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# European Semester 2022-2023 country fiche on disability equality

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## Portugal

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European Disability Expertise (EDE) provides independent scientific support to the Commission's policy Unit responsible for disability issues. It aims to mainstream disability equality in EU policy processes, including implementation of the United Nations Convention on the Rights of Persons with Disabilities.

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<sup>1</sup> For an introduction to the Semester process, see:  
<https://www.consilium.europa.eu/en/policies/european-semester/how-european-semester-works/>.

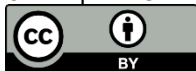
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## **1 Executive summary and recommendations**

### **1.1 Key points and main challenges for Portugal in 2022**

Portugal adopted its National Strategy for the Inclusion of Persons with Disabilities 2021-2025 in August 2021 (as part of the Recovery and Resilience Plan (RRP)). The strategy is an ambitious paper setting out goals across five axes. Ensuring the implementation of the strategy will be a key challenge for Portugal in 2022 and beyond.

#### **Disability and the labour market**

Portugal is still experiencing the consequences of the COVID-19 pandemic crisis. Unemployment of persons with disabilities increased by 30 % during 2020 compared to 2019. Despite the special measures adopted to promote employment for persons with disabilities, in December 2021 unemployment among persons with disabilities increased by 1.2 % over the previous year, and Portugal registered the highest number of unemployed persons with disabilities of the past eight years.

#### **Disability, social policies and healthcare**

Persons with disabilities in Portugal face a higher risk of poverty than other people but in 2020 this relative risk decreased and was at the lowest rate for the last eight years. Data released in 2022 shows an increasing rate of the risk of poverty in 2021 for all groups. Before social transfers, men with disabilities face a higher risk of poverty than women, but after social transfers women with disabilities make up the group at the highest risk. While these figures must be read with caution, as they mostly reflect pre-pandemic times, they may also be the outcome of the new and more generous social inclusion benefit. Other social policy reforms under way include a stronger commitment to a community-based approach (at least in theory). However, the Independent Living Scheme continues to be a pilot project, funded through the European Social Fund (ESF).

#### **Disability, education and skills**

The Directorate-General for Education Statistics (DGEEC) released the Inclusive Education Report for 2020-2021, the first for two years. Compared to 2017-2018, the number of students with support measures increased across all levels of compulsory education (12 years), except in upper secondary education. The number of hours that students with disabilities spend in regular classrooms also increased. All these are indicators of positive progress in inclusive education in Portugal. However, the number of girls with special support measures in compulsory education continues to be much lower than that of boys, which may indicate that not all girls with impairments are being adequately assessed and supported in school. The number of students registered in higher education institutions also increased by 7 %, but the number of graduates with special education needs decreased by 16.4 %, which may reflect the impact of the economic crisis and the lack of support for distance learning during the pandemic.

#### **Investment priorities for inclusion and accessibility**

Investment priorities are set in the Portugal 2030 Programme, mostly through the pillar of People First. The largest share of investments target employment and the network of social care provision (e.g. building new residential care facilities, which contradicts the community-based approach proposed). Other investment aims to improve accessibility in housing, public spaces, and buildings.

## 1.2 Recommendations for Portugal

These recommendations are based on the evidence and analysis presented in the following chapters of our report.

**Recommendation:** Enforce the implementation of the quota system for persons with disabilities in the public and private sectors, improve the monitoring of the quota system in the private sector, provide training and support to employers and define indicators to measure its progress, while continuing implementation of measures that promote and protect jobs.

**Rationale:** The quota system for persons with disabilities has been in place for the public sector since 2001, and the evolution of its implementation shows that only 2.62 % of public servants have a disability. The Government regulated for the quota system in the private sector in 2019. Still, the transition time for its full implementation is between four and five years, depending on the company's employees. In the meantime, the Government should provide guidelines and training for the companies and their human resources (HR) teams to adapt hiring processes and prepare other employees for creating healthy and inclusive environments for persons with disabilities. Furthermore, the monitoring of the quota systems should include indicators that identify new hires or jobs exclusively for persons with disabilities. In addition, it should enable the identification of adaptations and reasonable accommodations provided for employees that acquire a disability or an incapacity while working.

**Recommendation:** Make the Independent Living Scheme a sustainable social policy to enable all persons with disabilities to live independently.

**Rationale:** So far, the Independent Living Scheme has been provided as a pilot project. Although it has recently been extended, it is necessary to ensure its financial sustainability in the future and ensure that personal assistance is accessible to all.

**Recommendation:** The Government should ensure conditions for implementing the community-based approach as set out in new policies and reforms, including the new Strategy for the Inclusion of Persons with Disabilities 2021-2025.

**Rationale:** New policies and reforms, such as the mental health reform and the new social care service that replaced the old occupational activity centres with the new activities and social skills training centres, have a component of community-based support. However, it is unclear how the Government will support and promote the integration of persons with disabilities in their communities, especially when investment is targeted towards building new residential care facilities.

**Recommendation:** Implement and monitor the National Strategy for the Inclusion of Persons with Disabilities 2021-2025.

**Rationale:** Two years after being approved, the new strategy is only now being disseminated through a roadshow around the country. Although monitoring reports were set to be published every year, none is publicly available yet, although some extraordinary measures have been taken, mostly to protect jobs and promote employment.

## **2 Mainstreaming disability equality in the 2022 Semester documents**

### **2.1 Country Report (CR) and Country Specific Recommendation (CSR)**

The following key points highlight where a disability perspective was considered, or should be considered, in the CR/CSR. We address the most relevant of these in the next chapters.

Portugal's Country Report<sup>2</sup> states that Portugal has performed well in implementing the European Pillar of Social Rights. Among other things, it highlights that 'disability and gender employment gaps have narrowed', and that 'the at-risk-of-poverty rate (AROE) also decreased significantly and was below the EU average before the COVID-19 crisis' (p. 3). Nonetheless, it identifies that the social protection system is inefficient, and the coverage of social benefits weak. Although the report does not mention disability under this point, persons with disabilities are disproportionately represented among those at risk of poverty and social exclusion and their income is highly dependent on social benefits. The report further acknowledges that 'the complexity of the social protection system hinders its effectiveness and adequacy' (p. 12), namely, to reduce the risk of poverty among more vulnerable individuals and groups. Due to the high bureaucracy in checking eligibility and long waiting times, potential beneficiaries risk missing out on the benefits they are entitled to. Given that persons with disabilities are very dependent on social benefits to make ends meet, they are particularly impacted by this situation.

The report also analyses the implementation of the Recovery and Resilience Plan (RRP). Regarding disability, it mentions that the RRP included measures to combat poverty and 'for the inclusion of people with disabilities', which 'aim to improve social care facilities and the coverage of social services with a community-based approach' (p. 6). However, most of the funding available is for building residential care facilities and day care centres.

No direct references to disability were included in the Country Specific Recommendations. However, the CSR calls the Government's attention to the effects of Russia's invasion of Ukraine (p. 2). Mainly, it mentions how energy prices can negatively affect vulnerable households or those at risk of energy poverty. It also emphasises the Temporary Protection Directive for protecting displaced persons from Ukraine, giving them 'the right to legally stay in the EU, as well as access to education and training, labour market, healthcare, housing and social welfare' (p. 2). All of these are relevant from a disability perspective. Moreover, the document points out that the Recovery and Resilience Plan is 'ambitious', aiming to improve the population's overall skills (including digital skills) and including 'significant investments' to improve social care systems and relevant measures to 'reduce labour market segmentation', as well as to improve 'access to quality health and long-term care' (p. 8). Therefore, the European Commission recommends that Portugal proceed with the implementation of the Recovery and Resilience Plan while addressing the recommendations made in the previous periods (2019 and 2020 Semester cycles).

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<sup>2</sup> See: [https://commission.europa.eu/publications/2022-european-semester-country-reports\\_en](https://commission.europa.eu/publications/2022-european-semester-country-reports_en).



## 2.2 National Reform Programme (NRP) and Recovery and Resilience Plan (RRP)

The following key points highlight where the situation of people with disabilities or disability policies are relevant to the NRP/RRP. We analyse the most relevant of these in the next chapters.

Portugal has committed through the National Reform Programme to work on the People First Agenda addressing five strategic areas: demographic sustainability, promoting inclusion and fighting exclusion, improving the resilience of the health system, ensuring accessible and adequate housing and fighting inequalities and discrimination. All these areas are relevant for persons with disabilities.

The NRP includes the policies already mentioned in the RRP, including the National Strategy for the Inclusion of Persons with Disabilities 2021-2025, which aims ‘to ensure inclusive environments and equal opportunities for all people, focusing on the creation of conditions for independent living and non-institutionalisation, education, training and dignified and fair work and empowerment of people and contexts’. It also mentions the National Strategy to Combat Poverty approved in 2021, which establishes the framework for interventions addressed to specific groups, including persons at risk of exclusion. In March 2022, the Government launched a new programme – the *compromisso emprego sustentável* (sustainable employment commitment) – which offers increased support for employers hiring vulnerable groups, including persons with disabilities and it expects to design a new programme to support the employment of persons with disabilities until the end of the year. The proposal is aimed at ‘the adequacy, strengthening and revitalising of employability incentives of a contributory nature’. It will also include improving employment policy programmes and measures to support hiring, integration and entrepreneurship.

In addition, the National Reform Programme includes measures that are in place and are not part of the Recovery and Resilience Plan, such as the programme to fund the social services and equipment network (PARES 3.0 programme), which provides for the investment of EUR 228.5 million in social equipment for older persons and persons with disabilities, as well as the design of a new programme to support the employment of persons with disabilities. The proposal will include improving employment policy programmes and measures to support hiring, integration and entrepreneurship, as well as vocational rehabilitation.

The document also presents the measures implemented by the Government to respond to the Country Specific Recommendations made by the EU Council in 2019 and 2020. To reduce labour market segmentation, the Government implemented *Estágios Ativar.PT*, a measure that promotes labour market integration of, among others, persons with disabilities registered as unemployed in the Institute of Employment and Vocational Training, through internships in private organisations and companies. In addition, to address the recommendation related to improving the adequacy of the social protection network, the Government extended the social inclusion benefit (*prestação social para a inclusão*) to children and youth and modified the independent life support model (*Modelo de Apoio à Vida Independente, MAVI*) to support the transition of persons with disabilities who live in a residential setting to independent living projects through the provision of personal assistance. Portugal also

introduced legal provisions allowing the lowering of the retirement age of persons with 80 % or more incapacity, while maintaining the right to a full old-age pension. Although not mentioning children with disabilities specifically, the Government has also introduced expanded the network of free childcare facilities, notably through a new agreement with not-for profit childcare providers, a measure that will apply in the school year 2022/23 and is likely to benefit children with disabilities as well.

Some measures are still in the design phase, such as the entrepreneurship for persons with disabilities and their families programme, which seeks to promote self-employment. The Government is expected to present an inclusive entrepreneurship policy, but the document does not mention when.

In addition, as mentioned above, through the implementation of the Recovery and Resilience Plan, the Government plans to improve the social care facilities and services network for children, older persons and persons with disabilities and impairments by promoting a community-based approach, as well as improving the national long-term care network.

The RRP emphasises supporting independent living and the participation of persons with disabilities in social life, namely through programmes such as: *Accessibilidades 360º*, which seeks to reduce physical barriers for persons with disabilities to the built environment, especially in public buildings, spaces and residential facilities; *Plataforma Acesso+*, which aims to contribute to improving digital access to information regarding the location of accessible buildings, exterior spaces, and services; and a sign language call centre to support all public institutes in real time.

The RRP also features the National Strategy for the Inclusion of Persons with Disabilities as part of the RRP's component 3 (Social Care Provision). The strategy sets out: (1) Developing research on the social conditions of persons with disabilities; (2) Awareness raising about the rights of persons with disabilities; (3) Strengthening the conditions for the exercise of political rights; (4) Improving accessibility of the physical environment and communication systems; (5) Improving the inclusive education system and increasing the number of students with disabilities in higher education; (6) Adjusting the employment and vocational training system of persons with disabilities to the challenges of the digital transition; (7) Contributing to the design and implementation of a national plan for non-institutionalisation; (8) Improving and extending the Independent Living Support Model; and (9) Promoting inclusion through sports, culture and leisure activities.

The needs of persons with disabilities are further taken into account in the context of the Access to Housing Support Programme which proposes, among other things, to address the barriers that persons with disabilities face due to lack of accessibility in their homes, notably through the new local housing strategies that will be developed by each municipality.

Additionally, specific measures for combating poverty and social exclusion in the Azores region are included in the RRP. Actions regarding the technical requalification of the social care services and the integration of persons with disabilities in the labour market are part of these measures.

### **2.3 Semester links to CRPD and national disability action plans**

It is important that Semester plans align with national disability strategy. In Portugal, this refers to the National Strategy for the Inclusion of People with Disabilities 2021-2025.<sup>3</sup> National disability strategies were developed from 2011. Following consultation in 2020, the National Strategy for the Inclusion of Persons with Disabilities 2021-2025 was approved by a resolution of the Council of Ministers in August 2021. The strategy is structured around eight strategic axes. This national action plan is mentioned in the 2022 NRP and RRP.

Relevant recommendations arising from participation in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are highlighted in the following chapters. The last UN CRPD Committee recommendations to Portugal are from 2016, the most recent submission by Portugal was in 2015 and the most recent response from the Committee was the 2016 Concluding Observations.

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<sup>3</sup> Resolution of the Council of Ministers No. 119/2021, <https://files.dre.pt/1s/2021/08/16900/0000300071.pdf>.

