher education, vocational training, culture, sports, job search, participation in society, and citizenship activities (Article 6). Each person with an incapacity level of 60% or above and older than 16 years of age, including people with intellectual disabilities, will be entitled to up to 40 hours of support per week according to a individual plan, approved by the INR, I.P. Exceptionally, individual plans will allow up to 24 hours of support a day. However, this benefit cannot be accumulated with the Allowance for Assistance of Third Person and Dependency Supplement (*Complemento por Dependência*), nor can it be provided to a person with disability that already receives support from ‘homecare services’ that already cover any of the proposed services.

Secondly, an important change concerning persons with disabilities and addressed by the NRP in 2017 (p. 62), is the introduction of a single (unified) disability benefit - The Social Benefit for Inclusion (*Prestação Social para a Inclusão*)[[93]](#footnote-94) that will replace the several benefits existing today (Disability Allowance - *o Subsidio Mensal Vitalício*; Social Invalidity Pension - *a Pensão Social de Invalidez*; and Invalidity Pension - *a Pensão de Invalidez)*.[[94]](#footnote-95) The new law was adopted on 6 October 2017 by Decree-law 126-A/2017.[[95]](#footnote-96) This new benefit will be implemented gradually from 2017 to 2019 and includes three components: **a ‘base’ component** to promote independent living and to compensate disability-related expenses**; a ‘supplement’** to offset the additional costs of disability if a person with a disability does not have enough financial resources; and **‘an additional component or top-up’** to ensure economic security and fight poverty compensating a person for additional specific expenses due to their disability. Starting 01 October 2017, the ‘base component’ is provided to people with disabilities aged 18-66 years old, with an incapacity level between 60% and 80% defined by a medical certificate, obtained before the age of 55 years old. The Social Benefit for Inclusion can be combined with other income and benefits, e.g. social security pensions, child benefits, benefits granted to those attending special education schools, benefits granted to those who need help with basic daily needs, social integration income (RSI), unemployment benefit. The amount of the base component **varies from € 0 to € 264,32** depending on the degree of incapacity and the beneficiary’s total income. The NRP 2017 (p.62) reports that during the first phase of implementation of this benefit, about 120,000 persons with disabilities are estimated to be engaged by this process. The other two components will be implemented throughout the following years – 2018 and 2019. Up to date, 4700 applications were received by the Social Security services, 40% of which are from disabled persons with an incapacity level of 60 to 79% and 57% from persons with an incapacity level equal to 80% or above.[[96]](#footnote-97)

Thirdly, to provide better access to public services, the NRP also foresees the provision of better information services to persons with disabilities (p.62). The new Network of Inclusion Desks (*A Rede de Balcões da Inclusão*)[[97]](#footnote-98) that was launched on 21 April 2016 will continue to provide information services to persons with disabilities including about access to assistive technologies and devices, and therefore it is likely to contribute to improve the services of the National Assistive Devices System in Portugal (SAPA)[[98]](#footnote-99) that has been considered extremely lengthy and excessively bureaucratic. As reported by the online journal ‘Observador’,[[99]](#footnote-100) these Centres have already provided services to about 12 thousand people.

The NRP lacks measures specifically regarding women with disabilities. However, from the available statistics (provided by the Social Security Administration, 2015)[[100]](#footnote-101) it is clear that the number of women who receive benefits is fewer than the number of men in all the categories. This may substantially increase women’s risk of poverty. In 2016 the risk of poverty for Portuguese women was reported higher (19,6%) than that of men (18,2%).[[101]](#footnote-102) There is evidence that disabled women in Portugal have a higher risk of poverty and social exclusion in comparison to their male counterparts (Sousa et al., 2007).[[102]](#footnote-103) Yet, there are no measures in the NRP 2017 that specifically tackle this issue, although one can find there measures to eliminate gender inequality in the labour market (p. 62) notably to address the gender pay gap, parenthood and reconciliation of personal, family and professional life. While important there is a low probability that these measures will concern women with disabilities, since many of them remain unemployed.

Regarding the social inclusion of people with mental health issues, the NRP foresees improving access to therapeutic support and reports the establishment of ‘innovative’ pilot project of community mental health care teams (p. 63). The new Health Priority Programme on Mental Health, issued through Ordinance 6401/2016 of 11 May[[103]](#footnote-104) and 7433/2016 of 06 of June,[[104]](#footnote-105) also emphasizes, among other goals, the development of the Integrated Continuing Mental Health Care Network, supporting the creation of 1,500 places for adults and 500 for children in community care services.

According to the NRP, several other measures will supposedly contribute to poverty reduction amongst the Portuguese population, and some may also impact disabled people. These measures include:

1. **improvement of the National Health Service** (NRP, p. 63), mainly in terms of quality of services in hospitals and health care centres, expansion of staff and increase in the number of health centres (especially in remote areas), gradual reduction of user fees, and reform of the integrated and continuous care system at home and in hospitals including for people with severe mental illnesses. This also includes reinstating the right to access non-urgent medical transportation (the number of beneficiaries already increased 6.5% in 2016 compared to 2015), although it is still provided on a means-tested basis. These transportation services are very important to persons with mobility impairments, due to the lack of accessible public transportation in the country.
2. **increase in the amount provided through the Social Integration Income** (***Rendimento Social de Inserção – RSI[[105]](#footnote-106)****a measure that* aims to promote social inclusion of people or families with childrenin serious economic difficulties which led to an increase in the number of beneficiaries (more than 96,000 families as per February 2017);
3. continue to promote **access to electricity and gas services** through **the social tariffs programme** aiming to target one million economically vulnerable people, and **improvement of the living conditions in social housing communities, including improving the energy efficiency** of the apartment buildings;
4. **reduction of transport costs for old people and pensioners** (although only in the city of Lisbon) up to 60%, **and for students up to 23 years of age** up to 25%, and the possibility to get reimbursed for the expenditures on monthly transport passes for any of the family members when submitting annual income tax declaration
5. **revision** of **the Solidarity Complement for Old People (Complemento Solidário para Idosos - CSI)** that is a monthly complementary benefit paid to old people of 66 years and 3 months and over (from € 418,50 per month in 2016 to € 423,69 in 2017).[[106]](#footnote-107)

## Synergies between developments in the different areas

The NRP 2017 refers more explicitly to the need of improving qualifications, increasing employment and reducing poverty and social exclusion of persons with disabilities. In 2017 several positive changes in the areas of education, employment and social inclusion of persons with disabilities in Portugal have been observed, however, some gaps still exist.

