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Investing in children:

Breaking the cycle of disadvantage

[A Study of National Policies](#)

Portugal

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Investing in children:

Breaking the cycle of disadvantage

A Study of National Policies

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COUNTRY REPORT - PORTUGAL

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Summary¹

Child protection – *latu sensu* – in Portugal is widely compliant with international standards. However, there is also evidence that it has not been consolidated into a concrete comprehensive strategy able to protect children and promote their wellbeing, tackling the tangible and significant prevalence of phenomena of poverty and social exclusion affecting them. Additionally, laws and policies are not always translated into daily practices, thus jeopardising the announced good intentions.

Providing children with adequate resources means, by definition, and in most cases, providing their households' with access to such resources. Additionally, any considerations regarding this matter must be framed within the grievous economic and financial crisis the country is confronted with.

Participation in the labour market is clearly compromised by rising unemployment rates and by signs of increased segmentation to which the timid packages of stimulus to employment issued by the governments have not been able to respond adequately.

More positive signs arise from employment policies supporting parenthood such as maternity and paternity benefits. These benefits have increased their potential in the last years and have, so far, not been affected by austerity measures.

Unfortunately, this is not the case in regard to social benefits, which are put under considerable pressure. Since the implementation of major cuts, for example, the State reduced by 30% its expenditure on support for families with children and one third of beneficiaries lost access to child benefits.

Other services are also being seriously affected. Education and health are two areas under considerable pressure. More than 15,000 civil servants left the sector and State expenses were cut by more than seven million euro but, still, new austerity measures are foreseen.

In early childhood and care, difficulties of access to affordable quality services affect mainly children up to the age of three and, as far as alternative care is concerned, there are still doubts regarding the response provided by the system (e.g. number of children in institutional care without promotion/protection measure). An additional concern regards the way in which, in a context of budget cuts, the full functioning of first line entities and of the Commissions for the Protection of Children and Young People will be guaranteed, particularly as the number of cases has peaked in 2012.

Housing indicators are also particularly worrying. Evictions have been rising and are expected to continue rising with the coming into force of the new Tenancy Law and new maximums of housing doubtful loans are reached.

Thus, the figures showing the rise in poverty among families with dependent children, as well as their particular vulnerability to deprivation can hardly be considered surprising. These results are even more worrying as policies issued do not seem to be addressing the problem properly. At the planning level, there is an evident mismatch between intentions laid down in the National Reform

¹ Readers should note that the report was first drafted in September 2013 and is based predominantly on information and data available at that time. In a few instances we have also been able to include some new information and data that became readily available subsequently.

Programme, the actual scope of measures and the challenges faced by Portuguese families.

In any case, it must be stressed that EU funded interventions, mainly the European Social Fund, have put significant emphasis on children and young. Even if, at the macro-level, these interventions do not seem able to counteract the overall picture as regards child poverty and social exclusion, it seems clear that relevant interventions have been put in place and there is evidence of positive results regarding, at least, the lessening of situations of social exclusion – most of all in education/training-related interventions.

Addressing child poverty and social inclusion and breaking the cycle of disadvantage will only be achieved by a coherent, continued and long-term approach centred on the actual needs of children and their families. Building upon existing evidence-base and expert knowledge is crucial to address the multiple existing challenges, both those of a structural nature and those arising from the more recent crisis context. Given the multidimensional nature of the disadvantages faced by children, it is crucial to enhance inter-agency working. Promoting cooperation needs to be supported. It should not depend on individual or organisational good will. The enabling role of the State has to be clarified and all stakeholders need to take responsibilities according to clear objectives, which need to be directly linked to the Recommendation's plea.

Ensuring children's (and their families) access to adequate resources demands the development of consistent integrated policies that foster actual access of parents to quality and sustainable jobs. In a context of growing unemployment and of rising in-work poverty gains of efficiency should not be achieved by restricting access to unemployment protection benefits or to other social benefits directly affecting the lives of children. There is an urgent need for a crosscutting social impact assessment of measures introduced (and also of those not introduced). Protecting children from poverty and stigmatisation (by restricting access to mainstream support and investing in urgency support) are a key aspect of investing in children and breaking the cycle(s) of disadvantage(s).

Promoting quality access to education, health and housing are key investments for preventing the transmission of disadvantage across generations. Despite relevant progress in these areas since the mid-1970s, there is an urgent need to ensure that achievements made are sustained and that progress continues. It is crucial to ensure the quality within the education system by building upon previous investment and by "buying in" the multiple actors within the system; promoting children's full access and use of health care needs to be adequately framed by existing evidence on the impacts of the crisis and of the austerity measures; housing insecurity demands interventions that promote access to affordable housing under the changing conditions of the Portuguese housing market and the harshening impacts of the crisis on the available income of families.

Stronger efforts are needed in order to address the Recommendation's plea to "firmly place child poverty and social exclusion as key issues in the Europe 2020 Strategy and National Reform Programmes". Clear guidelines are needed to foster countries' responses to what is advocated in the Recommendation. These could include indicators, minimum criteria for the setting up of governance arrangements and realistic and serious commitments towards fighting child poverty and social exclusion from countries seriously hit by the crisis and where the external conditions imposed seem to be "child blind".

Despite the above mentioned short comes Portugal seems to be making use of the opportunities provided by ESF even if the nature of the overall challenges clearly overcomes the reach of expected and actual impacts.

1. Assessment of overall approach and governance ²

1.1. Mainstreaming children's policies and rights within national strategies and synergies: from law to practice

Article 69 of the Portuguese Constitution states that the protection of children – aiming at their full development – is a duty of both the society and the State. This duty originates individual rights such as the right to food, translated into the access to minimum conditions for subsistence.

Additionally, the ratification of the Convention for the Rights of the Child conveys it the force of law in Portugal, and it may be directly invoked before the courts and applied by national authorities, contributing for complying with the second horizontal principle of the Recommendation.

In its latest concluding observations (CRC, 2001)³, the Committee on the Rights of the Child (CRC) expressed its concern regarding the lack of a comprehensive national strategy on the implementation of the Convention. It thus recommended that Portugal should develop a comprehensive national strategy for the implementation of the Convention, as well as the setting of priorities. According to the CRC, Portugal should define a time frame for implementation and ensure the allocation of resources (human, financial and technical) necessary for the strategy's implementation.

As a response, in 2008, the former government created the INIA – National Initiative for Childhood and Adolescence 2009-2010, an initiative defining the national strategies for the promotion of rights and the protection of children and young people in Portugal.

INIA aimed at the definition of an action plan guaranteeing the respect for the universality of children's rights. The action plan defined the major intervention strategies to be implemented across all areas and sectors, public and private. This intervention should contribute for the child's development and socialisation process, from birth to adulthood. The INIA also aimed at the establishment of a culture of cooperation and networking between all those committed to defend children's rights. The conception and implementation of INIA was based on a participatory method involving all areas and public sectors, civil society, citizens in general, children, adolescents, parents and other caregivers.

Based on the Convention of the Rights of the Child and its respective guiding principles, 16 Strategic Objectives were defined, among which: i) to ensure an alternative family environment to all children deprived of parental care and favour their deinstitutionalisation; ii) to reinforce the economic means and integration in the labour market of families with children; iii) to increase and qualify the provision of social services of interest for children; iv) to promote the access to dignified housing to families with children; v) to ensure the effective participation of all children in matters involving them; vi) to guarantee children's access to quality education; and vii) to guarantee children's access to diversified and quality cultural activities and free time.

² Readers should note that the report was first drafted in September 2013 and is based predominantly on information and data available at that time. In a few instances we have also been able to include some new information and data that became readily available subsequently.