### **3 Disability and the labour market – analysis of the situation and the effectiveness of policies**

In 2016, the UN CRPD Committee made the following recommendations to Portugal:

[Article 27 UN CRPD](#) addresses Work and Employment.

‘52. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its public- and private-sector labour legislation to bring it into line with the Convention and that it takes measures to enforce the law and apply the stipulated penalties for non-compliance. The Committee also recommends that it do away with segregated working environments, that it review the legislation regulating the Occupational Activity Centres from a human rights perspective to bring them into line with the Convention and that it steps up efforts to promote access to the regular labour market for persons with intellectual disabilities and autism. The State party should promote corporate social responsibility in connection with the employment of persons with disabilities. The Committee recommends that the State party consider the links between article 27 of the Convention and target 8.5 of the Sustainable Development Goals, with a view to achieving full and productive employment and decent work for all women and men, including for persons with disabilities, and equal pay for work of equal value.’

The most recent CRPD development is the 2016 Concluding Observations and the state’s submission in 2015.

#### **3.1 Summary of the labour market situation of persons with disabilities**

According to the Social Scoreboard indicator, cited in the Semester package, the disability employment gap in Portugal is considered among the ‘Best performers’.

Data from EU-SILC indicate an employment rate for persons with disabilities in Portugal of 58.7 % in 2020, compared to 76.9 % for other persons. This results in an estimated disability employment gap of approximately 18 percentage points (estimated EU27 average gap 24.5, see Tables 2-4) or an employment chances ratio of 0.8. Statistics subsequently published on the Eurostat database indicate a disability employment gap of 18.2 percentage points in 2020, using a slightly different methodology, and falling to 16.2 points in 2021.<sup>4</sup>

The employment gap for men with disabilities is significantly higher than that of women, with 21.1 % and 15.1 %, respectively. Moreover, the employment gap for women decreased by three percentage points between 2019 (18.1 %) and 2020 (15.1 %), while the gap for men decreased just by one percentage point in the same period. In Portugal, the employment gap between persons with severe disabilities and persons without disabilities is considerably lower (28.8 %; 36.4 % for men, and 22.1 % for women) than for the EU27 average (43 %; 47.8 % for men; and 38.2 % for women).

The same data indicate unemployment rates of 20.3 % for persons with disabilities in 2020, which is almost double the rate for the general population (11.8 %) (see Tables 5-7), while the economic activity rate for persons with disabilities in Portugal was

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<sup>4</sup> Eurostat, Disability employment gap by level of activity limitation and sex (source EU-SILC), 2022, [https://ec.europa.eu/eurostat/databrowser/view/hlth\\_dlm200/default/table](https://ec.europa.eu/eurostat/databrowser/view/hlth_dlm200/default/table).

73.5 %, compared to 87.3 % for non-disabled persons (see Tables 8-10). These indications are broken down by gender and age in the respective tables in the Annex.

However, the impact of the COVID-19 crisis on unemployment in 2020-2021 has lasted longer among persons with disabilities than among the general population. According to the Institute for Employment and Vocational Training (IEFP), in December 2020, the number of unemployed persons with disabilities registered at the IEFP had increased by 12 % compared to those registered at the end of 2019; in December 2021, this number rose again by 1 % in relation to the previous year, attaining the highest figure since 2009. In the general population, unemployment increased drastically during 2020 (+30 %) compared to 2019, but by December 2021 it had already reduced by 13 % and it continues to decrease (Table 11).

### 3.2 Analysis of labour market policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Portugal and the National Strategy for the Inclusion of Persons with Disabilities 2021-2025.

Through the National Reform Programme, the Portuguese Government is committed to reducing the population's social and economic gaps. It aims to promote social inclusion by intervening in the structural causes of exclusion and marginalisation, such as long-term unemployment and labour market inequalities. The NRP features the National Strategy for the Inclusion of Persons with Disabilities 2021-2025<sup>5</sup> to guarantee specific actions that promote inclusion in education, vocational training, and decent employment, among others. The strategy is composed of eight main pillars. Pillar 4 compiles objectives and actions addressed to work, employment, and vocational training. It aims to boost support systems for professional integration, create conditions for promoting the employability of persons with disabilities and develop entrepreneurial and self-employment models that favour persons with disabilities.

The National Reform Programme refers to further measures to address the socioeconomic challenges produced by the pandemic. Specifically, in terms of the employability of persons with disabilities, it states: 'In 2022, the Government expects to design a proposal for a programme to support the hiring and employability of people with disabilities. It aims to improve employability incentives of a contributory nature and policy programmes and measures. These actions will support hiring, integration, and entrepreneurship, including those related to vocational rehabilitation, to foster the stabilisation and integration of persons with disabilities in active life and the labour market'.

Consequently, the Government introduced a new measure, the sustainable employment commitment (*compromisso emprego sustentável*) as part of the Recovery and Resilience Plan. It is regulated by Ordinance 38/2022<sup>6</sup> and consists of an exceptional and transitional measure that seeks to promote open-ended contracts for unemployed persons registered in the Institute for Employment and Vocational

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<sup>5</sup> See: <https://www.inr.pt/documents/11309/284924/ENIPD.pdf>.

<sup>6</sup> Ordinance 38/2022, of 17 January, available at: <https://files.dre.pt/1s/2022/01/01100/0000900018.pdf>.

Training, specifically, persons with disabilities and young people (Article 2). The financial support set out in this Ordinance determines the obligation to maintain the supported employment contract and the employment level achieved through the financial support for at least 24 months. The employment level means that the number of workers is equal to or greater than the average number of workers registered in the previous 12 months and is to be verified every six months until the end of the 24 months.

Under Ordinance 38/2022, the employer is entitled to financial support corresponding to half of the value of the social security contribution it must pay, concerning employment contracts with persons with disabilities (and other disadvantaged groups), during the first year of their duration. This financial support is calculated considering the base wage established in the contracts to be supported. In no case can this support be higher than 7 times the social support index (IAS) (EUR 3 102.4).

In addition, the Government implemented measures to promote the employment of persons with disabilities during the pandemic. Some of these have been included in previous reports but they are still in place due to a modification of their regulation, namely Ordinance 122-A/2021 of 14 June, which extended until December 2021 the deadline for applying to the measure *Estágios ATIVAR.PT*<sup>7</sup> (Internships ACTIVATE.PT), and Ordinance 207/2020 of 27 August<sup>8</sup> regulating the measure *Incentivo ATIVAR.PT* (Incentive ACTIVATE.PT).

*Estágios ATIVAR. PT* aims to support the integration of young people in the labour market or the professional training of long-term unemployed people. These internships target all age groups including young people (until 30 years of age), long-term unemployed (above 31 years) and people over 45 years of age. Persons with disabilities are explicitly identified as beneficiaries of this measure (Article 3). The duration of the internship is 9 months for the general population and 12 months for specific groups, including persons with disabilities (Article 8). Interns are entitled to a monthly individual grant (that also covers insurance and food subsidy) and a transportation subsidy (in the case of persons with disabilities) (Articles 11 and 12). If employers provide the intern with a permanent employment contract within a maximum period of 20 working days from the end date of the internship, they are entitled to an award (*Prémio ao Emprego*), the amount of which varies and can reach up to 5 x IAS<sup>9</sup> (EUR 2 216), increasing by 20 % if the contract is signed in an inland territory, and up to 30 % if the contract is signed to promote gender equality, according to Ministerial Order 84/2015.<sup>10</sup> *Incentivo ATIVAR.PT* consists of granting financial support to employers that conclude contracts with people who are registered as unemployed in the IEFP, according to specific criteria: being unemployed for at least six consecutive months (and, by 30 June 2021, three consecutive months); being unemployed for at least 2 consecutive months, if the person is up to 29 years old or over 45 years old. However, regardless of the duration of unemployment, persons with disabilities are explicitly identified as beneficiaries of this measure (Article 6). The

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<sup>7</sup> Established by Ordinance 206/2020 of 27 August, <https://data.dre.pt/eli/port/206/2020/08/27/p/dre>.

<sup>8</sup> See: <https://data.dre.pt/eli/port/207/2020/08/27/p/dre>.

<sup>9</sup> The value of the social support index (IAS) in 2022 was EUR 443.20:

<https://dre.pt/dre/detalhe/portaria/294-2021-17578003>.

<sup>10</sup> See: <https://dre.pt/dre/detalhe/portaria/84-2015-66818377>.



measure covers employment contracts without a term or, in specific cases such as persons with disabilities, short-term contracts, provided they have an initial duration of 12 months or more (Article 7). If an open-ended contract is offered, the financial support given to the employer is 12 x IAS (EUR 5 318.4). If it is a short-term contract, the financial support is 4 x IAS (EUR 1 772.8). If hiring a person with a disability, the amount of the support is increased by 10 % (Article 11). In the event of conversion from a short-term contract into a permanent contract, the employer is granted a conversion award, the amount of which varies and can reach up to 5 x IAS (EUR 2 216) (Article 12).

Another measure that seeks to protect employment and avoid job insecurity is *CONVERTE+*, regulated by Ordinance 323/2019,<sup>11</sup> of 19 September. It consists of a transitory financial support for employers who decide to turn fixed-term contracts into open-ended contracts. To receive the benefit the contract must be maintained for at least 24 months after modifying its term. The employer is entitled to four times the monthly salary determined by the contract. This value cannot be higher than 7 x IAS (EUR 3 102.4) but can increase up to 10 % if, among other things, the hiring involves a person with disabilities.

In the same vein, the Government approved the *EstágiAP XXI* programme through Ordinance 115/2021<sup>12</sup> of 28 May. The programme consists of traineeships in the public administration. Although the measure is not exclusively for persons with disabilities, they get priority if they are 35 years or younger.

While developing these new measures the Government has failed to enforce existing ones. For instance, although employment quotas for persons with disabilities within the public and private sector have been regulated since 2001 in Portugal (Decree-Law 29/2001) and 2019 (Law 4/2019),<sup>13</sup> respectively, the Observatory of Disability and Human Rights noted in its latest report of 2021 that the quota schemes for both the public and the private sectors have not yet produced a significant impact on the employment of persons with disabilities: in the public sector, employees with disabilities make up only 2.62 % of the total number of public servants in 2020 and in the private sector they are just 0.58 % of the total number of employees in companies with 10 or more workers in 2019, the only group for which there is data available.

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<sup>11</sup> Ordinance 323/2019, [https://portugal2020.pt/wp-content/uploads/portaria323\\_2019-1.pdf](https://portugal2020.pt/wp-content/uploads/portaria323_2019-1.pdf).

<sup>12</sup> Ordinance 115/2021, <https://dre.pt/dre/detalhe/portaria/115-2021-164234021>.

<sup>13</sup> Law 4/2019, <https://files.dre.pt/1s/2019/01/00700/0008900090.pdf>.

#### **4 Disability, social policies and healthcare – analysis of the situation and the effectiveness of policies**

In 2016, the UN CRPD Committee made the following recommendations to Portugal:

[Article 28 UN CRPD](#) addresses Adequate standard of living and social protection.

‘54. The Committee recommends that the State party, in cooperation with organizations representing persons with disabilities, take the following measures:

- (a) Urgently review austerity measures to prevent further negative and regressive effects on the standard of living and social protection of persons with disabilities by taking steps that enable them to be included in the community;
- (b) Provide support services for living independently and residential homes respectful of the rights of persons with disabilities, their wishes and preferences, in addition to providing cash subsidies to make it possible for unemployed persons with disabilities and without family support to have a decent standard of living;
- (c) Step up efforts, in line with the human rights approach of the Convention, to strengthen the right to a decent standard of living and the social protection of persons with disabilities who are living in poverty and extreme poverty, allocating funds sufficient for that purpose;
- (d) Consider the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals in order to empower and promote the social, economic and political inclusion of all, irrespective of their disability.’

[Article 19 UN CRPD](#) addresses Living independently in the community.

‘39. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, adopt a national strategy for living independently, including increased investment to facilitate living independently in the community rather than in institutions, that it regulate personal assistance and that it increase the availability of sign language interpreters and fingerspelling systems in public services. It also urges the State party to establish support services in the community for persons with intellectual or psychosocial disabilities.’

[Article 25 UN CRPD](#) addresses Health.

‘50. The Committee recommends that the State party take all necessary measures to ensure that persons with disabilities have unrestricted access to healthcare, including sexual and reproductive healthcare, by explicitly prohibiting discrimination on grounds of disability in its legislation, ensuring the universal accessibility of its programmes and services in both urban and rural areas and providing health professionals with adequate training. The primary prevention of disability should also be excluded from health programmes.’

The most recent CRPD development is the 2016 Concluding Observations and the state’s submission in 2015.