The new measures introduced to stimulate employers to hiring former interns on permanent contracts at the end of the internship, which will benefit unemployed Portuguese youth in general, is likely to have a particular impact on youth with disabilities given the high numbers of disabled people who undergo internships as a way to transition to the labour market and the lack of ability of these internships to create sustainable jobs in the past. However, monitoring mechanisms and indicators will be needed to assess the impact of these new measures.

Furthermore, the new measure proposed by the NRP, the ‘Contrato Geração’, may also contribute to create jobs for young people with disabilities.

Finally, the implementation of the personal assistance programme, at the national level, is likely to have a positive impact not just in terms of promoting independent living (Decree-Law 129/2017) but also in facilitating persons with disabilities’ access and participation in vocational training or education and job search/employment.

The major NRP 2017 measures to fight poverty and social exclusion continue to focus on improving the levels of social transfers including to ‘the most vulnerable groups’. This is a welcome goal since the level of benefits and pensions in Portugal remains generally very low. The Stability Programme 2017-2021 previsions further actualisation of pensions and increase of the amount of single (unified) disability benefit in 2018 (p. 16). Indeed, the amounts so far provided are still insufficient to address the high economic vulnerability of persons with disabilities in Portugal. For instance, the amount provided for third person assistance continues to be very low and therefore it is unlikely that it will ensure access of persons with disabilities to proper assistance.

Another positive change is expected with the introduction of the new Social Benefit for Inclusion in terms of increasing the income of persons with disabilities and contributing to their independent living, specially because this benefit can be accumulated with income from work, which may also contribute to decreasing in-work poverty among employed persons with disabilities. However, so far mainly persons with disabilities of working age whose incapacity level is 60% or above are eligible.

More attention needs to be directed to the accessibility of the built environment and public transportation systems (Pinto, 2015).[[107]](#footnote-108) While the NRP 2017 considers important to promote the sustainability and improvement of the urban transport infrastructure in Portugal to increase citizens’ mobility, this concerns mainly an increase in electric transport, but it is not clear how it will address the transport accessibility for persons with disabilities. The continued lack of accessibility to transportation, communication and information systems, and the built environment is causing the exclusion of many persons with disabilities in Portugal from education and employment, and from participation in social life more generally. Unfortunately, recent changes in the legislation (e.g the passing of Decree-Law 125/2017, see Section 4.1.) are not contributing to advance this topic.

# Review of the European Semester from a disability perspective

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

There were no disability-specific CSRs for Portugal in 2017 and disability is not referred to in the supporting text.[[108]](#footnote-109) Nevertheless, several important points raised by the Country Specific Recommendations (CSR) to Portugal in 2017 may have disability implications.

## Progress on other CSRs from a disability perspective

The CSR calls attention to the *labour market conditions of youth and long-term unemployment, as well as the situation of temporary employees* (CSR 2016, p.3). Furthermore, special attention is called to the low overall skills level of the labour force, especially in terms of digital skills (p. 6)

These points may also concern persons with disabilities who most often either remain unemployed or occupy the lowest professional ranks and receive the lowest wages. Many of them either remain unemployed after vocational training, or are hired on temporary contracts or internships, especially persons with intellectual disabilities. The CSR considers recent labour market reforms that improve incentives for job creation (p. 5) promising, but it suggests further changes in the labour market legal framework particularly to enable a reduction of firing costs of permanent workers in case of unfair dismissal. From a disability perspective, however, such a measure would be negative, as it would reduce the legal protection of disabled workers who are a group particularly vulnerable to unfair dismissal. The CSR also considers important to ‘provide quality opportunities for up-skilling and re-skilling adult workers, in line with labour market needs’ (p. 6), which may benefit persons with disabilities.

**CSR Recommendation #2 for 2017-2018:**

*Promote hiring on open-ended contracts, including by reviewing the legal framework. Ensure the effective activation of the long-term unemployed. Together with social partners, ensure that minimum wage developments do not harm the employment of the low-skilled. (CSR 2017, p. 9)*

Regarding the previous recommendation of CSR 2016 (CSR#3 – to ensure the effective activation of the long term unemployed and improve the coordination between employment and social services), the CR 2017 (p. 57) reports that Portugal has made some progress. This has been so far achieved by increasing the use of online platforms, one-stop shops for the long-term unemployed, redesigning employment support programme to promote hiring on open-ended contracts, yet the integration of the long-term unemployed in the labour market, especially long-term unemployed persons with disability (as shown in section 1), remains problematic.

While no specific recommendations are made regarding the improvement of the situation of persons with disabilities, this CSR recommendation is also positive for disabled people. The redesign of the traineeships legislation that includes explicitly persons with disabilities (see 3.1.) and promotes their permanent employment will most likely increase awareness of employers and open up new employment opportunities for persons with disabilities. However, as stated above, the recommendation to ‘review the legal framework’ may also harm current workers with disabilities, since it implies reducing severance payments to permanent workers in cases of ‘unfair dismissal’.

Finally, the measure of creation of one-stop shops for employment could be **important to promote the employability of persons with** but it is not clear whether it serves them as well. The information provided by these services is mainly through online platforms. However, persons with disabilities may lack adequate digital skills, as also indicated by the NRP, which may prevent them from using these services. Moreover, it is crucial that these services are accessible to persons with disabilities (taking into account different types of disabilities).

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

The Country Report (CR) 2017 does not specifically address the situation of persons with disabilities (except in passing references to housing contracts, public expenditures level and gender differences in morbidity). However, from a disability perspective, several important issues are discussed in the sections on Labour Market, Social Policies, Education and Vocational Training Policies.

Regarding employment, the CR 2017 (p. 16) reports continuing high levels of youth and long-term unemployment. Therefore, activation of the long term unemployed and strengthening incentives for firms to hire through permanent contracts are proposed as necessary measures. The CR considers that achieving the national target of 75% of people in employment by 2020 remains a challenge (p.61). This refers also to the employment of persons with disabilities, whose unemployment rates are much higher than those of the general population, especially among the young disabled and are overrepresented among the long-term unemployed (as discussed in Sections 2.1. and 3.1.).