³ The Portuguese State delivered its latest report to the Committee on the Rights of the Child on the implementation of the CRC in 2011. After discussion in 2013, the CRC will issue another set of concluding observations.

It is curious to note that, in the latest Portuguese report to the Committee on the Rights of the Child on the implementation of the CRC (Portugal, 2011), the National Action Plan for Inclusion (NAPIncl) is mentioned, along with its main objective of “eliminating situations of social exclusion which affect children and to give children every opportunity for social integration”.

Using the NAPIncl objectives in 2011 is, of course, erroneous and hardly innocent since in July 2011 – when the final revision and discussion of the report to the CRC took place– the NAPIncl process had already been terminated. As such it is misleading to refer to a strategy no longer in force as a means to respond to the CRC.

The overall approach and governance in this area has been characterised by an ambiguous evolution. Different initiatives regarding childhood have been created and there is wide understanding that all the right words are in the right places. However, strategic continuity in addressing children’s issues has been missing, rather replaced by the production of sequential plans and establishment of commissions from which the creation, in May 2012, of a working group with the objective of laying the foundations for a *Child Agenda* (Agenda da Criança) was the latest development.

This working group aimed at identifying the obstacles to the fulfilment of the rights of children, as well as to formulate proposals in order to change the current situation. The working group's mission was to evaluate the operational, functional and legal mechanisms in order to guarantee the child’s best interests, and also to propose initiatives able to remove the barriers to the child's integral development and wellbeing, thus addressing directly the third horizontal principle of the Recommendation.

In June 2013, Resolution of the Council of Ministers 37/2013, summarised the results of the work developed, assuming that “in spite of the efforts, there are still serious difficulties in the concretisation of several segments of the above-mentioned system [system of protection of children and young people in peril], which is still weakening child protection”.

Despite the overarching objectives of the Child Agenda working group, the suggestions issued focus exclusively on changes regarding the child protection system and the adoption regime. Suggestions included the gradual evolution of the current framework to “a more integrated system, with improved services (...) and integrating the existing means in order to better enhance the existing responses and to distribute them, in a more balanced way, targeting the most urgent needs.”

The document also expresses the intention of the government to promote the participation of all relevant entities and personalities, thus enhancing stakeholders’ involvement. However, from a governance perspective, the composition of the two commissions to be created, one for the revision of the legal frameworks of child protection, and the other one on adoption is, in our opinion, questionable.

In fact, three representatives of entities of the social economy field are included in the commission for the revision of the juridical regime for adoption but not in the commission for the revision of the juridical regime for protection. Within this latter, there are only State representatives, from the ministries of Solidarity and Social Security, Home Affairs, Justice, Health, and Education and Science. The possible involvement of children is absent from the document.

A set of three interviews with key informants unveiled interesting perspectives regarding the overall approach and governance in what regards tackling child

poverty and social exclusion and the promotion of child wellbeing in Portugal. The key informants interviewed were high officials from the Unit of Children, Elderly and People with disability at the Ombudsperson's Office, from the NGO *Instituto de Apoio à Criança* (IAC), and from the National Commission for the Protection of Children and Young People at Risk (CNPJCR).

A first insight shared by respondents was that throughout the last decades there was a clear commitment from Portugal regarding the promotion of children's rights, especially in terms of legislation. "There have been very significant improvements. Portugal has been keeping-up with the efforts, namely at EU level, aiming at the respect of children's rights. (...) In terms of legislation, there has been a remarkable concern with the protection of children. One can say that we have a child-friendly legislation even though there is always room for improvement, for deeper insights." (IAC)

"The mainstreaming of children rights [in policies] is a demanding objective, in cultural terms and in terms of its practical concretisation. This is a path that has already been taken but still not completely covered". (CNPJCR)

However, there is the feeling that the current social and economic situation of the country is jeopardising some of these achievements. "A few years ago, the creation of the law on protection and its associated mechanisms put the child in the centre of the speech. (...) Nowadays, I see that the finances are at the core of the political discourse. (...) If, before, the approach was that the of the child's best interest was demanding action, nowadays the discourse is focused on the need to restrain expenses, which demands that no money is unduly spent with children. (...) My perception regarding public policies is that the focus is clearly not the child. I would be happier if the speech was something like 'let's protect children while we control spending but, in practice, what we see is that everything involving money spent gets cut". (Ombudsperson's Office)

1.2. The balance between universal and targeted policies and the focus on children at increased risk

The restricted focus on the consolidation of public finances leads to increasing challenges both regarding universal and targeted policies: "It seems that the days of universal policies are coming to an end. (...) First, there was the change in the family allowance, still with the former government. We must decide if we want to keep our welfare state - even with changes - but keeping some minimum standards or risk losing our character as a country that believes the welfare state was an invaluable value." (IAC)

"Targeted programmes are the weakest link. (...) I admit that at least some of the on-going programmes may continue but I do not see any new programmes nor any investment, and not only in terms of money." (Ombudsperson's Office)

"[The balance between universal and targeted policies] tend to be adequate though demanding a constant effort in cultural terms and in terms of its concrete implementation". (CNPJCR)

As such, and despite all the reasoning behind the cuts in social protection – a government responsible has, in several occasions, declared the need to concentrate efforts on the most needed: "a euro badly spent in social benefits is always a euro taken from the weakest, from the poorest, from the most needed"⁴

⁴ "Mota Soares. Um euro mal atribuído, é um euro retirado a quem é mais pobre", in *Ionline* 27/10/2012, available at: <http://www.ionline.pt/artigos/portugal/mota-soares-euro-mal-atribuido-euro-retirado-quem-mais-pobre>

– the respondents expressed the feeling that the focus on children at increased risk is not being sufficient, despite the efforts of the different entities and professionals involved.

“There is a clear determination to overcome existing difficulties in order to achieve concrete action”. (CNPCJR)

“We are asked to focus on the truly important cases. However, those left behind also need support, even if not as much as others. I have no doubts about it. (...) And I think that this option is a “bad investment” because these cases, in the end, even financially speaking, will cost the State more”. (Ombudsperson’s Office)

“It’s not being adequate. We’re not succeeding. We are not able to sustain a welfare state such as ours. When difficulties come, those more strongly hit are always the most disadvantaged families. (IAC)

Therefore, it seems clear that the Portuguese State is having considerable difficulties to upholding the commitment towards maintaining an appropriate balance between universal and targeted approaches, as well as towards ensuring a focus on children facing increased risks due to multiple disadvantages (EC, 2013).

1.3. Stakeholders’ involvement and the effort to support the involvement of children

Respondents also voiced different concerns regarding the involvement of relevant stakeholders. “It’s always very difficult. The national commission for the rights of the child was a very interesting experience and very complimented, even by the UNICEF. And, suddenly, that commission ended in 1999. There is not a tradition of involving the NGOs. It seems like there is a certain mistrust regarding the NGOs. Laws are made without any consultation”. (IAC)

“That involvement exists though its intensity and effectiveness are still insufficient. A deeper and more permanent consultation is needed.” (CNPCJR)

“I think that entities are more involved in the area of children than in other areas. (...) Participation could be higher but I would not say this is one of the worse areas. I think that the entities and the civil society are heard; and also the universities. There are some names that are more recurrent than others but that’s normal. (...) There will always be some who are closer than others, I mean to those defining policies. But I don’t think that should be much of a concern”. (Ombudsperson’s Office)

However, there is also the feeling that the involvement of stakeholders is a complex matter as “our experiences of involving too many entities to find a solution are often not good. In the one end, no entity feels represented in the final solution. There is a solution that, supposedly, came from the contribution of several entities but all of them say that it is not what they wanted.” (Ombudsperson’s Office)

Additionally, the definition of policies seems to lack an integrated multi-dimensional strategy. “I think that policies are still very scattered. It seems that each and every ministry wants to do something regarding the child”. (IAC)

This has also been reported within the context of research. The preliminary results of Project IMPACT – Improving Monitoring and Protection Systems Against Child Trafficking and Exploitation showed a widespread feeling, from relevant stakeholders, that a risk factor in child welfare and protection systems is the lack of cooperation between different policy areas and services (Perista & Brázia, 2013).