#### 4.1 Summary of the social situation of persons with disabilities

Data from EU-SILC indicate the poverty risk rate for working age persons with disabilities in Portugal was 20.9 % in 2020 (-3.2 % from 2018), compared to 13.5 % (-1.1 % from 2018) for other persons of similar age – an estimated disability poverty gap of approximately 7 percentage points (-3 percentage points than in 2018) (see Table 14). For people aged over 65, the disability poverty gap was 5.7 points (19.6 % for older persons with disabilities and 13.9 % for other persons of similar age). The tables in the Annex also indicate the respective rates of risk of poverty or social exclusion and break these down by gender as well as age. Recently updated data from Eurostat indicates the relative risk for the working age disabled population rose to 23.5 % and for the older age group to 22.4 % in 2021.<sup>14</sup>

In Portugal in 2020, 20.2 % of men with disabilities (aged 16-64) while 21.4 % of women with disabilities at the same age were at risk of poverty, compared to 13.6 % and 13.5 % of men and women without disabilities, respectively. Portugal is one point under the European average (20.9 % vs 21.9 %) for the first time. In previous years, Portugal has always been over the European average: in 2019, by +2.2 points, and in 2018 by +0.4 points. It is also significant that in 2020 the risk of poverty for men with disabilities was 7 percentage points lower than in 2019, and for women with disabilities was 1.8 percentage points below that of 2019. Moreover, in 2020, both groups registered the lowest risk of the past eight years. However, data from Eurostat released in 2022, shows an increasing risk of poverty for men and women with disabilities (aged 16-64) in 2021: 23.9 % for men (3.7 percentage points higher than in 2020) and 23.3 % for women (2.8 percentage points higher than in 2020). For the same age group the risk also increased for women and men without disabilities by 1.7 percentage points and 1.4 percentage points respectively.

For persons with disabilities of working age in Portugal (aged 16-64), the risk of poverty before social transfers was 44.6 % (4 percentage points below the EU average) and 20.9 % after transfers (1 percentage point below the EU average) in 2020. Before social transfers, 45.6 % of men with disabilities are at risk of poverty, and 43.8 % of women with disabilities. After social transfers, however, women with disabilities are at higher risk of poverty (21.4 %) than men with disabilities (20.2 %). In general, persons with disabilities have faced a higher risk of poverty after social transfers than those without disabilities throughout this period, although for the general population without disabilities (aged 16-64), this rate was just 0.9 percentage points lower than the previous year. For persons with disabilities, the rate decreased by 3.8 percentage points between 2019 and 2020. Nonetheless, for 2021 Eurostat registered an increasing percentage of persons with disabilities at risk of poverty after social transfers (23.5 %, +2.6 percentage points from 2020). The low level of benefits they receive explains the overall risks of poverty they face since many households of persons with disabilities are highly dependent on social benefits as their only source of income.

The in-work poverty rate for persons with disabilities (aged 18-64) was 11.4 % (men, 12.6 % and women 10.6 %). Nonetheless, persons with severe activity limitations are

<sup>14</sup> Eurostat, People at risk of poverty by level of activity limitation, sex and age, 2022, [https://ec.europa.eu/eurostat/web/products-datasets/-/hlth\\_dpe020](https://ec.europa.eu/eurostat/web/products-datasets/-/hlth_dpe020).

at higher risk (14.3 %) than persons with some activity limitations (10.8 %), and the risk of poverty is higher for women with severe disabilities than for any other group (15.6 %, compared to 12.5 % and 12.7 % of men with severe and some activity limitations, respectively; and 9.5 % of women with some activity limitations). Although Portugal is 1.3 points above the EU average, the in-work poverty rate decreased by 4.1 percentage points compared to 2019 (15.5 %). This is the lowest rate reported in the last eight years.

The housing cost overburden rate for persons with disabilities (+16) was 3.7 % for 2020, (-1.9 % than in 2019), and it was 5.4 % lower than the EU average. In this group, persons with severe activity limitations reported the highest rate, (4.0 %). However, 4.9 % of persons with disabilities aged 16-64 faced cost overburden (5 % of women and 4.7 % of men). Compared to 2019, the rate decreased by 3 percentage points, but the most significant change is regarding women with severe disabilities, who registered five percentage points less than in the previous year. As in the group of persons aged 16+, persons with severe activity limitations are more affected (5.7 %), but in terms of gender, men faced more difficulties in covering housing costs than women (6.8 % and 4.7 %, respectively). For persons without disabilities (aged 16-64), the registered rate was 4.1 % for 2020.

Regarding all these figures, a note of caution should be made – these data mostly reflect pre-pandemic or early pandemic times. As we know that persons with disabilities were amongst the most severely hit groups from the economic and social crisis that followed the COVID-19 pandemic, as other research points out (see Persons with disabilities in Portugal, Human Rights Indicators 2021),<sup>15</sup> it is expected that these indicators will soon deteriorate.

Of interest to health policy too are the data on self-reported unmet needs for medical examination (too expensive, too far to travel or waiting list). Disability equality gaps are evident here too: the rate for persons with disabilities in Portugal was 3.1 %, compared to 0.8 % for other persons. The rate is the lowest reported in the last eight years for persons with disabilities.

## **4.2 Analysis of social policies relevant to the Semester**

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Portugal and the National Strategy for the Inclusion of People with Disabilities 2021-2025.

The National Reform Programme introduced five strategic areas of intervention, one of which focuses on promoting inclusion and combating exclusion and explicitly mentioned measures addressed to persons with disabilities. This area includes promoting employment and employability, and fighting poverty and exclusion as the main aims of the intervention. Nonetheless, the other four strategic areas are also relevant to persons with disabilities. These are: access to housing, fighting

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<sup>15</sup> See: Disability and Human Rights Observatory (ODDH), 2021, 'Persons with disabilities in Portugal, Human Rights Indicators 2021', <http://oddh.iscsp.ulisboa.pt/index.php/en/2013-04-24-13-36-12/publications-of-oddh-researchers/item/561-report-oddh-2021>.

discrimination and inequality, the resilience of the health system, and demographic sustainability, which focuses on the impact of a growing ageing population.

The NRP mentioned extra measures taken by the Government during the pandemic, such as the PARES 3.0 programme (a programme to expand the social care facilities network 3.0),<sup>16</sup> which involves plans to invest EUR 228.5 million in social facilities for older persons and persons with disabilities to promote their autonomy and independent living. However, according to the NRP paper, 75 of the 365 projects that have been approved and financed by this programme are residential facilities for persons with disabilities (which goes against facilitating living independently in the community, as the CRPD Committee recommended).

At the same time, Decree-Law 129/2017 of 9 November, which regulates support for the Independent Living Scheme, MAVI (*Modelo de Apoio à Vida Independente*, since 2017)<sup>17</sup> was modified through Ordinance 56/2022<sup>18</sup> of 27 January and Ordinance 88/2022<sup>19</sup> of 7 February, extending the lifetime of the pilot projects from 42 to 55 months and improving financial support to the independent living support centres (*Centros de Apoio à Vida Independente*, CAVI). The modification of Decree-Law 129/2017 will guarantee the scheme's implementation during the programming time of the Programme Portugal 2030, and thus the continuity of the pilot projects in place. The most recent report<sup>20</sup> of the MAVI implementation, corresponding to June 2022, stated that 1 023 persons with disabilities were being supported (531 women and 492 men) by the 35 projects in place throughout the country. The report mentioned that after modifying the regulation, the number of active individualised personal assistance plans (*planos individualizados de atendimento pessoal*, PIAPs) had increased each month. Compared to May 2021, the number of PIAPs has risen by 12 %, which is aligned with the recommendations of the UN CRPD Committee. In 2019, the Government introduced changes in the MAVI (through Decree-Law 27/2019<sup>21</sup> of 14 February) by adjusting the eligibility criteria and allowing persons who live in residential facilities to apply for assistance during the transition (up to six months) to move to an independent living setting. Nevertheless, the number of persons supported until now by the pilot projects remains residual.

Also in response to the UN CRPD Committee recommendations, the Government introduced changes to the regulation of the occupational vocational centres (CAOs) which turned into activities and skills for inclusion centres (CACI), through Ordinance 20/2021<sup>22</sup> of 26 March. This change is expected to introduce a more communitarian approach that enables persons with disabilities to have a closer relationship with their social environments and resources. In addition, the Government also regulated the establishment, organisation, and functioning of the autonomous and inclusive residential social provision. This facility replaced the previous autonomous residential setting through Ordinance 77/2022<sup>23</sup> of 3 February. It seeks to improve the social

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<sup>16</sup> PARES 3.0 <https://files.dre.pt/1s/2020/08/16101/0000200022.pdf>.

<sup>17</sup> MAVI <https://dre.pt/dre/detalhe/decreto-lei/129-2017-108265124>.

<sup>18</sup> Ordinance 56/2022 <https://dre.pt/dre/detalhe/portaria/56-2022-178264014>.

<sup>19</sup> Ordinance 88/2022 <https://dre.pt/dre/detalhe/portaria/88-2022-178714899>.

<sup>20</sup> See: [https://www.inr.pt/noticias/-/journal\\_content/56/11309/755815](https://www.inr.pt/noticias/-/journal_content/56/11309/755815).

<sup>21</sup> Decree-Law 27/2019 <https://dre.pt/dre/detalhe/decreto-lei/27-2019-119556793>.

<sup>22</sup> Ordinance 70/2022 <https://dre.pt/dre/detalhe/portaria/70-2021-160316760>.

<sup>23</sup> Ordinance 77/2022 <https://dre.pt/dre/detalhe/portaria/77-2022-178602021>.

conditions with a communitarian focus that facilitates persons with disabilities to live independently by providing dwellings and permanent or temporary residential care support.

According to the annual report of the Equipment and Service Network, *Carta Social*, in 2020<sup>24</sup> residential facilities and the activities and skills for inclusion centres represented 70 % of the social provision for adults with disabilities. The remnant – centres for assistance, support, and social rehabilitation for persons with disabilities and incapacity, autonomous residential settings, homecare support, and adapted transportation – make up the remaining 30 %. Consequently, the number of users is also higher for those two social care facilities: by the end of 2021, the CACIs had 14 752 users and a capacity of 16 109 (with an occupation rate of 91.6 %), and residential facilities had 6 611 users and a capacity of 6 999 (with an occupation rate of 94.5 %). In 2021, autonomous residential settings and homecare support users were just 390 and 758, with occupation rates of these social care services of 93 % and 69 %, respectively.

As part of National Reform Programme, the Government also approved the mental health reform at the end of 2021, regulated by Decree-Law 113/2021<sup>25</sup> of 14 December. Through this reform, the Government seeks to organise the services and functions of the mental health system, promoting community-based services and deinstitutionalising persons with psychosocial disabilities. In addition, the reform focuses on local services to support the reintegration of persons admitted to mental hospitals into their communities, including rehabilitation programmes and supporting measures for the transition.

The social inclusion benefit<sup>26</sup> (*prestação social para a inclusão*, PSI), first introduced in 2017, is still one of the most relevant policies for persons with disabilities. The number of its beneficiaries has increased every year since its introduction. In 2021, it reached 123 623 beneficiaries, +7.13 % compared to 2020 (Table 17). In September 2019, the benefit was extended to children and youth, starting from birth, and its increase can be seen as a consequence of that amendment. In 2021, the benefit also started to cover persons whose impairment is a consequence of an in-work accident when in duties related to protection and relief missions and it provides for the accumulation of other social benefits such as the informal caregiver subsidy and the payment for institutions that provide services for persons with disabilities (Decree-Law 11/2021).<sup>27</sup>

This, in addition with other financial measures in place for persons with disabilities and their families may explain the decrease of the risk of poverty reported by the EU-SILC.

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<sup>24</sup> Carta Social, Report 2020, <https://www.cartasocial.pt/documents/10182/13834/csocal2020.pdf/54b90a92-0a88-4d78-b99a-c53b7061fd0e>.

<sup>25</sup> See: <https://dre.pt/dre/detalhe/decreto-lei/113-2021-175865938>.

<sup>26</sup> See: [https://www.seg-social.pt/estatisticas-detalhe/-/asset\\_publisher/GzVlhCL9jqf9/content/prestacao-social-para-a-inclu-10](https://www.seg-social.pt/estatisticas-detalhe/-/asset_publisher/GzVlhCL9jqf9/content/prestacao-social-para-a-inclu-10).

<sup>27</sup> Decree-Law 11/2021 <https://dre.pt/dre/detalhe/decreto-lei/11-2021-156720777>.

In addition, Law 5/2022<sup>28</sup> of 7 January provides that the sustainability factor does not apply to the calculation of the pension awarded, nor is any penalty imposed for anticipating the normal retirement age for people with an incapacity level equal to or higher than 80 %. This legal provision may have an impact on the socioeconomic level of persons with severe activity limitations in the future.

The most significant change introduced by the Government was the approval of the National Strategy for the Inclusion of Persons with Disabilities 2021-2025, which the Government announced in the National Reform Programme, following a CRPD Committee recommendation. Some of the measures recently adopted and described before were set out in the strategy (e.g. the reform of the CAOs and the expansion of MAVI, to name a few). A monitoring report, indicating the progress on implementation, was supposed to be published annually, but so far no report has been made publicly available. It was not until June and July 2022 that the National Institute for Rehabilitation did a roadshow throughout the country to present the strategy to public servants of local administrations, NGO professionals, and other interested stakeholders. Since it has been already two years since the adoption of the strategy, and the implementation period runs from 2021 to 2025, there might be a risk of missing its full implementation in the remaining time, which would negatively affect the situation of persons with disabilities in Portugal.

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<sup>28</sup> Law 5/2022 <https://dre.pt/dre/detalhe/lei/5-2022-177309290>.



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

In 2016, the UN CRPD Committee made the following recommendations to Portugal:

[Article 24 UN CRPD](#) addresses Education.

‘45. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its legislation on education to bring it into line with the Convention and take measures to provide additional resources and materials to facilitate access to and enjoyment of inclusive education of high quality for all students with disabilities, providing public schools with the resources they need to ensure the inclusion of all students with disabilities in ordinary classrooms.

46. The Committee recommends that the State party consider the relationship between article 24 of the Convention and targets 4.5 and 4.a of the Sustainable Development Goals to ensure equal access to all levels of education and vocational training, as well as to build and upgrade education facilities to make them disability-sensitive and safe.