According to the CR (p. 17, 33-34), the number of permanent employment contracts rose in 2016, but it is still insufficient, and labour inspections are deemed relatively ineffective. Moreover, the measures taken to stimulate employers to hire on open-ended contracts, although viewed as positive, are expected to have limited impact as they only foresee to benefit 15,000 workers. Furthermore, the CR considers that there are still some aspects of the labour law that may discourage firms from hiring permanent workers, especially the high costs involved in dismissing permanent workers and the duty to reinstate the worker if the dismissal is considered unfair in the court. From a disability perspective, however, these legal protections are important for more vulnerable workers such as workers with disabilities. It was still not strong enough in 2016.

The CR (pp. 38-39) also raises the importance of developing the digital skills of the population, especially of the elderly, low-income and low-education groups who may also include people with disabilities given that it might contribute to increase their future employability. However, the report also raises concerns about budgeting and implementation measures related to this area.

The CR 2017 mentions that the employment rate of women is still lower than that of men (67.1% vs. 74%). Furthermore, income inequality persists in employment (see CR, pp. 5-6). Similarly, attention should be paid to gender inequalities in access to employment among the population with disabilities. Indeed, as shown in the data provided in Sections 2.2 and 2.3 above, girls and women with disabilities have lower levels of education and less access to employment than boys and men with disabilities in Portugal.

Regarding education, the CR refers that while Portugal has achieved some progress in reducing the number of early school leavers in 2016 compared to previous years and in improving basic skills outcomes (in reading, math and sciences), **the impact of** the **socio-economic status on students’ performance remains significant**. ‘Rates of low achievers are below 10% among the upper social quarter but around 30% among the lower one’ (p. 37). Since families of persons with disabilities face higher risk of poverty, there might be a greater proportion of pupils with disabilities among lower achievers. Although the amounts of the benefits to families with children with disabilities have slightly increased this year, it is still unclear whether this might have an effect on their school participation rate and school success.

The CR mentions several successful initiatives launched in 2016 (p. 54) to tackle education inequalities, reduce school failure and raise basic skills. It remains important to examine more closely what is happening with the school performance of children with disabilities, and establish this as a priority, as it is being done in relation to other risk groups, in order to prevent these students from leaving school early and ensure them a quality education.

The CR also discusses that early school leaving rates are associated with inefficient human resources management for teachers at schools and mentions the low number of teachers with special education skills available to support students with special needs (pp. 37-38). The measures proposed in this regard by the NRP 2017 and mentioned as well by the CR 2017 (p. 37) include increasing support provided to pupils with special needs at schools. The new draft proposal of the Law on Inclusive Education[[109]](#footnote-110) advances a new model that promotes multidisciplinary support adjusted to the needs of pupils with disabilities based on a continuing evaluation of the students’ needs, interests and preferences.

Regarding tertiary education, the CR mentions that tertiary education attainment in Portugal has been stagnating over the past years. Nevertheless, the education attainment rate for 30-34 year-olds has increased over the past 10 years and reached 31,9% in 2014. The modernisation of the polytechnic institutes seems to have provided a new boost to tertiary enrolment but the big universities in urban centres still attract the majority of applicants. Yet, nothing is mentioned about attracting students with disabilities or graduates with disabilities, and whether polytechnics also engage in enrolling students with disabilities. However, the new Order 8584/2017 provides students with disabilities enrolled in HEIs to access scholarships to offset tuition costs. These also apply to students attending polytechnic institutions.

Furthermore, the CR (p. 38) refers that the employment rate of graduates with tertiary qualifications is relatively high, although many face limited career prospects and low wage levels when employed. Graduates with disabilities face additional barriers in access to the labour market but no specific measures are focused on them in the CR.

Regarding poverty reduction and social exclusion, the CR (p. 36) mentions a number of measures, mainly changes in social benefits targeting families with children, including children with disabilities, and older people. Yet, the CR (pp. 2, 3, 62) still discusses persistent obstacles in attaining the target of poverty reduction which remains high. There are no specific comments in relation to the risk of poverty and social exclusion of disabled people in Portugal in the CR. The CR further states that in-work poverty remained one of the highest in the EU in 2015, partly due to low quality jobs and a high involuntary part-time employment (13.3% in-work poverty among individuals with temporary contracts v 6.5% of people with a permanent contract) (pp. 3, 36). This issue may be even more serious among persons with disabilities, since they tend to be employed on temporary contracts and perform low-skilled and/or low-paid jobs. Even though (as already discussed in 4.3.) disability-related social benefits have increased, they are still below the poverty line.

The CR (p. 36) indicates that households with children have been particularly affected by poverty and social exclusion, with 29.1 % in 2015 of children at risk of poverty or social exclusion. Therefore, the government increased monthly child benefits by 2 % to 3.5 % as well as the extra income provided to lone parent families from 20 % to 35 %. This positively affected families of children with disabilities. Nevertheless, it is important to note that the increase is small, and that overall the levels of cash benefits that disabled people in Portugal are entitled to are extremely low which increases their risk of poverty and social exclusion. While the CR (p. 36) states that older people continue to show lower risk of poverty and social exclusion than the working-age population, this situation may be different for older people with disabilities. The new measures, such as the implementation of a personal assistant scheme and of the social benefit for inclusion, officially introduced in 2017, will promote independent living and are likely to reduce the social exclusion of persons with disabilities, these innovations are still in progress and will need careful monitoring. In addition, the CR also mentions (p.36) the introduction of a new social benefit for the unemployed (the social unemployment benefit) who no longer have access to unemployment benefits or assistance. This means-tested benefit, established in March 2016, is payable for a maximum of 180 days and amounts to 80 % of the last social assistance benefit paid. It may also target unemployed persons with disabilities.

Finally, in the area of healthcare, the CR recognises that the national health system still needs improvement, especially, in relation to women: Portuguese women live longer periods with disease or disability than the EU average, which shortens their working lives. According to the CR, ‘this could be due in part to a shortage of health promotion and disease prevention activities addressing healthy lifestyles and disease screening” (p. 37).