Key respondents considered that the attempts for involving children are scarce. This is echoed in the document summarising the results of the working group for the establishment of the Child Agenda where no initiative is mentioned in this specific area.

"[The efforts are] most of all, from NGOs, within the networks established between entities. Our network, gathering over 100 entities, now has a network formed by the children themselves". (IAC)

"There is an attempt from the Ombudsperson's Office. We have been trying to create a panel for two years now. But we'll try to do it next year, I think. It's difficult, also in terms of logistics. (...) I do not know many attempts. (...) Our idea would be to create it in schools". (Ombudsperson's Office)

"There are increasing initiatives for involving and consulting children in community projects, namely regarding their participation in choices at the local level." (CNPCJR)

1.4. Protecting children (and their families) from the impact of the crisis: an urgent need

As mentioned in previous reports (Baptista, 2011; Baptista, 2012; Baptista & Perista, 2013), there is no evidence of policies introduced as a response to the effects of the current crisis on children, thus failing to address the Recommendation's horizontal principle regarding the need for a sustained investment in children and families.

This is also confirmed by the interviewed key respondents. "I don't think that it [ensure that children are protected from the impact of the crisis] is a central concern. Children are clearly a collateral damage. (...) They are more unprotected in the sense that we have a worse scenario and the same or less solutions because, obviously, we have less means." (Ombudsperson's Office)

On the contrary, there are indications that, besides absence of protection, some children are being affected by multiple disadvantages, namely as regards the response of the protection system itself: "No, something is failing on the support to the most disadvantaged families. There is the recommendation [to the protection system] that no child is removed from the household only because of poverty but I heard a professional of a reception centre stating that the latest situations coming in were due to parents' extreme poverty"⁵. (IAC)

Instead, the concern seems to be assumed more by other entities. "There is serious concern from institutions responsible for the promotion and protection of children rights". (CNPCJR)

1.5. Evidence-based approaches and the evaluation of the impact of policies introduced in response to the crisis on children

Key stakeholders' perceptions regarding evaluation of the impacts of the policies introduced as an answer to the crisis and the evidence-based approaches is rather different.

Regarding the latter, some evidence-based knowledge seems to be produced, at least to a certain extent, even if not specifically regarding the crisis. "There is a set of experts, entities and universities considered. (...) I have witnessed concrete cases of contributions from academia into practice." (Ombudsperson's Office)

⁵ In sharp contrast with the recommendation for ensuring that poverty is never the only justification for removing a child from parental care.

“There is a progressive concern, though still not sufficiently achieved, that the results of studies may impact on political options and in concrete action”.

On the subject of evaluation, most interviewees reveal lack of knowledge on the issue: “I don’t know. Perhaps only if researchers are doing this, by their own initiative.” (IAC)

“We are not aware of any study evaluating directly, specifically or generically the impact on children of policies introduced as an answer to the crisis.” (CNPCJR)

The importance of engaging in policy reform assessment is one of the aspects expressed in the Commission’s Recommendation.

1.6. Main conclusions and recommendations

Summing up, Portugal is usually in the front line in what regards compliance with international standards. However, there is also wide agreement that there is a clear gap between the way laws and even policies are designed and launched, their actual implementation, and the practices developing from such laws and policies.

Still, there is no overall strategy for tackling child poverty and social exclusion in Portugal, which goes against the first horizontal principle of the Recommendation. In August 2013, the European Anti-Poverty Network Portugal publicly manifested a particular concern with child poverty and issued a proposal (EAPN, 2013)⁶, for the creation of a national strategy for fighting poverty, where child poverty should be clearly distinguished from other categories.

Their main proposal consists of the establishment of an action programme, assumed as a policy instrument for an effective prevention and fight against the situations of child poverty and social exclusion. Within this scope, priority would be granted to long-term interventions, to early intervention and to projects based on indicators of child welfare and on their evidence-based evaluation.

Thus, from a social inclusion standpoint, it is vital:

- to ensure that strategic approaches are actually implemented and given continuity;
- to ground policies on existing evidence base regarding the situation of children;
- to develop a rigorous assessment of measures addressing child poverty and children’s well-being based on clear criteria and objectives, which should necessarily be linked to Portugal’s commitments towards the promotion of children’s rights;
- to ensure that existing legal commitments are put into practice and monitored;
- to make sure that any governance mechanisms deliver what they were meant to according to their mandate;
- to ensure equal access to governance mechanisms and arrangements of all relevant stakeholders in this field;
- to learn from existing promising practices regarding the participation of children;
- to establish concrete mechanisms to respect the right of the child to be heard;

⁶ “Rede Europeia propõe estratégia nacional de combate à pobreza”, in *Jornal de Notícias* 12/08/2013, available at:
http://www.jn.pt/PaginaInicial/Sociedade/Interior.aspx?content_id=3368031&page=-1

- to shield the fundamentals of any strategic policy approach and respective governance mechanisms from political turmoil and shifts.

Moreover, the erosion of universal rights and the focus on the “most needed” – largely fostered by the current crisis – is jeopardising the promotion of children’s well-being, namely the tackling of child poverty and social exclusion. Thus it would be crucial:

- to rigorously evaluate the impact of the crisis on children’s well-being and specifically on their vulnerability to poverty and social exclusion;
- to regularly assess the impact of the successive measures, namely those curtailing access to benefits and services for many children and their families ;
- to ensure that despite budgetary concerns, children’s needs remain the focus of policies;
- to keep minimum standards regarding the provision of universal benefits.

Finally, the perpetuation of financing mechanisms –namely from the State towards NGOs – that promote competition between organisations, rather than cooperation should be reviewed. Interagency cooperation is a complex issue that needs to be strongly supported, and not discouraged. Success in engaging civil society and children themselves largely depends on the actual efforts put on reinforcing and consolidating existing cooperation mechanisms.

Overall, Portugal’s efforts to keep up its high standards as regards formal compliance towards international responsibilities regarding children should be matched by equally high standards as regards actual implementation of those commitments.

2. Access to adequate resources

2.1. Policies to support parents' participation in the labour market

In Portugal, unlike other countries, there are no policies such as reintegration benefits, specific for the support of parents' participation in the labour market. The present section will therefore focus on overall policies that may impact on parents' participation in the labour market.

In recent years, a number of specific measures were launched aiming at stimulating employment thus indirectly addressing the recommendations for supporting the employability and participation of single parents and second earners in paid work and for enabling parents to balance their work and parenting roles.

'Estímulo 2013 (Stimulus 2013) was created in March 2013, extending the experience of Stimulus 2012. It consists of a monthly support to employers celebrating a full-time or a part-time labour contract with a registered unemployed person matching a number of conditions. It usually corresponds to 50% of the employee's remuneration and it may last for six months if the contract established is fixed-term for a period equal or higher than six months; or for 18 months if the contract established is permanent. It must correspond to net job creation and the employer must ensure the level of employment during the period the support is being granted, as well as to ensure professional training to the employees regarding whom the support is being granted.