48. The Committee recommends that the State party introduce in its legislation regulations on the access of students with disabilities to higher education and vocational training on an equal basis with other students, while providing reasonable accommodation and the required support services.’

The most recent CRPD development is the 2016 Concluding Observations and the state’s submission in 2015.

### 5.1 Summary of the educational situation of persons with disabilities

The EU-SILC 2020 estimates concerning educational attainment should be treated with caution due to relatively wide confidence intervals, but they consistently indicate disability equality gaps (an average of 2-3 years provides a more stable indication). Table 18 indicates early school leaving rates disaggregated by disability status in Portugal. Youths with disabilities (aged 18-24) tend to leave school early significantly more than non-disabled peers of the same age groups (and this is reinforced by widening the sample size to age 18-29). Table 19 shows the completion rate of tertiary education disaggregated by disability and age group. Persons with disabilities (age 30-34) are less likely to complete tertiary education than their peers (and this is reinforced in the wider age range 30-39).

In general terms, Portugal started promoting the integration of children with disabilities in mainstream schools as early as the 1990s with Decree-Law 319/91, but it was Decree-Law 3/2008<sup>29</sup> of 7 January 2008 that promoted the closure of special education schools and, more recently, in 2018, Decree-Law 54/2018 of 6 June, which regulated the legal system for inclusive education, that the country made more decisive steps towards the creation of inclusive education.

However, in June 2022, the Directorate-General for Education Statistics (DGEEC) released the first Inclusive Education Report,<sup>30</sup> regarding the school year 2020/21. Compared to school year 2017/18, the number of students with support measures

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<sup>29</sup> Decree-Law 3/2008 <https://dre.pt/dre/detalhe/decreto-lei/3-2008-386871>.

<sup>30</sup> Inclusive Education <https://www.dgeec.mec.pt/np4/527/>.

increased across all levels of compulsory education (12 years), except in upper secondary education (grades 10, 11 and 12), which decreased by 35.79 % (in 2017-2018, n = 17 384 students; in 2020-2021, n = 11 162)). The greatest increase occurred in preschool education, which in the academic year 2020-2021 increased by 41 % (n = 3 474) compared to 2017-2018 (n = 2 048). Students in elementary school (*ensino básico*) increased by 11 % compared to 2017-2018 (from n = 56 596 to n = 63 632) (Table 20).

In terms of the proportion of students benefitting from special support measures over the total school population, the report identifies that in preschool education, they are just 2.7 % of registered students. The highest percentage of students with support measures are registered in elementary education (8.29 %), a proportion that drops to 3.96 % in secondary education (Table 21). In total, just 6.6 % of the students benefit from special support measures in compulsory public schools.

The comparison of the 2017-2018 and 2020-2021 data shows that the number of female and male students with special support measures in compulsory education has not varied much. As before, the percentage of girls is significantly lower than that of boys: in 2017-2018, 38 % vs 62 %, and 2020-2021, 37 % vs 62 % (Table 22). Since the enrolment of boys and girls in compulsory education was 51.9 % (boys) and 49 % (girls) for 2020-2021, this may indicate that not all girls with impairments are being adequately assessed in school.

The report points out that students with an individual educational programme (*programa educativo individual*, PEI) now spend more time with their classmates weekly than they did in 2017-2018: in 2017-2018, close to one third of students with PEIs spent less than 20 % of the time in their classroom with classmates, and just 11 % of pupils with PEIs stayed with their classmates more than 80 % of the time each week. In 2020-2021, almost 25 % of the students with PEIs stayed with their classmates more than 80 % of the time, and another 22 % spent between 60 % and 79 % of the time in the classroom. Furthermore, although almost 21 % still spent less than 20 % of their time in the classroom, the number of PEIs providing less time with students' classmates decreased by 10 % (Table 23).

In August 2022 the DGEEC released the findings of the Survey on Special Educational Needs in Higher Education Institutions 2021-2022.<sup>31</sup> The report identifies a slight increase in the number of students with special education needs registered during this period compared to previous years. In 2019-2020, 2 311 students were registered in higher education institutions; in 2020-2021, 2 582 (+10%); and in 2021-2022, 2 779 (+7%) (Table 24). The number of students with special education needs in public higher education institutions decreased between 2021-2022 and 2020-2021 by 1.5 %. However, the numbers correspond to 87.6 % of registered students in public institutions, and just 12.3 % of them are registered in private institutes (Table 25). In 2020/21, 528 students with special education needs graduated, which indicates a decrease of 16.4 % in the number of graduating students in relation to the previous year.

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<sup>31</sup> Survey on Special Educational Needs in Higher Education Establishments 2021-2022, <https://www.dgeec.mec.pt/np4/428/>.

In addition, the survey identified 323 students (7.6 % more than in 2020-2021) that were registered in the 2020/21 academic year but not in the following year (2021/22): 63 % of these dropouts were bachelor's degree students, 15 % were studying for a master's, 11 % attended higher professional technical courses and 10 % were pursuing integrated master's, while 1 % attended doctoral programmes (Table 26).

In relation to higher education institutions (HEIs), 70 % had fully accessible facilities for persons with reduced mobility, 28 % were partially accessible and 2 % were not accessible, according to the summary published<sup>32</sup> by the DGEEC. Furthermore, 71 % of them have specific regulation for students with special educational needs, and 63 % of them provide support services for students with special education needs.

## 5.2 Analysis of education policies relevant to the Semester

For reference, see the 2022 National Reform Programme, the Recovery and Resilience Plan for Portugal and the National Strategy for the Inclusion of People with Disabilities 2021-2025.

During this period, the Government did not approve or discuss any new regulations regarding education, apart from the National Strategy for the Inclusion of Persons with Disabilities 2021-2025. The third pillar of the strategy approved in August 2021 concerns education and qualification. It recognises that inclusive education is a condition for the full enjoyment of rights and citizenship. Hence, the strategy has two main objectives to strengthen the current education system: (1) to boost learning support mechanisms (which mainly refers to early intervention and identification of special education needs); and (2) to promote higher education for persons with disabilities.

To promote higher education for persons with disabilities, the Government has established a special quota for students with an incapacity level equal or above 60 %. The quota has been in place since the 1990s, but in the school year 2020/21<sup>33</sup> the quota was improved and set at 4 % in the first phase of application and 2 % in the second phase. Although many students with disabilities in higher education do not use the quota when applying, this is generally considered a good practice.

Since the National Budget Law for 2020, the Government has also adopted a scholarship programme for students with disabilities in HEIs. The grant fully covers the tuition fee that the students have to pay and is provided to all students with an incapacity level of 60 % or above attending higher education institutions (whether at bachelor's, master's or doctoral levels). In the school year 2020/21, just over 1 000 students benefitted from this scholarship, a number that remains low, but is nevertheless almost double the number of scholarships granted in the school year 2017/18 (532).<sup>34</sup>

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<sup>32</sup> DGEEC, Survey on Special Educational Needs in Higher Education Establishments 2021-2022. Main results:

[https://www.dgeec.mec.pt/np4/428/%7B\\$clientServletPath%7D/?newsId=998&fileName=DGEEC\\_DSEE\\_DEES\\_2022\\_NEE\\_Superior\\_2021\\_2.pdf](https://www.dgeec.mec.pt/np4/428/%7B$clientServletPath%7D/?newsId=998&fileName=DGEEC_DSEE_DEES_2022_NEE_Superior_2021_2.pdf).

<sup>33</sup> See: <https://www.dges.gov.pt/en/node/638>.

<sup>34</sup> See: <https://www.dges.gov.pt/pt/pagina/bolsas-de-estudo-para-frequencia-de-estudantes-com-incapacidade>.



In March 2022, the OECD published the report *Review of Inclusive Education in Portugal*.<sup>35</sup> The report recognises Portugal's legal provisions regarding inclusive education as among the most complete and progressive of OECD countries. However, the review team recommended broadening the term 'inclusive education' to include social groups such as immigrants and ethnic minorities (whereas inclusive education in Portugal is a concept mainly applied to talk about students with disabilities). The document also highlights some challenges for the education system in terms of decentralisation and governance. Although the process of decentralisation has been in place since the 1980s, schools and their staff are still highly dependent on centralised decisions. As a result, there is a 'lack of clarity and coherence regarding the responsibilities for and the management of inclusion strategies in education between different levels of governance'. This, added to the lack of monitoring systems, creates inequalities among schools and municipalities, 'not only in terms of autonomy and responsibilities, but also in terms of funding'. The team further stressed the need for more resources at the local level to respond to the demands of the students as well as more training for teachers and school staff. Lastly, the report suggests implementing better evaluation and intervention strategies to follow up on resources and the legal changes implemented.

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<sup>35</sup> OECD, 2022, *Review of the Inclusive Education in Portugal*, <https://www.oecd-ilibrary.org/sites/a9c95902-en/index.html?itemId=/content/publication/a9c95902-en>.

## 6 Investment priorities in relation to disability

According to the partnership agreement between Portugal and the European Commission 2021-2027, the Portugal 2030 Programme,<sup>36</sup> the investment plan for the period consists of a total amount of EUR 23 million. Funding from the European Social Fund (ESF) will allocate 32 % of the investment in the social inclusion support pillar of the main plan for the seven-year period, 3 % for supporting vulnerable and poor persons for the first two years, and 15 % for supporting the employment of young persons. The total funds from the ESF are EUR 7 497.

The programme explicitly mentions that persons with disabilities, along with immigrants, ethnic minority groups, women, young people, and persons with low qualifications are at a higher risk of unemployment, and justify the investment in their education, qualification, and requalification. This investment should respond to Strategic Objective 4 of the European Union ‘A more social and inclusive Europe through the implementation of the European Pillar of Social Rights’. The programme recognises the importance of the investment for the implementation of the National Strategy for the Inclusion of Persons with Disabilities.

In addition, the document refers to the investments regarding infrastructures, supported by the Cohesion Policy Fund:

‘For investments supported by the Cohesion Policy Funds, the national authorities, including the designated authorities, undertake to respect, in the selection and implementation of operations, the horizontal principles related to the Charter of Fundamental Rights of the European Union and the principles of gender equality and non-discrimination and accessibility for persons with disabilities(...) Throughout the implementation of the Programmes, conditions will be ensured to guarantee equal access to all infrastructure, services and goods for persons with disabilities’.

On the other hand, the Recovery and Resilience Plan determined a series of actions that seek to improve the quality of life of persons with disabilities and other persons at risk of poverty and exclusion. Within its strategic area of ‘Resilience’, addressed to social and health affairs, the plan explicitly mentions persons with disabilities in the following main objectives: (1) Boosting the National Health Service (total investment: EUR 1 384 million; investments addressed to persons with disabilities: EUR 88 million for the mental health reform); (2) Redefining the housing policy and responding to temporary and permanent poverty (total investment: EUR 2 733 million; investments addressed to persons with disabilities: EUR 1 211 million for the Support Access to Housing Programme); (3) Reinforcing, requalifying and innovating the social care responses aimed at children, the elderly, persons with disabilities and families (total investment: EUR 833 million; investments addressed to persons with disabilities: EUR 500 million). The intervention area of ‘Qualifications’ does not mention persons with disabilities. However, the Government has included them as a beneficiary of the sustainable employment commitment (*compromiso de emprego sustentável*), mentioned in Section 3. The investment for that programme is EUR 230 million.

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<sup>36</sup> Portugal 2030: [https://portugal2030.pt/wp-content/uploads/2022/07/sfc2021-PA-2021PT16FFPA001-2.0\\_vf.pdf](https://portugal2030.pt/wp-content/uploads/2022/07/sfc2021-PA-2021PT16FFPA001-2.0_vf.pdf).

The objective that covers more intervention areas targeting persons with disabilities is ‘Reinforcing, requalifying and innovating the social care responses aimed at children, the elderly, persons with disabilities and families’. It considers investments for the following areas:

- Improving social care responses and facilities by requalifying existing ones, expanding the social care provision and facilities network, developing new services for homecare support, creating teams for local support through the pilot project *Radar Social*, and purchasing vehicles for the transport of social care service users (EUR 417 million);
- *Acessibilidade 360°*. Intervening in public buildings, spaces and dwellings to improve physical accessibility for persons with disabilities and incapacity. (EUR 45 million);
- Implementing the Regional Strategy for Combating Poverty and Social Exclusion, which mentions the promotion of employment for persons with disabilities and the technical requalification of the social care provision addressed to them (EUR 35 million);
- *Plataforma+ Acesso*. It seeks to compile information and tools that help persons with disabilities to find support measures and legislation that affect them, as well as information on accessible conditions in public and private buildings, and parking for persons with reduced mobility. It will also provide a Portuguese Sign Language call centre for the public administration (EUR 3 million).