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

As mentioned in the Country Report 2017 (p. 14), Portugal is a significant beneficiary of the European Structural and Investment Funds (ESIF) and is eligible for up to EUR 25.8 billion over the period 2014-2020. Coupled with a national contribution of EUR 6.9 billion, Portugal has a total budget of EUE 32.7 billion to invest in several areas.[[110]](#footnote-111) This is equivalent to 2% of the GDP (on an annual basis) and around 79% of the expected national public investment in areas supported by the ESI Funds. The support from EU Funds is expected to help the Portuguese economy recover in the medium-term.

According to **The Fiscal Strategy 2014-2018**,[[111]](#footnote-112) the implementation of ESI Funds in Portugal will remain a key source of funding for public policies. As a part of the initiative Portugal2020, the Funds will be allocated to four key programme areas (competitiveness and internationalisation, sustainability and efficiency in the use of resources, social inclusion, employment and human capital) and will cover two cross-cutting dimensions: public administration reform and an integrated intervention approach at the territorial level. The area of social inclusion targets the upgrading and optimisation of social services, the encouragement and mobilisation of volunteer work, as well as the strengthening of social protection and inclusion of persons with disabilities, notably through their professional re-integration, social development, training and employment.

From about 25, 8 billion Euros under the agreement signed with the European Commission (Portugal 2020),[[112]](#footnote-113) 44% of the cohesion policy funds (ERDF, ESF and the Cohesion Fund) will be allocated to education, social inclusion and employment measures, while 41% will be invested in innovation, ICT, support for SMEs and promoting a low-carbon economy. The rest will be invested in network infrastructure, environment and climate change adaptation (CR, p. 59). The areas of employment and social inclusion (OT 8 and OT 9) will receive about 20% of the funds; the area of education (OT10) will get 17% of the funds; about 20% of the funds will be applied to the areas of low carbon economy and adapting to climate change and the environment; and the areas of transport will receive 4%. OT9 will receive **in total EUR 2.525.697.807**, in particular EUR 637.000.000 (FEDER); EUR 1.638.779.998 (FSE); and EUR 249.917.809 (FEADER) (Fiscal Strategy 2014-2018, p. 48). Portugal also benefited from EUR 160 million under the Youth Employment Initiative for the period 2014-2015 (this is the part of the Social Inclusion and Employment programme)[[113]](#footnote-114) to support young people to find their way to the labour market, get involved into traineeship projects or continue their education. In addition, the European Fund for Strategic Investments (EFSI), Horizon 2020, the Connecting Europe Facility and other directly managed EU funds are supplementary resources to the ESI Funds.[[114]](#footnote-115)

Within **the Operational Programme for Social Inclusion and Employment (PO ISE)** the structural funds are mainly used to promote vocational training and employment of the population of all ages, including persons with disabilities, through measures funded by the Institute for Vocational Training and Employment (IEFP) and implemented by non-profit organisations and public vocational training centres. Despite its importance, this initiative only partially addresses the challenges faced by persons with disability. Furthermore, systematic delays in the funds delivery to the Vocational Training Centres negatively impact the implementation of training programmes intended for persons with disabilities. From 2018-2020, the Portuguese government also plans to use ESI Funds to support independent living projects aiming to spend about 15 million EUROS with these projects.

# Recommendations

The Portuguese State is signatory of the CRPD and as an EU member its policy should be in line with the EU Disability Strategy and the EU 2020 agenda. While fiscal control and competitiveness continue to be important goals for Portugal, economic growth cannot happen if certain groups are lagging behind as it is the case now in Portugal of disabled persons. Portugal needs stronger measures that tackle disability exclusion, particularly in the areas of education, employment, and social care.

Therefore, we recommend:

* **To strengthen the human and material resources provided to schools in order to ensure good quality inclusive education** and improve pupils’ prospects to access higher education, vocational training or employment (for argumentation see 2.2.1., 3.2., 3.4., 4.3., and 5.), as also **recommended by the CRPD Committee in its Concluding Observations to Portugal**.
* **To develop legislation for HEI requiring them to provide reasonable accommodations and supports to students with disabilities** (for argumentation see 2.2.2. and 3.2.), **as also recommended by the CRPD Committee in its Concluding Observations to Portugal.**
* **To strengthen supports to persons with disabilities in order to increase their participation in the labour market**, with special attention to young disabled and long-term unemployed, and persons with severe and intellectual disabilities, notably through the provision of individualised supports and personal assistance services (for argumentation see 2.1., 3.1., 3.4. and 4.3.);
* To monitor the implementation of incentives provided to employers that hire persons with disabilities on permanent contracts (for argumentation see 3.1., 3.4., 4.2., and 4.3.);
* To engage more girls and women with disabilities in education, training and employment (for argumentation see 2.2., 3.1., 3.2., 3.3., and 4.3.);
* To ensure effective enforcement of accessibility legislation and standards (for argumentation see 3.1. and 3.4.);
* **To issue the National Strategy for Disability II** (ENDEF II) and use structural funds to implement it (for argumentation see 1.1., 4.3. and 5), as also **recommended by the CRPD Committee in its Concluding Observations to Portugal.**
* To ensure effective monitoring of the implementation of the MAVI programme and the allocation of the Social Benefit for Inclusion (for argumentation see 2.3., 3.3., and 3.4.)
* To collect systematic, updated and disaggregated data about the population with disabilities in Portugal (e.g. by disability, age; gender, etc.), as well as data about secondary schools and HEIs graduates and their employment attainments (for argumentation see 1.3.1, 1.3.2., 2.2., 3.2., 3.4., 4.3.);

In addition to these, **we recommend that the European Commission refer to progress on the relevant recommendations of the UN CRPD Committee in preparing its 2018 Country Report assessment.**

1. <http://ec.europa.eu/europe2020/pdf/targets_en.pdf>. [↑](#footnote-ref-2)
2. EUSILC UDB 2015 – version of October 2017. [↑](#footnote-ref-3)
3. 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)](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Minimum_European_Health_Module_(MEHM)%20). [↑](#footnote-ref-4)
4. The methodology is further explained in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>. [↑](#footnote-ref-5)
5. MTSSS: <http://www.gep.msess.gov.pt/index.html>. [↑](#footnote-ref-6)
6. GDAEP: <http://www.aenfermagemeasleis.pt/2017/06/16/boletim-estatistico-do-emprego-publico-boep-n-o-16-junho-2017-dgaep/>. [↑](#footnote-ref-7)
7. These numbers do not represent the total number of unemployed persons with disabilities in Portugal, only those registered in the Employment Centres. [↑](#footnote-ref-8)
8. These numbers do not represent the total number of unemployed persons with disabilities in Portugal, just of those who are registered at IEFP Employment Centres. [↑](#footnote-ref-9)
9. For the LFS AHM data see, Early school leavers <http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de010&lang=en>.