The measure 'Incentivo Emprego' (Employment Incentive) was created in September 2013. It consists of financing 1% of the salaries of new employees and it is expected to cover 110,000 new employment contracts in 2014⁷. This measure is presented as transitory, to be in force from October 2013 to September 2015 and aiming at "mitigating the effects of the economic crisis and giving a thrust to hiring"⁸.

The measure 'Active Life' (Vida Ativa) intends to adjust the personal employment plans of the unemployed with their individual potential and needs. It aims at boosting their employability through the quick integration in short-term training actions. These should allow for the acquisition of relevant skills or the valuing of already existing skills and they should always allow for the continuity within a path of qualification.

The 'Support to Hiring through the Reimbursement of the Social Security Contribution (TSU)' consists of a support to employers celebrating a full-time or a part-time labour contract with a registered unemployed person. The support is granted through the reimbursement of a percentage of the contribution to Social Security paid by the employer. People unemployed aged 31 to 44 are eligible only if they have not concluded lower secondary education or if they are the head of a lone parent household or if their spouse is also unemployed.

Ordinance 3-B/2013, of 4 January, widened the scope of the Professional Internships programme by including professional internships as another target-group. Registered unemployed lone parents and registered unemployed whose partner is also unemployed were also included in the programme, alongside young

⁷ <http://www.portugal.gov.pt/pt/os-ministerios/ministerio-da-solidariedade-e-seguranca-social/mantenha-se-atualizado/20130916-msess-concertacao-social.aspx>

⁸ http://www.iefp.pt/noticias/Paginas/Medida_Incentivo_Emprego.aspx

people aged up to 30 (with level at least 4 qualification) and adults over 30 (having obtained a level 2 qualification or higher for less than three years and looking for a new job).

According to the Ordinance, the implementation of such measure responded to the need of those groups, fostering their wider access to active labour market policies. The programme consists of nine months internships in private companies. Participants in the programme are entitled to a monthly scholarship that equals the Social Support Index, plus food allowance and insurance.

Ordinance 204-B/2013, of 18 June revoked Ordinance 3-B/2013 and launched the Employment Internships measure. This measure widens the scope of possible beneficiaries and the scope of promoters: municipalities and public companies may now apply. The new legislation keeps a specific mention to unemployed lone parents and couples, exempting them from the qualification criteria to be applied to other possible beneficiaries.

The latest amendments introduced in the legal framework for the unemployment protection of employees, who are covered by the general social security scheme (Decree-Law 64/2012 of 15 March), provide contradictory signs in terms of protection.

On the one hand, there was a reduction in the qualifying period for unemployment benefits (from 450 to 360 days), in order to extend the protection to the beneficiaries with shorter insurance careers. On the other hand, the government introduced a 10% reduction in the unemployment benefit amount, to be applied 6 months after the granting of the benefit, presented as a way to encourage the beneficiaries' active search for employment. At the same time, it reduced the unemployment granting periods up to a maximum of 540 days.

As mentioned in previous reports (Baptista, 2011; Baptista, 2012; Baptista & Perista, 2013), the Portuguese labour market is considerably segmented. According to Statistics Portugal (INE), the number of part-time workers reached 14.2% of the working population in the end of the first quarter of 2013. However, the proportion of those in part-time sub-employment increased from 38.3% in 1Q2012 to 41% in 1Q2013. In total, 1,85 million people of working age were unemployed or without a full-time employment, approximately 270,000 more than in March 2011, and 100,000 more than in March 2012⁹.

In addition, while the proportion of permanent workers registered a decrease of 6.3% between the two above-mentioned periods, the proportion of temporary workers decreased only 1.3% and the proportion of employees with other types of contract increased 9%.

Furthermore, the number of employees earning less than 310 euro increased by 15.1% between the second quarter of 2011 (the memorandum of understanding dates of May 2011) and the first quarter of 2013¹⁰. In 2Q2013, more than 160,000 workers were in this situation. This is particularly relevant as the threshold mentioned above is lower than the Social Support Index, established in 419.22 euro, and below the poverty threshold.

⁹ "Desemprego: mais de 1,8 milhões em situação precária", in *Ionline* 10/05/2013, available at: <http://www.ionline.pt/artigos/dinheiro/desemprego-mais-18-milhoes-situacao-precaria>

¹⁰ "Só há criação de emprego nos salários até 310 euros", in *Jornal de Notícias* 10/05/2013, available at: http://www.jn.pt/PaginaInicial/Economia/Interior.aspx?content_id=3211315#_page0

The number of people in this situation working part-time who would like to get a full-time job reached 59% in the 2Q2013, as compared to 28.7% in 2Q2009, reflecting an increase of 139% in the last five years¹¹.

It is equally striking that this is the only cohort in counter-cycle, increasing 5.2% (+8,000 jobs) between 2Q2012 and 2Q2103. All other cohorts registered significant decreases in this period. In total terms, employment decreased 3.9%, i.e. less 183,000 jobs, giving continuity to a trend now lasting for 20 quarters. The biggest year-on-year decline (26%¹²) regarded those workers whose salaries range between 1,800 and 2,499 euros. Since the beginning of this trend, in the 2Q2008, 720,000 jobs were lost, 387,000 of which since the start of the adjustment programme.

In general terms, in the end of 2012, salary costs have been reduced by 15% compared to the end of 2011¹³. This will certainly have an impact on the Portuguese working poor population, estimated to be, in 2012, of 9.8%. This figure is certainly important to characterise the situation, moreover when it compares to the estimation of 9.2% for the EU28. Nonetheless, these figures only express the incidence of the phenomenon and not its distribution.

Thus, the latest evidence and trends – and the inability to effectively tackle its consequences – show the reinforcement of the persistent very high share of employed population among the poor. Costa et al (2008) had recently raised an increased public and political attention to this issue of in-work poverty in Portugal, by highlighting the large bulk of working individuals who do not manage to raise above the poverty line: in 2004, although the risk of poverty is lower among working individuals compared to the retired, the unemployed and the other inactive, employed individuals accounted for 39% of the poor population.

For all these reasons, the Recommendation's plea for ensuring that work 'pays' for parents is not only not being addressed as, indeed, there are worrying signs regarding developments in this area.

In its concluding observations of 2001, and with a view to achieving full application of article 4 and to eradicate poverty, the Committee on the Rights of the Child urged Portugal to consider ways in which respect can be guaranteed for the rights of all children including children from disadvantaged backgrounds and from isolated communities, in particular in the sectors of health, education and other social welfare services and in conformity with article 2.

In its latest periodic report, the Portuguese State addresses this observation by listing a number of actions "aimed at eliminating situations negatively affecting children, inter alia by adopting measures to combat child poverty". These measures, which have been launched since 2008, are considered to provide direct financial support to children and their families. Some of these measures aim at enabling parents to balance work with their parenting responsibilities.

¹¹ "Subemprego cresceu 139% nos salários abaixo dos 310 euros", in *Expresso* 17/08/2013, available at: <http://expresso.sapo.pt/subemprego-cresceu-139-nos-salarios-abaixo-dos-310-euros=f826256#ixzz2cQOOiuOa>

¹² "Portugal só cria empregos nos salários inferiores a 310 euros", in *Dinheiro Vivo* 8/08/2013, available at: <http://www.dinheirovivo.pt/Economia/Artigo/CIECO237597.html?page=0>

¹³ "Salários caíram 16,1% no último trimestre de 2012", in *Público* 15/02/2013, available at: <http://www.publico.pt/economia/noticia/salarios-caem-161-no-ultimo-trimestre-de-2012-1584597>

The maternity leave now entitles mothers to an initial parental leave that can be shared by the father, under the following conditions: 120 consecutive days, paid at 100% of the reference remuneration; 150 consecutive days, paid at 80% of the reference remuneration.