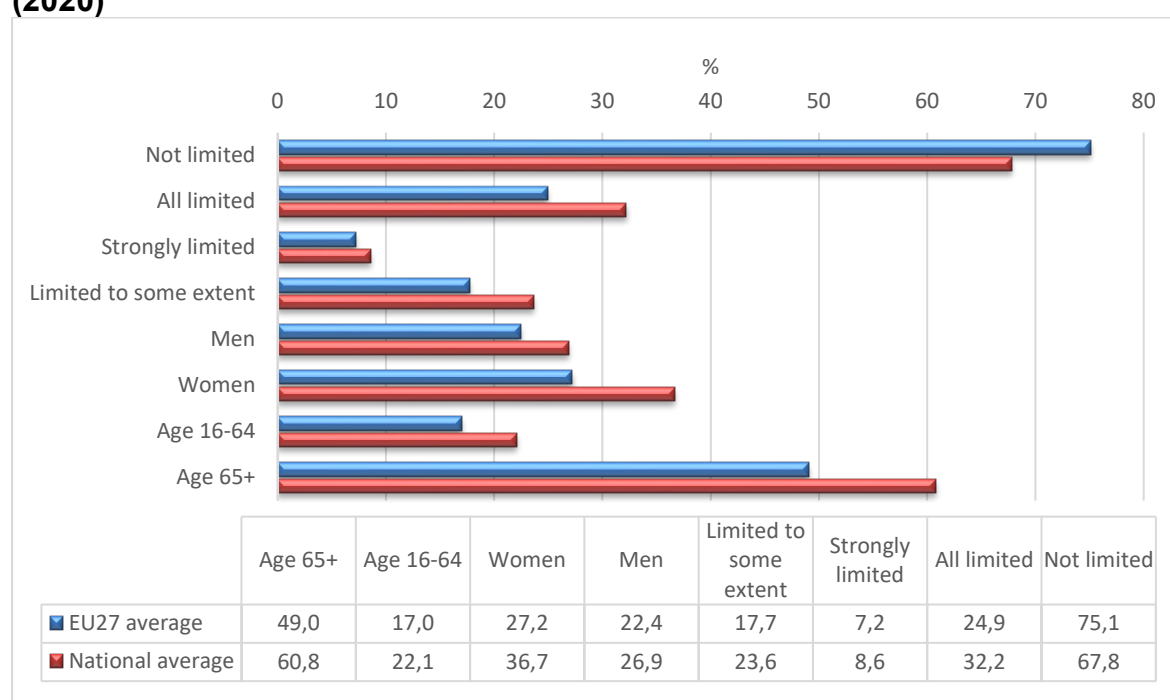
## 7 Annex: disability data relevant to the Semester

See also disability data published in the Eurostat database<sup>37</sup> and statistical reports.<sup>38</sup>

Unless specified, the summary statistics are drawn from the most recent EU-SILC data available to researchers from Eurostat. The EU-SILC sample includes people living in private households and does not include people living in institutions (congregative households). The sampling methods vary somewhat in each country.

The proxy used to identify people with disabilities (impairments) is whether ‘for at least the past 6 months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.<sup>39</sup>

**Table 1: Self-reported ‘activity limitations’ as a proxy for impairment / disability (2020)**



Source: EU-SILC 2020 Release April 2022

In subsequent tables, these data are used to indicate ‘disability’ equality gaps and trends relevant to the analytical chapters – for the labour market, social policies and healthcare, and education – by comparing outcomes for persons who report and do not report ‘activity limitations’.<sup>40</sup> National estimates for Portugal are compared with EU27 mean averages for the most recent year.<sup>41</sup>

<sup>37</sup> Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

<sup>38</sup> Eurostat (2019) Disability Statistics: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics).

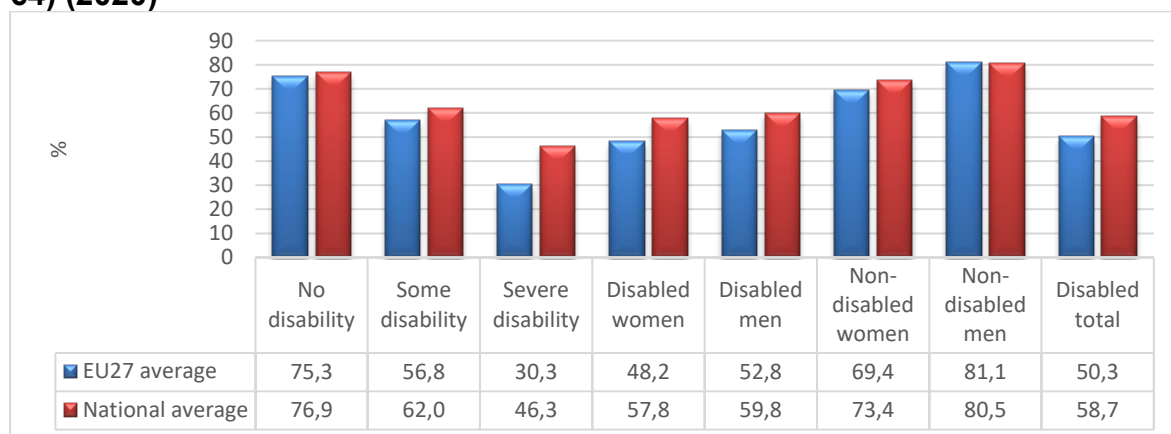
<sup>39</sup> The EU-SILC survey questions are contained in the Minimum European Health Module (MEHM), [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum\\_European\\_Health\\_Module\\_\(MEHM\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Special:WhatLinksHere/Glossary:Minimum_European_Health_Module_(MEHM)).

<sup>40</sup> This methodology was developed in the annual statistical reports of ANED, available at: <http://www.disability-europe.net/theme/statistical-indicators>.

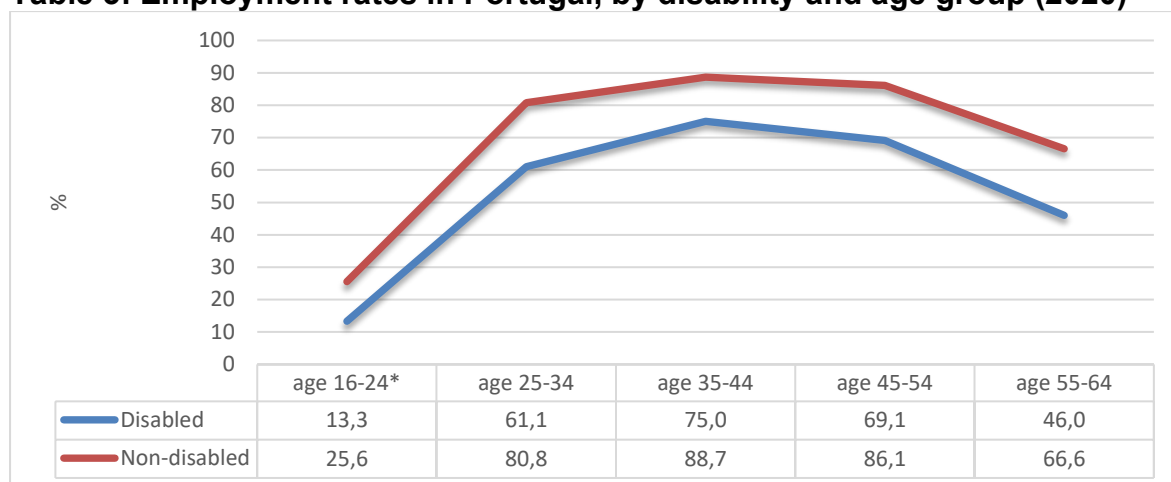
<sup>41</sup> The exit of the United Kingdom from the EU changed the EU average. EU27 averages have also been affected by time series breaks in other large countries, such as Germany.

## 7.1 Data relevant to disability and the labour market

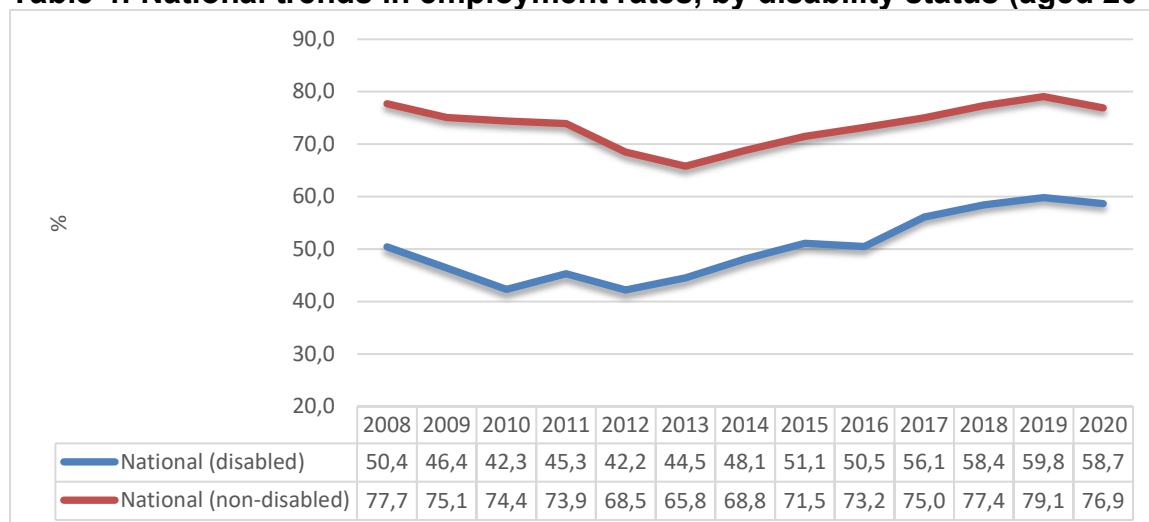
**Table 2: EU and Portugal employment rates, by disability and gender (aged 20-64) (2020)**



**Table 3: Employment rates in Portugal, by disability and age group (2020)**



**Table 4: National trends in employment rates, by disability status (aged 20-64)**

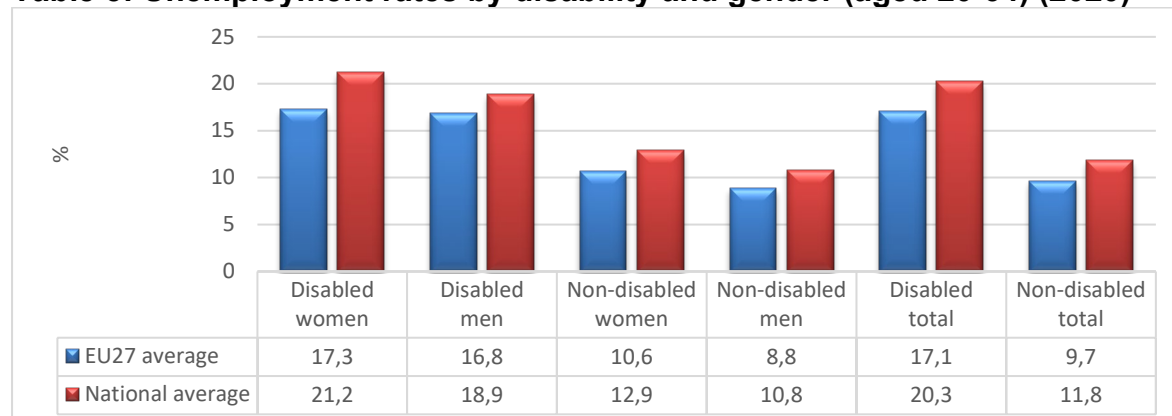


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

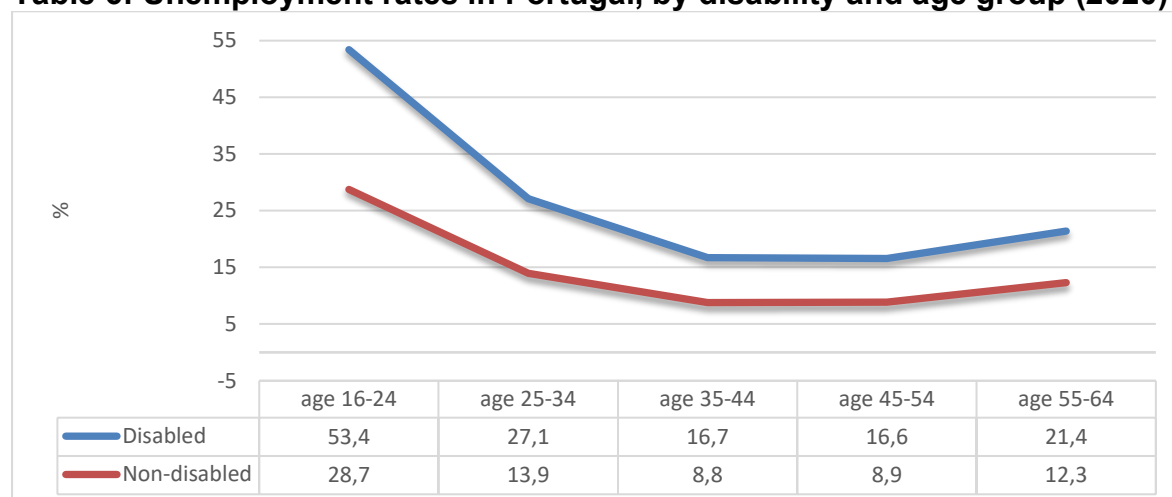
Note: Microdata concerning employment status was not available for Germany and Italy in this data release, which affects the EU27 average (which is therefore estimated).