   and for tertiary educational attainment <http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de020&lang=en>. [↑](#footnote-ref-10)
10. INE: <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_indicadores&indOcorrCod=0006269&contexto=bd&selTab=tab2>. [↑](#footnote-ref-11)
11. Income and Living Conditions Report, INE, 2015, available at: <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=224739104&DESTAQUESmodo=2>. [↑](#footnote-ref-12)
12. COM(2016) 728 final, <https://ec.europa.eu/info/sites/info/files/2017-european-semester-alert-mechanism-report_en_0.pdf>. [↑](#footnote-ref-13)
13. Pinto, C.P. (coord.) (2014).Relatório Holistico, Monitorização dos Direitos Humanos das Pessoas com Deficiência em Portugal, ODDH, available at: <http://oddh.iscsp.utl.pt/index.php/pt/2013-04-24-18-50-23/publicacoes-dos-investigadores-oddh/item/151-monitoriza%C3%A7%C3%A3o-dos-direitos-das-pessoas-com-defici%C3%AAncia-em-portugal>. [↑](#footnote-ref-14)
14. GEP/MTSSS: <http://www.gep.msess.gov.pt/estatistica/>. [↑](#footnote-ref-15)
15. Society at a Glance, 2016: A Spotlight on Youth (Portugal), available at: <https://www.oecd.org/portugal/SAG2016-portugal.pdf>. [↑](#footnote-ref-16)
16. <http://www.dgeec.mec.pt/np4/224/>. [↑](#footnote-ref-17)
17. Estado de Educação, 2015, available at: <http://www.cnedu.pt/content/noticias/CNE/Estado_da_Educacao_2015_versao_digital.pdf>. [↑](#footnote-ref-18)
18. <https://www.dn.pt/lusa/interior/governo-poe-em-discussao-publica-nova-lei-sobre-educacao-inclusiva-e-especial-8611847.html>. [↑](#footnote-ref-19)
19. <https://www.dge.mec.pt/sites/default/files/Curriculo/20170704-medu-inclusao-escolar.pdf>. [↑](#footnote-ref-20)
20. Survey about the support provided by institutions of higher education to students with special educational needs - GTAEDES, Grupo de Trabalho para o Apoio a Estudantes com Deficiências no Ensino Superior, available at[: http://gtaedes.ul.pt](file:///\\drivemap.bisdrive.nl\HEC$\Projects_General\82%20-85-%2088%20%20ANED%20follow-up\Tasks%202017-2018\Task%20EU2020\03_National%20reports\PT\%20http\gtaedes.ul.pt). [↑](#footnote-ref-21)
21. The General Directorate of Higher Education, available at: <http://www.dges.mctes.pt/DGES/pt/Estudantes/Acesso/ConcursoNacionalPublico/Contingentes/Deficientes.htm>. [↑](#footnote-ref-22)
22. DGES Statistics: <https://www.dges.gov.pt/pt/pagina/regime-geral-ensino-superior-publico-concurso-nacional-de-acesso>. [↑](#footnote-ref-23)
23. Comissão Europeia/EACEA/Eurydice, 2014. A Modernização do Ensino Superior na Europa: Acesso, Retenção e Empregabilidade, 2014. Relatório Eurydice. Luxemburgo: Serviço de Publicações da União Europeia. Availabe at: <http://www.dgeec.mec.pt/np4/np4/%7B$clientServletPath%7D/?newsId=192&fileName=Moderniza__o_do_ensino_superior___estudo.pdf>. [↑](#footnote-ref-24)
24. Portugal. S. Martins, B. Ramos, L. Hespanha, P. (2010) Estudo de Avaliação do Impacto dos Custos Financeiros e Sociais da Deficiência, available at <http://www.ces.uc.pt/myces/UserFiles/livros/1097_impactocustos%20(2).pdf>. [↑](#footnote-ref-25)
25. Social protection, INR, available at: (<http://www.inr.pt/content/1/70/proteccao-social>) and Social Security Administration website: (<http://www.seg-social.pt/deficiencia>). [↑](#footnote-ref-26)
26. Social Security Administration Statistics: <http://www.seg-social.pt/estatisticas>. [↑](#footnote-ref-27)
27. Pinto, C.P. (coord.) (2014). Relatório Holistico, Monitorização dos Direitos Humanos das Pessoas com Deficiência em Portugal, ODDH, available at[: http://oddh.iscsp.utl.pt/index.php/pt/2013-04-24-18-50-23/publicacoes-dos-investigadores-oddh/item/151-monitoriza%C3%A7%C3%A3o-dos-direitos-das-pessoas-com-defici%C3%AAncia-em-portugal](file://\\drivemap.bisdrive.nl\HEC$\Projects_General\82%20-85-%2088%20%20ANED%20follow-up\Tasks%202017-2018\Task%20EU2020\03_National%20reports\PT\%20http\oddh.iscsp.utl.pt\index.php\pt\2013-04-24-18-50-23\publicacoes-dos-investigadores-oddh\item\151-monitorizaÃ§Ã£o-dos-direitos-das-pessoas-com-deficiÃªncia-em-portugal). [↑](#footnote-ref-28)
28. Sanches, I. (2014). “Sobrevoando” a deficiência: do que os portugueses pensam ao que os políticos fazem. Interacções, No. 33, pp. 217-235, available at: <http://revistas.rcaap.pt/interaccoes/article/view/6737/5032>. [↑](#footnote-ref-29)
29. Income and Living Conditions Report, INE, 2015, available at: <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=224739104&DESTAQUESmodo=2>. [↑](#footnote-ref-30)
30. Comité Português para a UNICEF (2013). As crianças e a crise em Portugal: Vozes das crianças, políticas públicas e indicadores sociais. Available at: <http://www.unicef.pt/as-criancas-e-a-crise-em-portugal/>. [↑](#footnote-ref-31)
31. <https://www.oecd.org/portugal/SAG2016-portugal.pdf>. [↑](#footnote-ref-32)
32. <http://ec.europa.eu/social/BlobServlet?docId=17224&langId=en>. [↑](#footnote-ref-33)