The mother is entitled to enjoy a compulsory six-week license after childbirth. The mother can also enjoy a 30 days parental leave before childbirth, upon presentation of a medical certificate¹⁴.

During pregnancy and till the child is 12 months old, the mother is not obliged to perform additional work. Pregnant women, recent mothers and breast feeders are entitled to an exemption from the provision of work organised under adaptability, hours bank or concentrated time regimes.

The mother or the father is also entitled to exemption from night work between 20 hours of a day and 7 am of the following day, for 112 days, before and after birth. An exemption may also occur during the remaining pregnancy period and during breastfeeding.

The paternity leave entitles fathers to a compulsory license of 10 days, five consecutive days before childbirth and the remaining five days, consecutive or not, within 30 days after childbirth. The father also has an additional license of 10 days, consecutive or not, which is not mandatory. These days must be used during the mother's initial parental leave.

In case of death or physical or mental incapacity of the mother, the father is entitled to a minimum of 30 days of initial license. The father is also entitled to three absences from work to accompany the mother in the prenatal sessions and the preparation for childbirth.

Self-employed workers are entitled to the same rights as the employees, including the sharing of the initial parental license. The self-employed do not have the right to granting assistance and are not entitled to the child care allowance or to the grandson/granddaughter care allowance.

During breastfeeding, mothers are entitled to be absent from work during two distinct periods within the working day, with a maximum period duration of one hour. If the mother is not breastfeeding, the mother or the father is entitled to the same exemption to breastfeed until the child is one year old.

The mother and the father may extend the parental license for additional assistance to the child or the adopted child until six years old, under the following conditions:

- Extended parental license, which is taken after the initial parental leave;
- Part-time work during the 12 months, when the normal work period is equal to a half of the full-time work;
- Interspersed periods of extended parental license and part-time work in which the total duration of the absence and the reduction of working time is equal to the normal working period of three months;
- Interpolated work absences with the duration equal to the normal working periods of three months, which is provided by the collective work regulation.
- The mother or the father are entitled to a license for assisting the child for two years, after having exhausted the right to supplement enlarged parental license, consecutively or interpolated.

¹⁴ These days are discounted over the period of parental leave to which she is entitled.

Grandmothers/grandfathers can be absent from work for 30 consecutive days following the birth of a grandson/granddaughter, offspring of a son/daughter up to the age of 16 and sharing the same household.

They are also entitled to be absent from work, replacing the parent, to assist the child in case of illness or accident till s/he is 18. There is no age limit if the child is disabled or chronically ill.

Fathers/mothers can be absent from work up to 30 days per year or during the total period of eventual hospitalisation, for assistance to children under 12, in case of illness or accident. Fathers/mothers are also entitled to work with a flexible timetable or to work part-time. There is no age limit if the child is disabled or chronically ill.

In this latter case, the mother/father is entitled to a reduction of five hours of the normal working week, to assist the child with disability or chronic illness until s/he is one year old, or to other special working conditions subject to the presentation of a medical certificate.

The educational guardians are entitled to a four hours absence from work per quarter, for each child to be able to go to school to monitor the child's educational situation.

The daily amount of the benefits equals 65% of reference salary.

2.2. Policies to provide adequate living standards

2.2.1. Adequate, coherent and efficient benefits

The report of the Commissioner for Human Rights of the Council of Europe, issued in July 2012, gave particular attention to children as a specific vulnerable social group. According to this report, the Ombudsperson's Office registered an increase of 47% in the number of complaints related to social protection issues between the first quarter of 2011 and the same period of 2012.

Many of these complaints concerned the introduction of stricter conditions for accessing social benefits, namely child benefits. In many cases the introduction of means-testing, meant that families had to provide evidence of their income over a two year period, regardless of any changes occurring during that period, as for example, having become unemployed¹⁵.

The maximum income threshold for accessing such benefits was also substantially lowered, to a monthly income of 628 euro per person. Faced with these increasing complaints, in December 2011, the Ombudsperson called on the authorities to simplify the rules for accessing child benefits, as a matter of urgency, as it appears that the new rules were unduly inhibiting access of many persons to the above benefits.

The report also indicated that there was an increasing number of calls - resorting to the 24-hour phone line of the NGO "Instituto de Apoio à Criança" - related to situations of family poverty. According to information made available by this NGO, in August 2013, the number of calls linked to poverty situations doubled between the first seven months of 2013 compared to the same period in 2012: from 1.140

¹⁵ Republication of Decree-Law 176/2003, of 2 August assumes the wish to establish more selective family allowances, privileging lower income families with more children, aiming to reinforce the principle of social differentiation.

to 2.670 calls. Additionally, children are deemed to represent approximately one third of the persons using food banks¹⁶.

The report also notes the Commissioner's concern that other factors may have had a particularly negative impact on children's lives, such as the increase in prices of health care and of public transportation, as well as the reportedly increasingly frequent evictions of families due to the non-payment of mortgages. It is also noted that since the entry into force of the Programme of Social Emergency, only a limited number of families with children in which both parents are unemployed had requested the 10% increase in their unemployment benefit assistance, due to allegedly cumbersome procedures.

The Commissioner also voiced increasing concerns from civil society representatives regarding the likely impact of the austerity measures in weakening the achievements made following the ten-year implementation of the National Inclusion Plan (between 2001 and 2010).

Combating child poverty was a priority within these plans, particularly of the Plan for 2008-2010. The measures foreseen aimed at consolidating social protection by increasing benefits, implementing positive measures regarding low-income families, and taking measures to improve direct social support for families, e.g. through increasing the number of places in crèches, as well as measures to combat inequalities in the field of education (notably through the programme "Escolhas").

While some of these measures continue to be implemented, namely Programme "Escolhas" whose main objective is to promote the social inclusion of disadvantaged youth, the fiscal austerity measures have adversely affected existing policies aimed at supporting the income of families.

The report also stresses that the packages of austerity measures in Portugal in 2010 and 2011 have expressively increased the risk of children being exposed to poverty, even if its full impact had not yet been measured given the deferrals in data availability. However, the same report notes that the combination of growing unemployment and cuts in salaries, increased taxes and reduced social and unemployment benefits have brought about a reduction in the income of many persons and households and therefore increased their vulnerability towards poverty.

Meanwhile, data issued in July 2013 has provided evidence confirming such concerns (see chapter 5). It is expected that the lingering of austerity and all the above-mentioned factors will continue to be affecting more people and to deepen the consequences for children and families.

According to the latest data released by the INE regarding the SILC database, poverty rate before social transfers would amount to 45.4% in 2011, significantly higher than the 42.5% registered in 2010. By including pensions, the poverty rate would be 25.2% (25.4% in 2010), while the inclusion of other social transfers decreases the rate to 17.9% (18% in 2010). Thus, the influence of transfers other than pensions contributes to a reduction of the poverty rate by 7.3 p.p. This represents a slight decrease regarding the previous year (7.4 p.p.).

Social benefits have been under considerable pressure since the outburst of the current economic and financial crisis. Two series of major cuts in child care

¹⁶ "Banco Alimentar do Oeste ajuda nove mil pessoas", in *CMTv* 4/06/2013, available at: <http://cmtv.sapo.pt/atualidade/detalhe/banco-alimentar-do-oeste-ajuda-nove-mil-pessoas.html>

benefits were implemented, in November 2010 and January 2012. Between February 2010 and May 2013, more than half a million beneficiaries lost access to child benefits, i.e. almost one in every three beneficiaries.

In total, the state reduced by 30% its expenses for the support of families with children between 2010 and 2011. The above mentioned Decree-Law 133/2012 of 27 June reduced the amounts of the sickness and maternity and paternity benefits.