### 7.1.1 Unemployment

**Table 5: Unemployment rates by disability and gender (aged 20-64) (2020)**



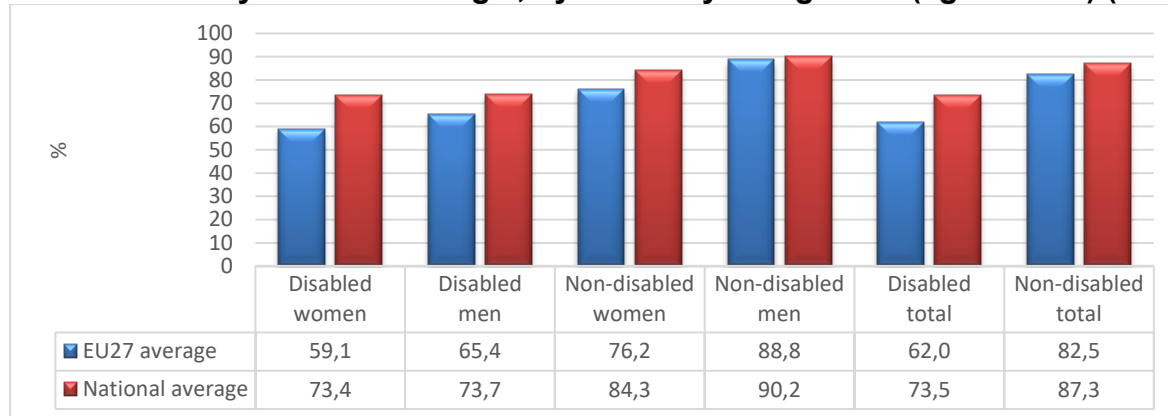
**Table 6: Unemployment rates in Portugal, by disability and age group (2020)**

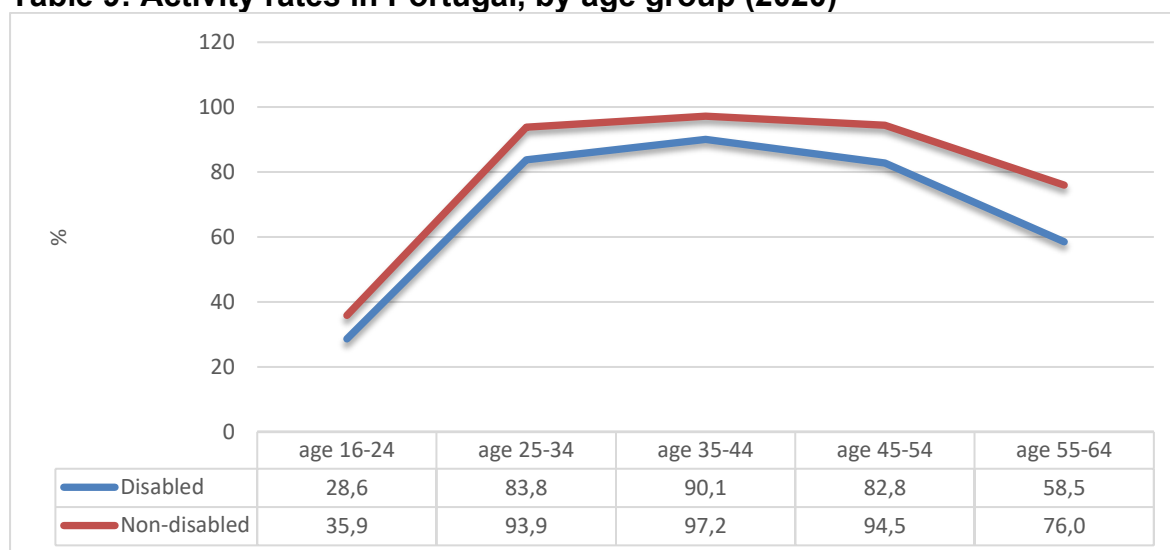
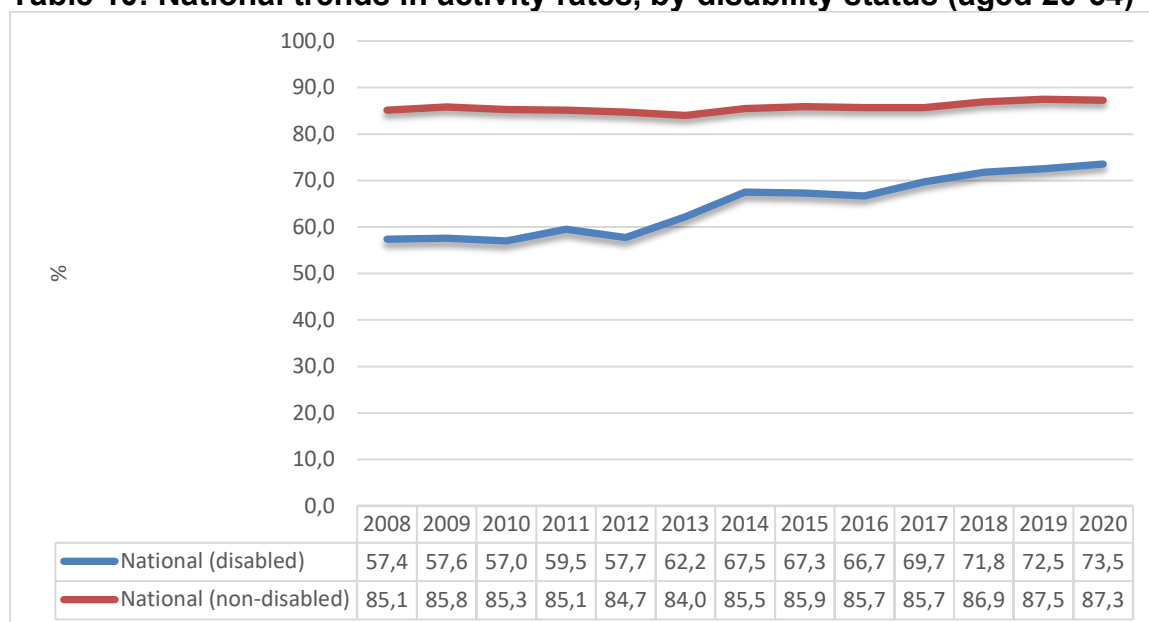


**Table 7: National trends in unemployment rate, by disability status (aged 20-64)**


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

### 7.1.2 Economic activity

**Table 8: Activity rates in Portugal, by disability and gender (aged 20-64) (2020)**


**Table 9: Activity rates in Portugal, by age group (2020)**

**Table 10: National trends in activity rates, by disability status (aged 20-64)**


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

### 7.1.3 Alternative sources of labour market data in Portugal

Disability data is not yet available from the core European Labour Force Survey but labour market indicators for Portugal were disaggregated from ad hoc modules conducted in 2001 and 2011. These can be found in the Eurostat disability database.<sup>42</sup>

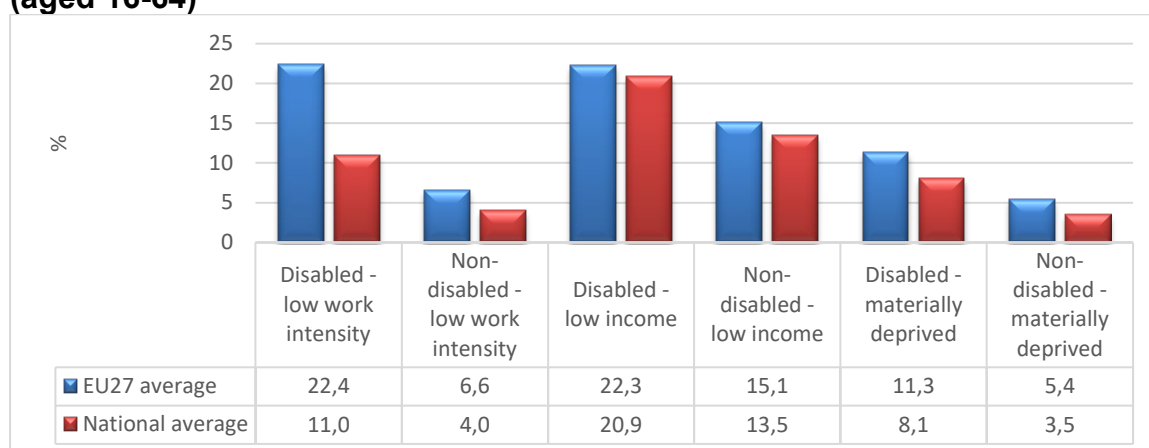
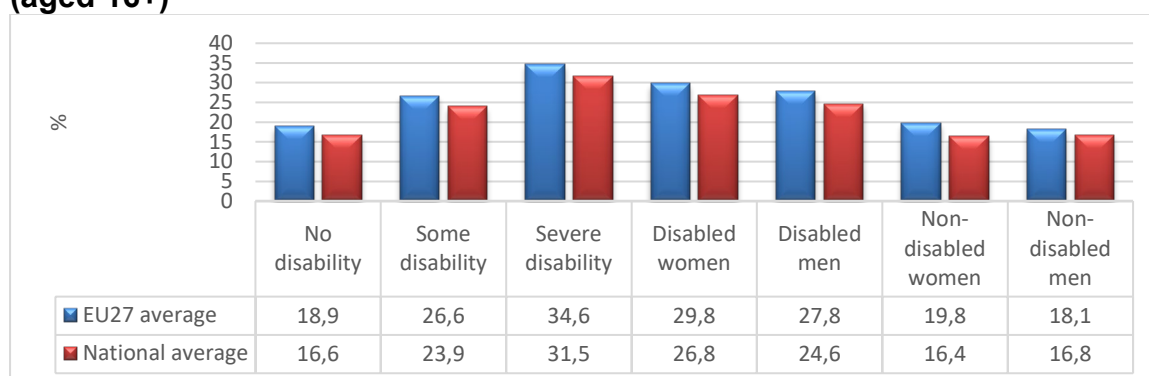
<sup>42</sup> Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

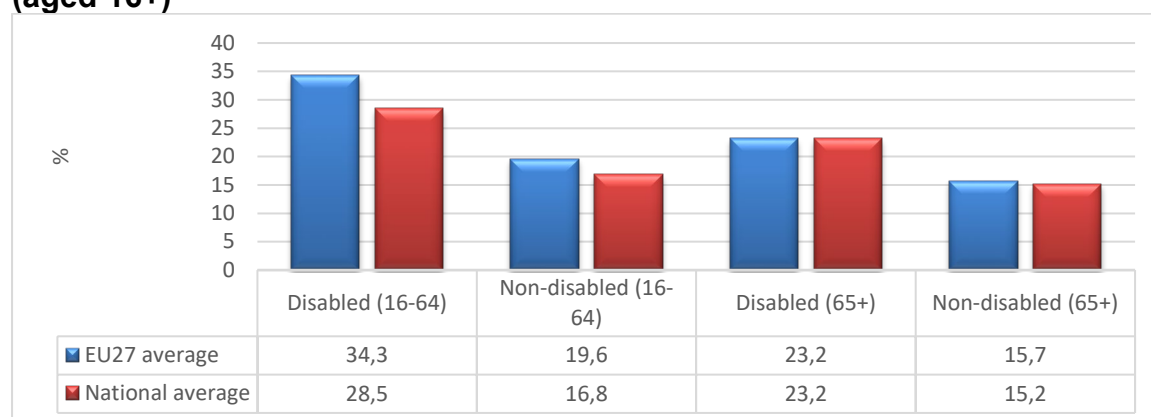


**Table 11: Unemployed persons with disabilities (PWDs) registered at IEFP Employment Centres at the end of the year: in thousands, Continent**

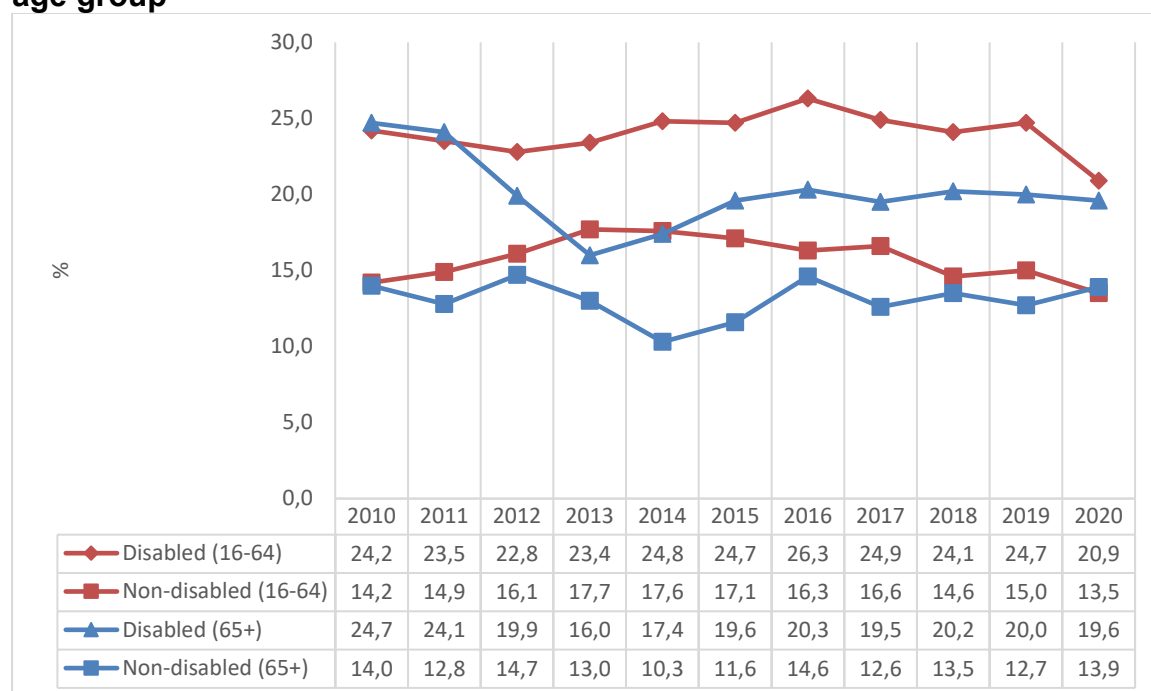
Years	Registered unemployed (total)	Registered unemployed PWDs (total)	Job placement of PWDs through the IEFP (total)
2015	521,611	12,667	1,261
2016	468,282	13,183	1,363
2017	377,791	12,911	1,484
2018	315,093	12,135	1,564
2019	288,176	12,027	1,577
2020	375,150	13,420	1,031
2021	327,128	13,583	Not available

Source: IEFP, I.P.