33. Contrato-Emprego (Employment contract): <https://www.iefp.pt/apoios-a-contratacao>. [↑](#footnote-ref-34)
34. Ordinance 34/2017 of 18 January: <https://dre.pt/application/file/a/105776416>. [↑](#footnote-ref-35)
35. IEFP, Employment traineeships: <https://www.iefp.pt/estagios> and <https://www.iefp.pt/estagios> and <https://bdfaq.iefp.pt/index.php?action=artikel&cat=19&id=1244&artlang=pt>. [↑](#footnote-ref-36)
36. IEFP: <https://www.iefp.pt/documents/10181/7118590/1%C2%AA%20revis%C3%A3o+regulamento+Est%C3%A1gios+Profissionais+.pdf/e03b4efc-8d6e-4327-8145-6db418d2f210> and Ordinance 131/2017 of 7 April 2017. [↑](#footnote-ref-37)
37. <http://expresso.sapo.pt/revista-de-imprensa/2017-05-15-Governo-prepara-contrato-geracao-trabalho-a-tempo-parcial-com-subsidio-do-Estado-nas-empresas>. [↑](#footnote-ref-38)
38. Ordinance 131/2017 of 7 April 2017: <https://dre.pt/application/file/a/106848681>. [↑](#footnote-ref-39)
39. IEFP, internships <https://www.iefp.pt/estagios> (legislation terminated: [https://www.iefp.pt/medidas-revogadas-em-execucao - Estágios](https://www.iefp.pt/medidas-revogadas-em-execucao%20-%20Estágios)). [↑](#footnote-ref-40)
40. Skills for Work and Life: Empowering People with Disabilities. Synthesis of an Online Discussion (29 October – 18 November 2015), available at: <http://www.includ-ed.eu/sites/default/files/documents/20151215_unesco_tvet_online_discussion_synthesis_final_en.docx>. [↑](#footnote-ref-41)
41. Portugal INCoDe.2030: <https://www.portugal2020.pt/Portal2020/portugal-incode2030-quer-capacitar-a-populacao-portuguesa-em-competencias-digitais>. [↑](#footnote-ref-42)
42. Programme e.2030-InCode2030: <http://www.incode2030.gov.pt/lista-inicial-de-medidas-e-a%C3%A7%C3%B5es-considerar-nos-5-eixos-de-interven%C3%A7%C3%A3o>. [↑](#footnote-ref-43)
43. Launching of <https://www.publico.pt/2017/05/24/economia/noticia/governo-ja-esta-a-trabalhar-na-componente-digital-do-balcao-unico-do-emprego-1773342>. [↑](#footnote-ref-44)
44. Ordinance 282/2016 of 27 October 2016: <https://dre.pt/application/file/75606172>. [↑](#footnote-ref-45)
45. CÓDIGO DOS CONTRATOS PÚBLICOS (CCP): <http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=2063&tabela=leis>. [↑](#footnote-ref-46)
46. Momentum Programme: <http://startupportugal.com/>. [↑](#footnote-ref-47)
47. Decree-law 254-A/2015: <http://info.portaldasfinancas.gov.pt/NR/rdonlyres/CAA0AFF3-8BAE-4434-81E4-24BB22C68F40/0/Decreto_Lei_254A_2015.pdf>. [↑](#footnote-ref-48)
48. Decree-law 86-B/2016: <https://dre.pt/application/file/a/105658998>. [↑](#footnote-ref-49)
49. Livro Verde sobre as Relações Laborais (2016): <http://www.portugal.gov.pt/media/26493126/20170324-mtsss-livro-verde-1.pdf>. [↑](#footnote-ref-50)
50. IEFP, I.P.: <https://www.iefp.pt/documents/10181/227612/2016_03_09_Guia_Organizativo_Formacao_Profissional_Certificacao_Pessoas_Deficiencias.pdf/1fc3a5d2-e97b-428f-94d7-c2fa60f43c5a>. [↑](#footnote-ref-51)
51. UN CRPD Committee Concluding Observations: <http://oddh.iscsp.utl.pt/index.php/pt/mediateca/eventos/item/263-22-04-2016-%7C-na%C3%A7%C3%B5es-unidas-fazem-recomenda%C3%A7%C3%B5es-a-portugal-sobre-os-direitos-das-pessoas-com-defici%C3%AAncia>. [↑](#footnote-ref-52)
52. Decree-Law 125/2017 of 04 October 2017<https://dre.pt/web/guest/pesquisa/-/search/108244274/details/maximized?res=en>. [↑](#footnote-ref-53)
53. ODDH Parallel Report 2015, available at: <http://oddh.iscsp.ulisboa.pt/index.php/pt/atividades/relatorio-paralelo/item/187-oddh-coordenou-%E2%80%98relat%C3%B3rio-paralelo%E2%80%99-sobre-a-conven%C3%A7%C3%A3o-dos-direitos-das-pessoas-com-defici%C3%AAncia-em-portugal>. [↑](#footnote-ref-54)
54. Draft proposal of the changes to Decree-Law 3/2008, of 7 of January: <http://www.portugal.gov.pt/pt/consultas-publicas/consultas-legistativas-curso/20170704-medu-inclusao-escolar.aspx>. [↑](#footnote-ref-55)
55. Draft law on inclusive education, amendments to Decree-law 3/2008 of 7 of January (public consultation version): <http://www.portugal.gov.pt/media/30428062/20170704-medu-inclusao-escolar-2.pdf>. [↑](#footnote-ref-56)
56. See ODDH contribution to public discussion: <http://oddh.iscsp.utl.pt/index.php/pt/mediateca/eventos/item/335-discuss%C3%A3o-p%C3%BAblica-decreto-lei-n%C2%BA-3-2008> (in Portuguese). [↑](#footnote-ref-57)
57. DGEEC: <http://www.dgeec.mec.pt/np4/224/%7B$clientServletPath%7D/?newsId=334&fileName=DGEEC_DSEE_DEEBS_2017_NEE.pdf>. [↑](#footnote-ref-58)
58. Decree-Law 3/2008: <http://www.dge.mec.pt/sites/default/files/EEspecial/dl_n_3_2008.pdf>. [↑](#footnote-ref-59)
59. Avaliação das Políticas Públicas - Inclusão de Alunos com Necessidades Educativas Especiais: O Caso dos Centros de Recursos para a Inclusão (“Assessment of Public Policies: Inclusion of students with educational special needs: The case of the Inclusion Resource Centers”) available at: <http://www.dge.mec.pt/sites/default/files/EEspecial/estudo_cri_mar2015.pdf>. [↑](#footnote-ref-60)