New conditions for the attribution of the family allowance came into force in the end of 2012¹⁷. Now parents may ask for the revision of the value of the allowance 90 days after a change in the household's income or composition occurs, instead of being set for a one-year period and based on the revenue of the year prior to the request. This will allow a swifter adjustment to the families' specific situations.

However, it is important to recall that the previous changes to the allowance led to a decrease of nearly 200,000 beneficiaries between December 2010 (1,379,076) and May 2013 (1,184,308), approximately 14%.

Thus, many middle class families are no longer entitled to the benefit and the new rules are, most of all, addressing the more grievous situations, especially those people who become unemployed and/or those who saw their income decreasing. Hence, despite the considerations of its potential importance in terms of addressing specific situations, the National Confederation of Family Associations (CNAF)¹⁸ considers this measure as a "small palliative", taking into account the scope of the challenges ahead.

Regarding unemployment protection, it must be stressed that, in the end of the first half 2013, 59%¹⁹ of the unemployed registered in employment centres were not receiving any unemployment benefit, compared to 38% in April 2010²⁰.

Moreover, in the same date, the mean value for this benefit was 484.13 euros, compared to 487.67 euros in April and to 501.13 euros one year before that. In any case, this value is remarkably close to the poverty threshold which, from a social inclusion perspective, raises serious concerns regarding the erosion of its protection potential, enhanced by the continuous decreases registered.

The decrease in the mean values will most likely continue as new cuts have now been implemented. In January 2013, there was a proposal to cut the unemployment benefit in further 6%. This represented an extraordinary contribution for social security that would be applicable to those unemployed people getting more than the minimum income. This proposal raised concerns that such cut would increase poverty in the country and that, since social benefits were

¹⁷ "Abono de família com novas regras segunda-feira", in *Diário de Notícias* 23/10/2012, available at: http://www.dn.pt/inicio/portugal/interior.aspx?content_id=2841529

¹⁸ "Novas regras no abono de família são 'pequeno paliativo'", in *Diário de Notícias* 23/10/2012, http://www.dn.pt/inicio/economia/interior.aspx?content_id=2841956

¹⁹ "Taxa de cobertura do subsídio de desemprego baixa para 41%", in *Público* 25/07/2013, available at <http://www.publico.pt/economia/noticia/taxa-de-cobertura-do-subsidio-de-desemprego-baixa-para-41-1601313>

²⁰ "Apenas 44% dos desempregados recebem subsídio de desemprego", in *Público* 16/05/2013, available at: <http://www.publico.pt/economia/noticia/apenas-44-dos-desempregados-recebem-subsidio-de-desemprego-1594586>

under revision in order to “make more with less”, there was a need to politically define what the priorities are²¹.

However, the Constitutional Court considered this change not safeguarding the minimum amount of the benefit²² and thus, issued a negative decision regarding this measure. As a result, the measure was changed and, in the end of July, with the coming into force of the Amending State Budget for 2013, it was applied to all unemployment benefits higher than 419.22 euros, the value for the Social Support Index²³. The sickness benefits over 30 days, corresponding to an amount higher than 125.77 euros suffered a reduction of 5%.

It should be mentioned that unemployed couples with dependent children will be excluded from the measure and they will keep the majoration of 10% in their unemployment subsidy. From a social inclusion perspective this is good news and the intrinsic validity of the measure must be highlighted, most of all in a context of strong increase in the number of couples in conditions of accessing the measure – 12,067 in June 2013 (+45% regarding June 2012)²⁴.

It is also worth noting that single parent families are entitled to a 20% increase in their family allowance and that the family allowance will double as of the second child for each child between 12 and 36 months and will triple as of the third and subsequent children between 12 and 36 months.

On the other hand, and also from a social inclusion perspective, it is worrying to notice the delays registered in the payment of social benefits. In the beginning of the year those delays were affecting the above-mentioned majoration of the unemployment benefit but, more than that, the media were reporting cases where beneficiaries were wrongfully informed that they were no longer entitled to the benefit²⁵.

The same also happened to the unemployment and sickness benefits, as admitted by the Government²⁶, which, in some cases, were being delayed for 30 days. However scattered these cases may be, they pose a concrete threat to the daily lives of people in vulnerable situations.

As regards the Social Insertion Income, in June 2013, there were 271,264 beneficiaries. This represents the continuity of a steady decrease since the implementation of new rules in July 2012. Comparing to June 2012, almost 68.500 people lost entitlement to the benefit. In any case, as reported before

²¹ “Cortar o subsídio de desemprego vai aumentar a pobreza” in *Económico*, available at http://economico.sapo.pt/noticias/cortar-o-subsidio-de-desemprego-vai-aumentar-a-pobreza_160328.html

²² “Constitucional chumba corte de subsídio de férias de funcionários públicos e dos pensionistas”, in *Público* 05/04/2013, available at: <http://www.publico.pt/politica/noticia/constitucional-chumba-corte-de-subsidio-de-ferias-de-funcionarios-publicos-e-dos-pensionistas-1590313#/5>

²³ “Subsídios de desemprego e de doença voltam a ter cortes”, in *Económico* 24 July 2013, available at: http://economico.sapo.pt/noticias/subsidios-de-desemprego-e-de-doenca-voltam-a-ter-cortes_174124.html

²⁴ “Número de casais desempregados aumenta 45% em Junho”, in *Público* 16/08/2103, available at: <http://www.publico.pt/economia/noticia/numero-de-casais-desempregados-aumenta-45-em-junho-1603243>

²⁵ “Majoração do subsídio de desemprego paga só em fevereiro”, in *TSF* 25/01/2013, available at: http://www.tsf.pt/PaginaInicial/Portugal/Interior.aspx?content_id=3014623

²⁶ “Governo admite atrasos ‘pontuais’ no pagamento de prestações sociais”, in *Jornal de Notícias* 22/11/2013, available at: http://www.jn.pt/PaginaInicial/Economia/Interior.aspx?content_id=2903826

(Baptista, 2011; Baptista, 2012; Baptista & Perista, 2013), the mean figures of the benefit – in June 2013, 82.64 euros per person and 206.38 euros per household – although important for mitigating the intensity and severity of poverty, will hardly have a decisive impact for the reduction of poverty itself. As a matter of comparison, the present figures are approximately 9.5 and 41 euros lower than in June 2012.

According to a recent Eurochild report (Eurochild, 2012), *"It is clear that unemployment and the cuts in subsidies have a direct influence on child care and child opportunities. Especially in terms of other activities like sports, arts (music) because families don't have enough money to maintain their children in these extra activities"*.

Furthermore, the report alerts for the long-term consequences of unemployment or poor employment in children's wellbeing, remembering that child poverty may be prevented more effectively, as proven by the fact that some countries perform better than other regarding this matter.

In fact, Portugal is placed within the group of countries where social transfers show small impact for the reduction of child poverty and where children are more vulnerable to poverty even in households with high work intensity.

2.2.2. Complement cash income support schemes with relevant in-kind benefits

Since June 2013, the value of the 'dentist-checks' (*cheques-dentista*) lowered from the 40 euros defined four years ago, when the measure was implemented, to 35 euros. This decrease was justified, by the Dispatch of the Adjunct-Secretary of State of the Minister of Health, with the "current economic and financial conjuncture that implies efforts that must be divided by all"²⁷.

On the other hand, however, the universe of beneficiaries was enlarged with the inclusion of young people aged 15 attending public schools. Under the new rules, at the ages of 7 and 10, children may be entitled up to two checks per schooling year; up to three checks per schooling year at the age of 13 and one check at the age of 15.