**7.2 EU data relevant to disability, social policies and healthcare (2020)****Table 12: People at risk of poverty or social exclusion, by disability and risk (aged 16-64)<sup>43</sup>****Table 13: People at risk of poverty or social exclusion, by disability and gender (aged 16+)**<sup>43</sup> Aged 16-59 for low work intensity.

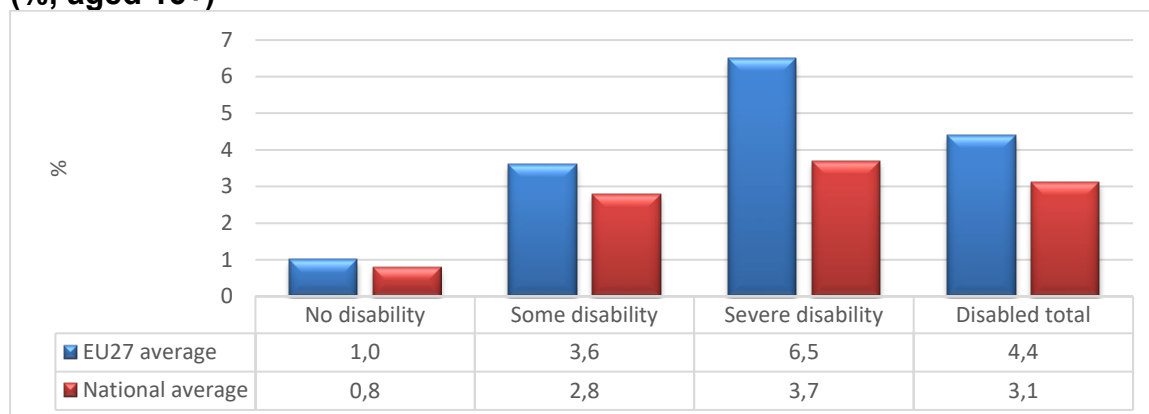
**Table 14: Overall risk of household poverty or exclusion by disability and age (aged 16+)**

Source: EU-SILC 2020 Release April 2022 (and previous UDB)

**Table 15: Trends in the risk of poverty after social transfers, by disability and age group**

Source: Eurostat Health Database [[hlth\\_dpe020](#)] – People at risk of poverty

Note: This table shows national trends in financial poverty risk, rather than the general AROPE indicator (which is not as comparable between age groups due to the effect of paid employment); the survey does not distinguish 'activity limitation' for children under 16.

**Table 16: Self-reported unmet needs for medical examination, 3-year average (% , aged 16+)**

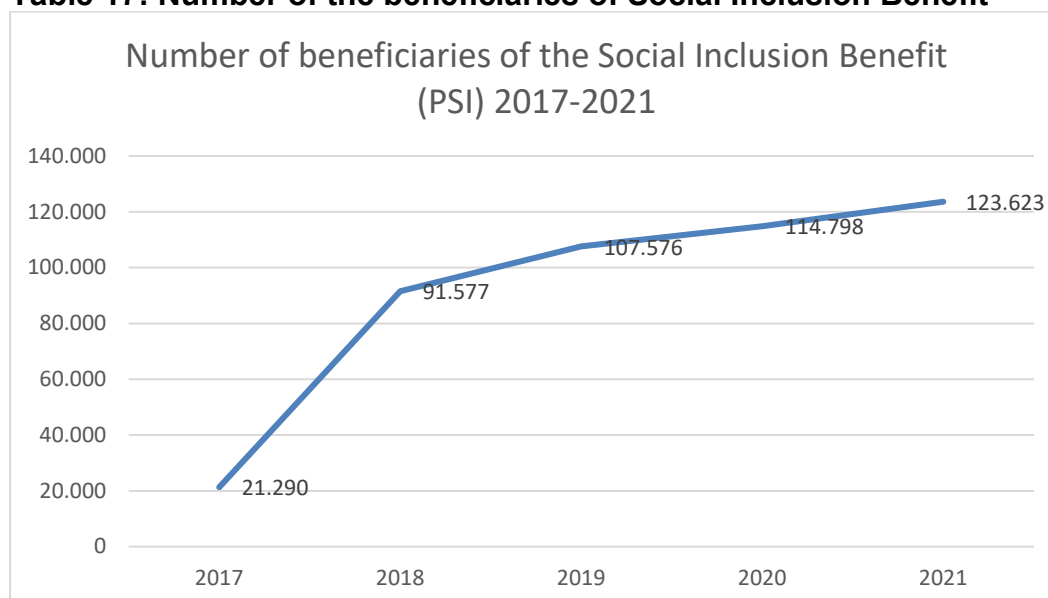
Source: Eurostat Health Database [[hlth\\_dh030](#)] – ‘Too expensive or too far to travel or waiting list’

Note: Due to large variations an average of three years is indicated. EU mean averages are also skewed by high values in a minority of countries within disability groups but median averages for the total disability and no disability groups in 2020 are consistent with the 3-year mean values.

### 7.2.1 Alternative sources of poverty or healthcare data in Portugal

The EU-SILC data provides a comprehensive and reliable source concerning poverty or social exclusion rates. In addition to the summary tables presented so far, the Eurostat disability database also contains breakdowns concerning disability and poverty before and after social transfers, as well as in-work poverty.<sup>44</sup>

National surveys or studies may offer additional information.

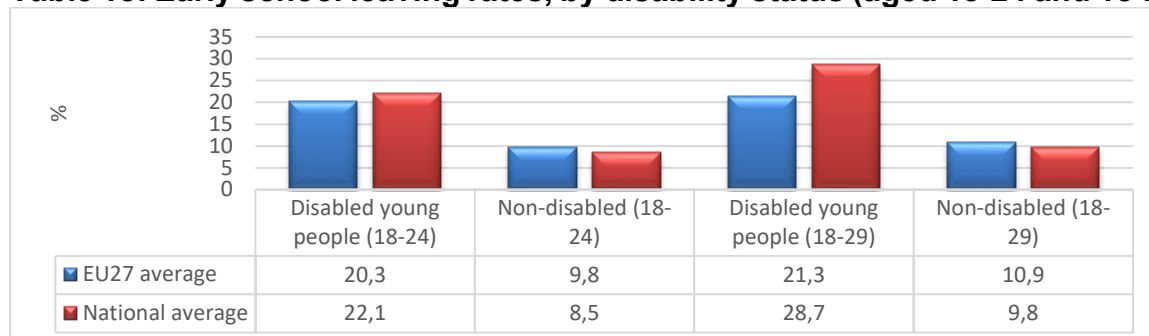
**Table 17: Number of the beneficiaries of Social Inclusion Benefit**

Source: *Segurança Social, Statistics of programmes, Beneficiários Prestação Social para a Inclusão.*

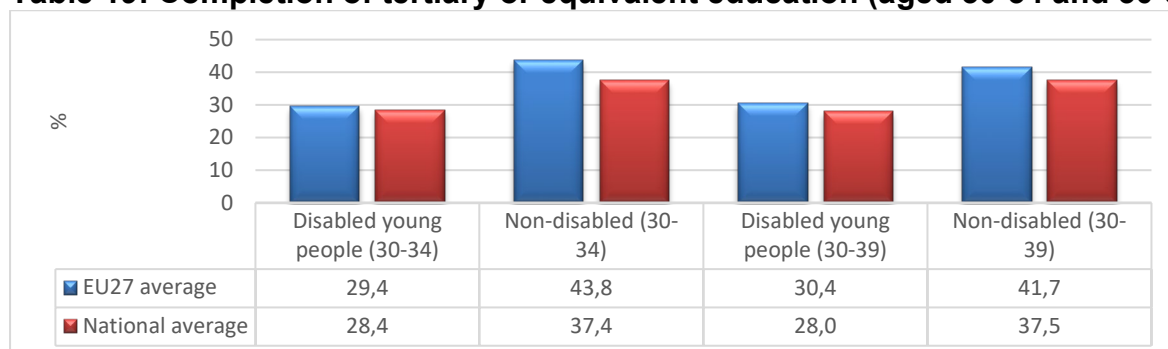
<sup>44</sup> Eurostat Health Database: <https://ec.europa.eu/eurostat/web/health/data/database>.

### 7.3 EU data relevant to disability and education

**Table 18: Early school leaving rates, by disability status (aged 18-24 and 18-29)<sup>45</sup>**



**Table 19: Completion of tertiary or equivalent education (aged 30-34 and 30-39)**

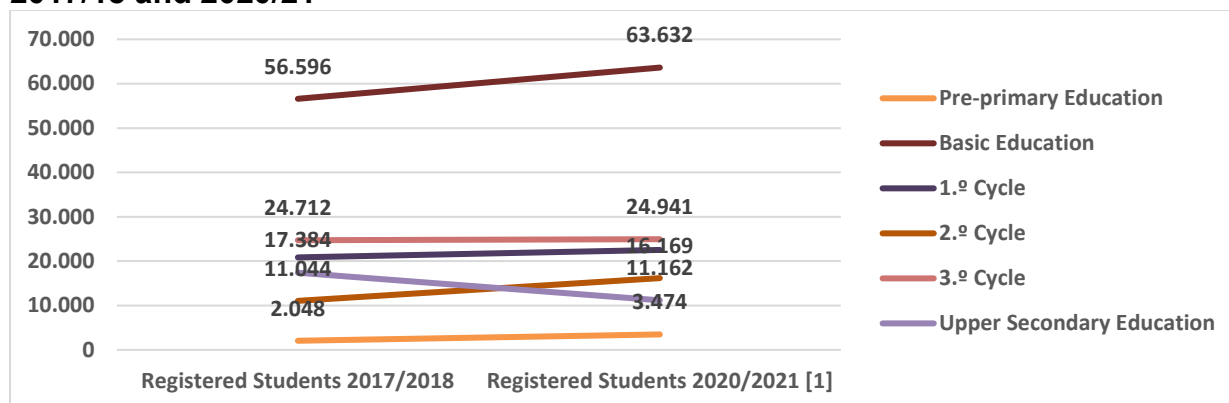


Source: EU-SILC 2020 Release April 2022 (and preceding UDBs)

Note: Confidence intervals for the disability group are large and reliability low (due to the small sample size in the target age group). An average of several years may be needed to establish trends or to compare breakdowns by gender.

#### 7.3.1 Alternative sources of education data in Portugal

**Table 20: Evolution of the number of students with special educational needs enrolled, disaggregated by level of education and cycle of studies, school years 2017/18 and 2020/21**

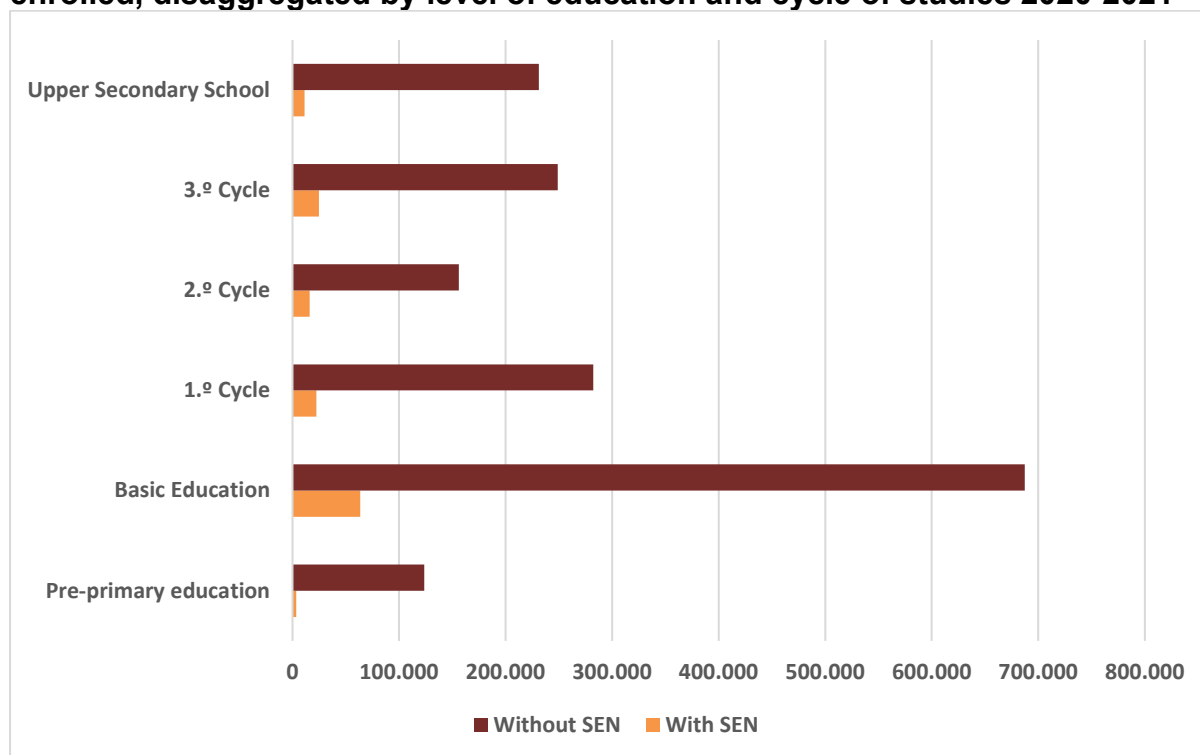


Source: DGEEC. Necessidades Especiais de Educação 2017/2018; Educação Inclusiva 2020/2021, <https://www.dgeec.mec.pt/np4/17/>

Preliminary data for 2020/2021, ascertained on 9 June 2022.