60. Sessão de Esclarecimentos e tomada de posição sobre os CRI <http://www.fenacerci.pt/web/homenews/sessaoescl_cri/sessao-esclarecimentos-CRI_23-09-2015.pdf>. [↑](#footnote-ref-61)
61. Direção-Geral da Educação (DGE), Dados Educação Especial: <http://www.dge.mec.pt/educacao-especial> (2015-2016, Quadro IV.3); [http://www.dgeec.mec.pt/np4/224/](http://www.dgeec.mec.pt/np4/224/%20) (2016-2017, Quadro IV.3) [↑](#footnote-ref-62)
62. Information session and definition of position about CRI (23 September 2015, Lisbon) <http://www.fenacerci.pt/web/homenews/sessaoescl_cri/sessao-esclarecimentos-CRI_23-09-2015.pdf>. [↑](#footnote-ref-63)
63. Concluding Observations on the initial report of Portugal of the Committee on the Rights of Persons with Disabilities, UN, 18 April 2016, Available through: <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1050&Lang=en>. [↑](#footnote-ref-64)
64. SNIPI: <https://www.dgs.pt/sistema-nacional-de-intervencao-precoce-na-infancia.aspx>. [↑](#footnote-ref-65)
65. Decree-Law 281/2009: <http://www.inr.pt/content/1/888/sistema-nacional-de-intervencao-precoce-na-infncia>. [↑](#footnote-ref-66)
66. Ação Social Escolar: <http://www.dge.mec.pt/acao-social-escolar>. [↑](#footnote-ref-67)
67. [↑](#footnote-ref-68)
68. Normative Order 1-H/2016: <http://www.dge.mec.pt/sites/default/files/Legislacao/desp_norm_1h_2016.pdf>. Normative Order 7-B/2015: <https://dre.pt/application/file/67175212>. [↑](#footnote-ref-69)
69. Resolution of the Council of Ministers 23/2016, as of 11 April, available at: [https:/www.portugal2020.pt/Portal2020/Media/Default/Docs/Legislacao/Nacional/RCM23\_2016.pdf](https://www.portugal2020.pt/Portal2020/Media/Default/Docs/Legislacao/Nacional/RCM23_2016.pdf). [↑](#footnote-ref-70)
70. ‘Escola a Tempo Inteiro’ <http://www.dn.pt/portugal/interior/governo-quer-alunos-ate-ao-9o-ano-o-dia-inteiro-na-escola-5022293.html>. [↑](#footnote-ref-71)
71. Portaria 644-A/2015: <http://www.cm-matosinhos.pt/uploads/writer_file/document/14333/PORT644-A-2015_funcionamentoeAEC.pdf>. [↑](#footnote-ref-72)
72. Ordinance 201-C/2015, available at: <https://dre.pt/application/file/69773363>. [↑](#footnote-ref-73)
73. DGES: <https://www.dges.gov.pt/pt/pagina/maiores-de-23-anos> and <https://dre.tretas.org/dre/2694659/despacho-10211-2016-de-12-de-agosto>. [↑](#footnote-ref-74)
74. José António Porfírio, Joaquim Gronita, Tiago Carrilho, Helena Vaz da Silva, Mariana Martins, Paula Estanqueiro, Graça Gerardo e Rosário Cunha. (fevereiro 2016). Ensino Superior e Inclusão em Portugal: Diagnóstico e Contributos para uma Melhor Inclusão das Pessoas com Deficiência Visual e Auditiva (2.7MB, PDF). Lisboa: Fundação Calouste Gulbenkian. [↑](#footnote-ref-75)
75. Ordinance 197-B/2015: <http://www.dges.mctes.pt/DGES/pt/Estudantes/Acesso/ConcursoNacionalPublico/Contingentes/Deficientes.htm>. [↑](#footnote-ref-76)
76. <http://www.dges.mctes.pt/guias/pdfs/statcol/2015/Resumo15.pdf>. [↑](#footnote-ref-77)
77. GTAEDES ‘Directory of Support Services for Students with Disabilities in Higher Education’: <http://www.gtaedes.pt/dsa/>. [↑](#footnote-ref-78)
78. GTAEDES: <http://gtaedes.ul.pt/lista_distritos>. [↑](#footnote-ref-79)
79. Parecer n.º 1/2017 Série II de 2017-02-16: <http://www.cnedu.pt/content/deliberacoes/pareceres/Parecer_n._1_2017.pdf>. [↑](#footnote-ref-80)
80. Order 8584/2017: <http://www.sas.utad.pt/bolsas/Documents/Despacho_8584_2017.pdf>. [↑](#footnote-ref-81)
81. Law 42/12016: <https://dre.pt/home/-/dre/105637672/details/maximized>. [↑](#footnote-ref-82)
82. A Network of Inclusive Support Centres (Balcão IncluiES): <http://www.dges.gov.pt/pt/pagina/introducao>. [↑](#footnote-ref-83)
83. Invalidity Pension: <http://www.seg-social.pt/pensao-de-invalidez>. [↑](#footnote-ref-84)
84. Allowance for Assistance by Third Person: <http://www.seg-social.pt/subsidio-por-assistencia-de-3-pessoa>. [↑](#footnote-ref-85)
85. Dependency Supplement (Complemento por Dependência): <http://www.seg-social.pt/complemento-por-dependencia>. [↑](#footnote-ref-86)
86. Social Invalidity Pension: <http://www.seg-social.pt/pensao-social-de-invalidez>. [↑](#footnote-ref-87)
87. Disability supplement to family allowance: <http://www.seg-social.pt/bonificacao-do-abono-de-familia-para-criancas-e-jovens-com-deficiencia>. [↑](#footnote-ref-88)
88. Regulatory Decree 3/2016, of 23 of August: <https://dre.pt/application/conteudo/75170442>; <http://escritosdispersos.blogs.sapo.pt/novo-regime-do-subsidio-por-frequencia-544592>. [↑](#footnote-ref-89)
89. Income and Living Conditions Report, INE, 2015, available at: <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=224739104&DESTAQUESmodo=2>. [↑](#footnote-ref-90)
90. Programme to Support Independent Living (proposal for public discussion):