The Schooling Social Action Services provide cash income schemes and in-kind benefits. The access is means-tested and limited to those receiving family allowance and placed in its two lowest cohorts. Those in the lowest cohort are entitled to a subsidy for books and school material, for the frequency of extra-curricular activities, and to the exemption from meals payment at school. For those in the second lowest cohort, income support and exemption of payment are reduced to 50%.

Pupils aged 4 to 18 covered by the School Social Action Services or integrated in households with a mean monthly income equal or lower than 503.06 euros, and who are not covered by school transportation services provided by the State, are entitled to the social pass 4_18escola. The price will be 60% (lowest cohort of family allowance) or 25% (remaining situations) lower than the regular price.

In May 2013, gas and electricity social tariffs reached approximately 90,000 families. This represents a small proportion of the 600,000 families foreseen in 2010 by the Energy Services Regulatory Authority (ERSE) when the tariff was

²⁷ "Valor do 'cheque-dentista' baixa de 40 para 35 euros", in *Público* 7/07/2013, available at: <http://www.publico.pt/sociedade/noticia/valor-do-chequedentista-baixa-de-40-para-35-euros-1596751>

created. This low take-up led to a revision of the number of potential beneficiaries, now established in 300,000.

According to the former president of ERSE, this is due to the bureaucracy involved in the process and to lack of information among potential beneficiaries – low-income and low-educated families – are lacking access to information. Moreover, in the beginning of May he expressed that “it is debatable that the social tariff is the most suitable way to help low-income families (...). A more structured policy, envisaging basic needs in a more integrated way should be put in place”²⁸.

The secretary of state, though, does not share the same opinion arguing that “the system is not bureaucratic nor difficult”, and that the low number of beneficiaries is due to lack of information. Thus, there is a need for “the most vulnerable population to know that there is a cheaper tariff”²⁹.

From a social inclusion perspective it seems clear that the State has major responsibility regarding this issue and that measures should come forward in order to properly inform the public, which has not been the case so far.

2.3. Main conclusions and recommendations

Ensuring children’s access to adequate resources, namely through parents’ participation in the labour market, raises important challenges both of a structural nature (e.g. labour precarity, low level of salaries and low levels of benefits) and of a contextual nature (e.g. increasing unemployment rates, increasing employment segmentation, erosion of salaries and lower social protection).

In such a context, there is an urgent need:

- for a crosscutting social impact assessment of measures introduced, namely in terms of their actual scope (compared to existing evidence) and their effectiveness;
- to enhance the take-up of existing measures (including the identification of existing barriers and measures to overcome them);
- to develop solid integrated policies for enhancing access to quality and sustainable jobs;
- to ensure that consolidation measures and budgetary constraints do not erode the already extremely low levels of salaries that have long characterised an important segment of the Portuguese labour market;
- to activate effective mechanisms for promoting employment;
- to tackle the emergence of alarming situations of economic survival arising both from the effects of the crisis and of the consolidation measures adopted;
- to keep a focus on children’s needs, facilitating access to “regular” social benefits and mainstream services and avoiding the stigmatisation of children and their families;
- to ensure the efficient operation of social protection services regarding social transfers and guaranteeing the de-bureaucratisation in the access to benefits and services;

²⁸ “Luz: tarifa social só chega a 10% dos potenciais beneficiários”, in *TVI24* 02/05/2013, available at: <http://www.tvi24.iol.pt/economia---economia/eletricidade-luz-erse-tarifa-social/1445242-6377.html>

²⁹ “Há uma tarifa social da luz e do gás. O problema é que poucos aderiram” in *Dinheiro Vivo* 29/05/2013, available at: <http://www.dinheirovivo.pt/Empresas/Artigo/CIECO163006.html?page=0>

Fighting child poverty and fostering social inclusion demands a strengthened protection in times of harshened access to paid employment and a continuous investment in supporting families' regarding the factors facilitating school access (e.g. school material, school transport).

Gains of efficiency seem to be achieved mainly by restricting access to social benefits, by reducing unemployment protection, by reinforcing urgency support, by narrowing the scope of the actual impact of measures, by "normalising" low salaries and precariousness. These policy options are also strongly impacting on cohesion, and on possible gains regarding the fight against poverty and the promotion of social inclusion, particularly as they strongly affect the future well-being of children and their potential.

3. Access to affordable quality services

According to the specific ad-hoc module 'Housing and habitability' which was applied along with SILC in 2012 (repeating the application of 2007), there are contradictory signs regarding the proportion of people using services within their area of residence. In fact, on the one hand, the proportion of users of primary healthcare increased from 65% to 87.1% but, on the other, the proportion of school users (compulsory schooling) decreased from 34.6% to 31.6%.

However, in what regards facilitating access to these services, the proportion of favourable opinions increased regarding both services: from 72.1% to 83.9% (primary healthcare services), and from 75.6% to 86.4% (schools).

3.1. Early childhood education and care

The public network of early childhood education and care facilities for children aged less than three is still clearly insufficient. Despite the increase in the last few years, in 2012, and according to Social Charter data, it covered less than 42% of this group of children (35% in 2010). As such, the State subsidises crèches in the private sector which are run by entities recognised as private entities of social solidarity. The amounts families have to pay are calculated according to the household income.

The launch of the Programme for Extending the Pre-School Education Network, in 2008, led to an increase of the number of places for children between the ages of three and five, thus contributing for a better balance the personal, family and professional life of families. The real enrolment rate in pre-school education increased from 79% in the schooling year of 2007/2008 to 89.3% in 2011/2012.

It should be mentioned that this development has only been possible by the addition of the family support component. The family support component allows these facilities to be opened till 5.30 pm and for a minimum of eight hours per school day. This support is co-financed by the State, and its amount is annually established through Agreements signed between the Ministry of Education and the municipalities (in the case of the public network). Parents are also supposed to co-finance family support activities.

Thus the recommendation towards reducing inequality at a young age by investing in early childhood education and care is being addressed only partially as the public coverage regarding children less than three remains to be fully accomplished.

3.2. Education

Pupils of the 1st cycle of education (1st to 4th grade) have access to activities for curricular improvement, which increase the time spent at school – till 5.30 pm – and guarantee full occupation of school time with replacement classes and other activities monitored by teachers. According to the latest report of the Portuguese State to the Committee on the Rights of the Child, "the Full Time School is planned not only as an instrument to improve learning but, above all, as a way of supporting family units in which the mother very often works".

However, a Normative Dispatch issued by the Ministry of Education and Science regarding the organisation of the schooling year 2013/2014 raised the concern

that pupils of the first cycle of basic schooling would stay less time in schools³⁰, thus increasing the need for paid services.

The National Confederation of Parents and Educational Guardians considered this as "another attack to public schooling". This concern was further increased by the Opinion issued by the National Council for Education (CNE), according to which, the proposal of the Ministry is predicting the possibility to reduce the intra-curricular and the extra-curricular components by two and a half hours per week/each.

The CNE considers that this will bring "consequences in terms of scope and quality of the education provided by public schooling, aggravating the difficulties of families in accompanying their children, especially those in social and economic disadvantaged situations".

In reaction, the Ministry of Education has been assuring that, "for the time being", the schedule will be kept till 5.30 pm, as in the previous year. The extra-curricular activities (AEC) will be kept unchanged.

The Ministry also came forward guaranteeing that the idea was not to ask parents/education guardians to pay for the extra-curricular component, though this could not be excluded. In further developments, however, co-payment was discarded.