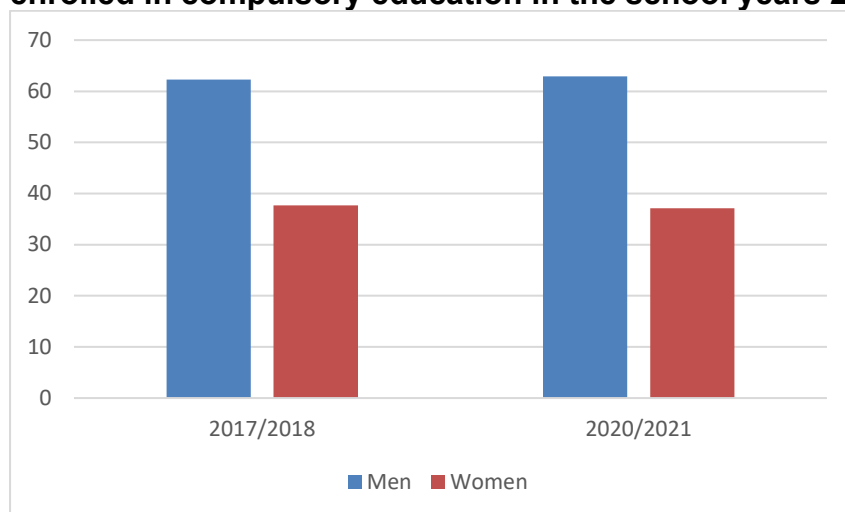
<sup>45</sup> There was a change from International Standard Classification of Education (ISCED) 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition after this time.

**Table 21: Number of students with and without special educational needs enrolled, disaggregated by level of education and cycle of studies 2020-2021**



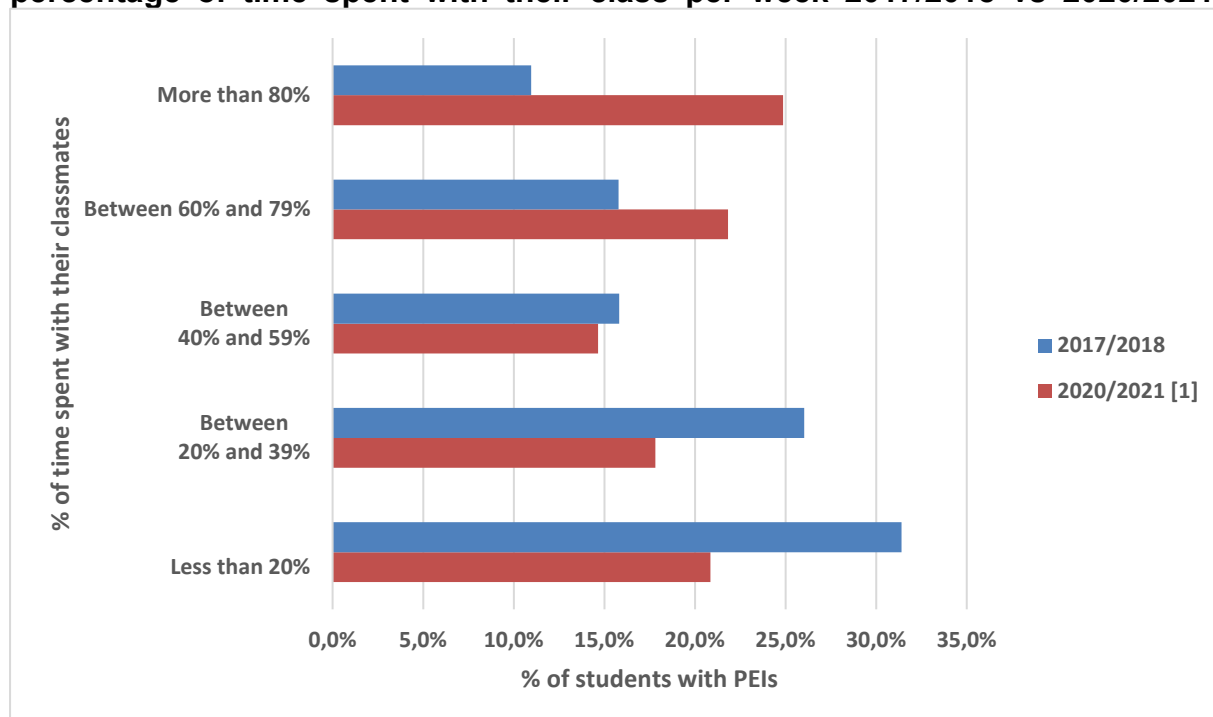
Source: DGEEC. *Educação Inclusiva 2020/2021*, <https://www.dgeec.mec.pt/np4/17/>  
 Preliminary data for 2020/2021, ascertained on 9 June 2022.

**Table 22: Gender distribution of students with special educational needs enrolled in compulsory education in the school years 2017/2018 and 2020/2021**



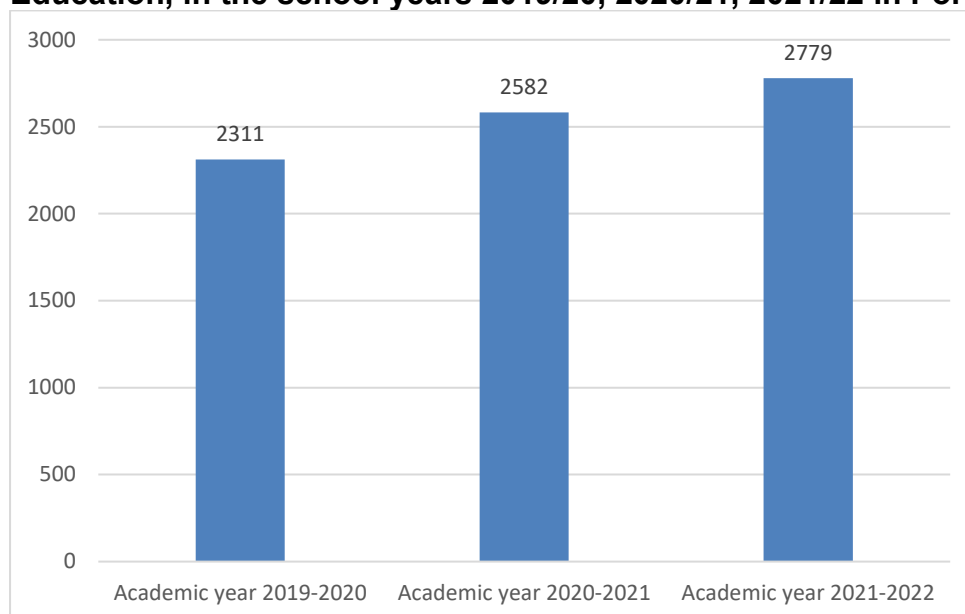
Source: DGEEC. *Necessidades Especiais de Educação 2017/2018*; *Educação Inclusiva 2020/2021*, <https://www.dgeec.mec.pt/np4/17/>  
 Preliminary data for 2020/2021, ascertained on 9 June 2022.

**Table 23: Number of students with Individual Educational Programmes (IEP), by percentage of time spent with their class per week 2017/2018 vs 2020/2021**



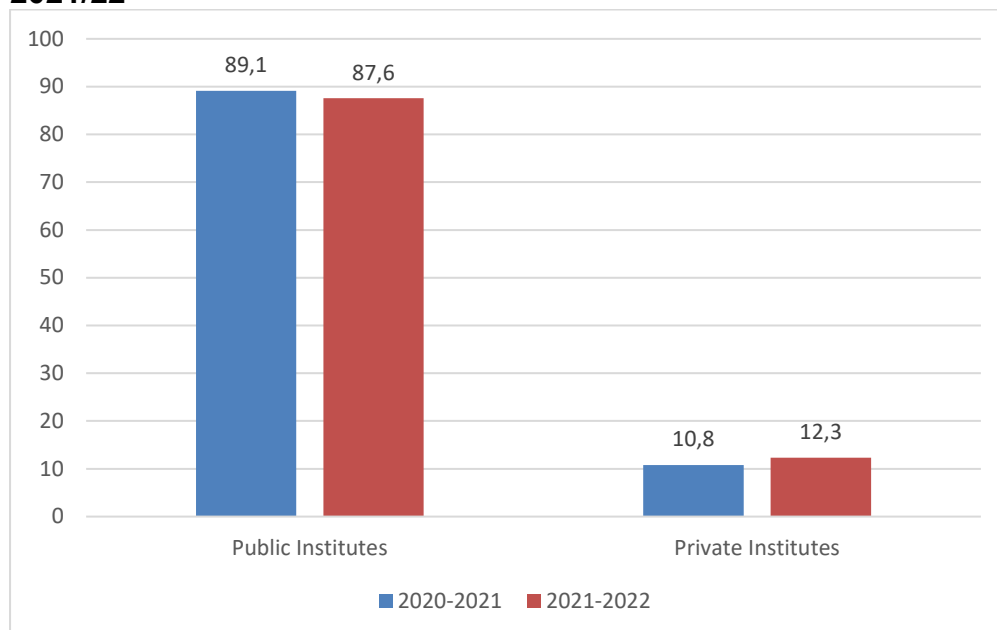
Source: DGEEC. *Necessidades Especiais de Educação 2017/2018; Educação Inclusiva 2020/2021.* <https://www.dgeec.mec.pt/np4/17/>  
 Preliminary data for 2020/2021, accessed on 9 June 2022.

**Table 24: Number of students with special education needs registered in Higher Education, in the school years 2019/20, 2020/21, 2021/22 in Portugal**



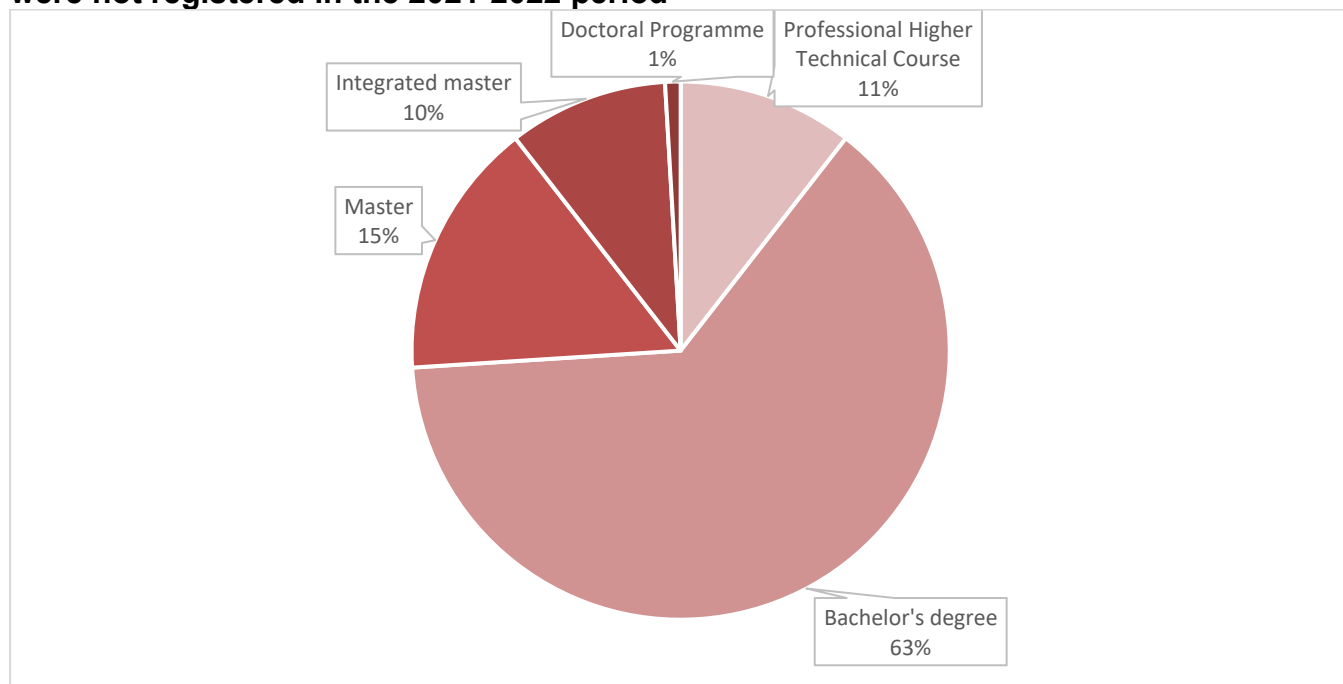
Source: DGEEC. *Inquérito às Necessidades Especiais de Educação no Ensino Superior 2019/2020; 2020/2021; 2021/2022* <https://www.dgeec.mec.pt/np4/428/>

**Table 25: Percentage of students with special educational needs registered in higher education public and private institutions in the school years 2020/21 and 2021/22**



Source: DGEEC. *Inquérito às Necessidades Especiais de Educação no Ensino Superior* ; 2020/2021; 2021/2022, <https://www.dgeec.mec.pt/np4/428/>.

**Table 26: 323 students that were registered in the previous academic year that were not registered in the 2021-2022 period**



Source: DGEEC. *Inquérito às Necessidades Especiais de Educação no Ensino Superior 2021/2022*, <https://www.dgeec.mec.pt/np4/428/>.

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