    <http://www.inr.pt/uploads/docs/noticias/2017/2017_02%20Proposta_MAVI_Assist%C3%83%C2%AAncia_Pessoal_Portugal_2017_2020_Audi%C3%83%C2%A7%C3%83%C2%A3o_P%C3%83%C2%BAblica.pdf> ; <http://www.inr.pt/content/1/4516/enquadramento>. [↑](#footnote-ref-91)
91. Decree-Law 129/2017:

    <https://dre.pt/web/guest/pesquisa/-/search/108265124/details/maximized?res=en>. [↑](#footnote-ref-92)
92. <http://vidaindependente.org>. [↑](#footnote-ref-93)
93. The Social Inclusion Benefit (available through INR, I.P. website): <http://www.inr.pt/uploads/docs/noticias/2017/discussao_publica_psi.pdf>. [↑](#footnote-ref-94)
94. Prestação Social para a Inclusão: <http://www.seg-social.pt/prestacao-social-para-a-inclusao>. [↑](#footnote-ref-95)
95. Decree-Law 126-A/2017 (summary in plain English): <https://dre.pt/web/guest/home/-/dre/108269605/details/maximized?res=en>. [↑](#footnote-ref-96)
96. Online Journal ´Publico PT’: <https://www.publico.pt/2017/11/09/sociedade/noticia/maioria-dos-que-pediram-prestacao-para-a-inclusao-tem-incapacidade-superior-a-80-1792033>. [↑](#footnote-ref-97)
97. Balcão da Inclusão: <http://www.inr.pt/content/1/4382/balcao-da-inclusao-mais-proximo-das-pessoas-com-deficiencia>. [↑](#footnote-ref-98)
98. SAPA[: http://www.inr.pt/content/1/3947/ja-conhece-sistema-de-atribuicao-de-produtos-de-apoio](file:///\\drivemap.bisdrive.nl\HEC$\Projects_General\82%20-85-%2088%20%20ANED%20follow-up\Tasks%202017-2018\Task%20EU2020\03_National%20reports\PT\%20http\www.inr.pt\content\1\3947\ja-conhece-sistema-de-atribuicao-de-produtos-de-apoio). [↑](#footnote-ref-99)
99. [http://observador.pt/2017/06/13/balcoes-de-inclusao-realizaram-perto-de-12-mil-atendimentos-num-ano/.](http://observador.pt/2017/06/13/balcoes-de-inclusao-realizaram-perto-de-12-mil-atendimentos-num-ano/) [↑](#footnote-ref-100)
100. Instituto Nacional de Estatística (2015) Rendimento e Condições de Vida, available at <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=223346238&DESTAQUESmodo=2>. [↑](#footnote-ref-101)
101. Instituto Nacional de Estatística (2016). Income and living conditions: <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=281091354&DESTAQUESmodo=2>. [↑](#footnote-ref-102)
102. Sousa, J. Casanova, J. Pedroso, P. Mota A. Gomes, A. Seiceira, F. Fabela, F. Alves, T. (2007) Mais qualidade de vida para as pessoas com deficiência e incapacidades em Portugal. Vila Nova de Gaia: Centro de Reabilitação de Gaia, available at <http://www.crpg.pt/estudosProjectos/Projectos/modelizacao/Documents/Mais_qualidade_de_vida.pdf>. [↑](#footnote-ref-103)
103. Ordinance 6401/2016: <https://dre.pt/web/guest/home/-/dre/74443131/details/2/maximized?serie=II&day=2016-05-16&date=2016-05-01&dreId=74443109>. [↑](#footnote-ref-104)
104. Ordinance 7433/2016: <https://dre.pt/web/guest/pesquisa/-/search/74616673/details/normal?_search_WAR_drefrontofficeportlet_print_preview=print-preview&q=Despacho+7433%2F2016>. [↑](#footnote-ref-105)
105. Social Integration Income: <http://www.seg-social.pt/rendimento-social-de-insercao>. [↑](#footnote-ref-106)
106. <http://www.seg-social.pt/complemento-solidario-para-idosos>. [↑](#footnote-ref-107)
107. Pinto, P. (coordenação) (2015). Parallel Report about the Monitoring of the Rights of Persons with Disabilities in Portugal, available at <http://oddh.iscsp.ulisboa.pt/index.php/pt/atividades/relatorio-paralelo/item/187-oddh-coordenou-%E2%80%98relat%C3%B3rio-paralelo%E2%80%99-sobre-a-conven%C3%A7%C3%A3o-dos-direitos-das-pessoas-com-defici%C3%AAncia-em-portugal>. [↑](#footnote-ref-108)
108. <https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-specific-recommendations-commission-recommendations_-_portugal.pdf>. [↑](#footnote-ref-109)
109. <http://oddh.iscsp.utl.pt/index.php/pt/mediateca/eventos/item/335-discuss%C3%A3o-p%C3%BAblica-decreto-lei-n%C2%BA-3-2008>. [↑](#footnote-ref-110)
110. [https://www.portugal2020.pt/Portal2020/monitorizacao](https://www.portugal2020.pt/Portal2020/monitorizacao%20) and <https://dre.pt/home/-/dre/105637672/details/maximized>. [↑](#footnote-ref-111)
111. Estratégia Orçamental 2014-2018 <http://www.igcp.pt/fotos/editor2/2014/Notas_aos_Investidores/30-04-2014_16_32_30_DEO2014.pdf>. [↑](#footnote-ref-112)
112. <https://www.portugal2020.pt/Portal2020/o-que-e-o-portugal2020>; <https://www.portugal2020.pt/Portal2020/Media/Default/Docs/COMUNICACAO/Portugal2020%2019%20Dez%2014.pdf>. [↑](#footnote-ref-113)
113. Youth Employment Initiative (YEI), Portugal Country Fiche, available through: <http://ec.europa.eu/social/main.jsp?catId=1176>; <http://ec.europa.eu/social/BlobServlet?docId=13480&langId=en>. [↑](#footnote-ref-114)
114. <https://cohesiondata.ec.europa.eu/countries/PT>. [↑](#footnote-ref-115)