At the present moment, it has become clear that the model is going to change. Instead of the current situation where the period from 3.30 pm to 5.30 pm is of the responsibility of the municipalities, this period will be divided in two. The first hour would be assured by the Ministry, reinforcing the time allocated to "supervised studying" and the second would be assured by the municipalities.

Budgetary reasons lie behind the rationale. The restructuring will allow the municipalities to reduce their spending with the AEC, as fewer hours will be allocated to these disciplines (e.g. English, Physical Education, and Drama). Conversely, the increase of the number of hours under the responsibility of the Ministry would not imply additional spending as those would be assured by current teachers.

Such discussion occurs in a context where fiscal austerity measures have impacted significantly on education. In April 2012, the government announced that the number of pupils per class would increase from 28 to 30. A limitation to family tax exemptions based on education expenses was also introduced.

The above-mentioned report of the Commissioner for Human Rights of the Council of Europe stresses that the cuts in child benefits appear to have had a particularly negative impact on education as many parents have publicly indicated that these subsidies were usually used for buying school books or covering meal costs and transportation to school. In addition, it has been reported to the Commissioner that the tightening of the budgets of local authorities has impacted on education as it results in less funds being available locally to support public schools.

Another source of concern came into light with a dispatch from the Directorate-General of School Establishments, in late July 2013, designing the school network for the schooling year 2013-2014³¹.

³⁰ "Pais preocupados com hipótese de alunos ficarem menos tempo na escola", in *RR* 5/07/2013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=113629

School directors accused the Ministry of Education and Science not to have considered the real needs of schools, timely transmitted to the Ministry, thus eliminating several classes where pupils were already registered, especially in what regards professional courses and education-training courses.

Such considerations were backed up by the teachers' federations who criticised its lateness, after all the registration processes and who considered it to be, most of all, "a set of measures oriented to dismiss teachers (...) that will decrease the quality and offer of the system".

As a response, the Minister of Education and Science argued that the document was just a first draft that "will have to be re-dimensioned according to the specific needs of each school" and that no student would be left out because of the inexistence of classes.

Another reaction from the main teachers' federation was the accusation that the Ministry was in fact bowing to the interest of private schools. This situation had new developments in August 2013 following the change of the funding rules of private schools³².

The decree-law proposal, now at the discussion stage with social partners, foresees *simple contracts for supporting families* – the so-called *cheque-ensino* – aiming to "support attendance of schools of the private and cooperative system, by every student, from basic to secondary schooling, who are not encompassed by other contracts".

In other words, this would allow families to choose the school where to place their children, regardless of their public, private or cooperative statute, with the State assuming the costs.

The proposal has also been criticised by specialists who alerted, for instance, that the OECD has already alerted to the possible perverse effects of the generalisation of these measures (possibility opened by the term 'every student' used in the proposal). In fact, in some countries where the model was adopted, inequalities have, in fact, increased³³.

In August 2013, data released by two studies, one launched by the Court of Auditors and the other by the Ministry of Education and Science, reveals that primary school pupils attending state schools cost the State less than primary school pupils attending private or cooperative schools with contract of association³⁴.

The Socialist Party, in the opposition, criticised the government for "continuing its offensive against public schooling", remembering that the Portuguese Constitution

³¹ "Crato diz que nenhum aluno ficará de fora por não existirem turmas", in *Público* 29/07/2013, available at: <http://www.publico.pt/sociedade/noticia/crato-diz-que-nenhum-aluno-ficara-de-fora-por-nao-existirem-turmas-1601684>

³² "Governo abre a porta ao cheque-ensino no básico e secundário", in *Público* 8/08/2013, available at: <http://www.publico.pt/sociedade/noticia/governo-abre-a-porta-ao-chequeensino-no-basico-e-secundario-1602491>

³³ "Afinal, o que se pretende com o cheque-ensino? Pais e especialistas levantam dúvidas", in *Público* 8/08/2013, available at: <http://www.publico.pt/sociedade/noticia/afinal-o-que-se-pretende-com-o-chequeensino-pais-e-especialistas-levantam-duvidas-1602594>

³⁴ "Alunos custam menos ao Estado na escola pública", in *Público* 8/08/2013, available at: <http://www.publico.pt/destaque/jornal/alunos-custam-menos-ao-estado-na-escola-publica-26937201>

states that the State has the obligation of building and maintaining a public network of schools that guarantee generalised access to education³⁵.

For this party, the generalisation of *cheques-ensino* is a "flagship of those defending a very stratified society, based on a nearly social apartheid" that will exacerbate existing inequalities and the impoverishment of public schooling. It thus accused the government of "wanting a poor school, for the poor".

The significant pressure imposed on the education system is surely jeopardising its capacity "to break the cycle of disadvantage, and to ensure that all children can benefit from inclusive high quality education that promotes their emotional, social, cognitive and physical development." (EC, 2013: 7)

3.3. Health

The network of Paediatric services in public hospitals (covering children and young people up to the age of 18), aims at providing healthcare and at nourishing the wellbeing of infants, children, young people and their families. The national healthcare service provides primary care, starting before birth and extending through neonatal supervision, childhood and youth. Exemption from user charges is guaranteed to children aged less than 13. However, the exemption does not cover every examination and treatment.

Moreover, it is important to recall that the huge waiting lists for consulting a specialist in a public hospital or health centre has resulted in depriving many children from this type of medical appointments and pushed many others to private doctors. Within the present crisis context it seems likely that access of a significant part of the Portuguese children to health – particularly to specialised consultations – results diminished. Additionally, there is evidence of a rising number of families who "choose" not to buy all prescribed medicines or to undertake medical tests. This also raises concerns regarding children's reduced access to health care.

Such concern is shared by Eurochild. According to a recent report (Eurochild, 2012), austerity measures in Portugal are limiting the access of children and families to health, education and other care services, also limiting their full participation in family and social life.

The considerable cuts in child care benefits introduced in 2010 and 2012 impacted significantly on the income of many families with children³⁶. Thus, there is clear concern that the present "considerable pricy and weighty" user charges are hindering the access of children aged more than 12, raising equity issues. According to the Paediatrics Department of the Hospital of Santa Maria, this reduced access may have consequences in terms of the children's health. "If user charges assume a considerable weight, people will do what they already do regarding medicines", that is, carefully selecting the consultations and/or exams to attend³⁷.

³⁵ "PS diz que Governo quer escola pobre", in *Diário de Notícias* 20/08/2013 http://www.dn.pt/politica/interior.aspx?content_id=3379458&page=-1

³⁶ "Austeridade limita acesso das crianças à saúde e educação", in *TVI24* 23/01/2013, available at: <http://www.tvi24.iol.pt/503/sociedade/eurochild-criancas-austeridade-educacao-saude/1412746-4071.html>

³⁷ "Valor das taxas dificulta acesso das crianças com 12 anos aos cuidados de saúde", in *Alert* 10/01/2013, available at: <http://www.alert-online.com/br/news/health-portal/valor-das-taxas-dificulta-acesso-das-criancas-com-12-anos-aos-cuidados-de-saude>

According to the recent spring report of the Portuguese Observatory of Health Systems (OPSS, 2013) "the so-called user charges are not user charges. Rather, they are fees paid against the provision of healthcare". The report also concludes that there are multiple indicators showing that the Portuguese population is experiencing a more difficult access healthcare, along with some signs that situations of implicit rationing in public health services may be occurring.

The results of a study on the wellbeing of Portuguese families (SEDES, 2012) indicate that 22.2% have decreased their health related expenses. This figure almost doubles among households where at least one of its elements was unemployed (39.9%).

Similarly, the latest results of a study regarding the satisfaction of the coordinators of the Family Health Units of the Ministry of Health³⁸ (Biscaia et al., 2013), report an increase of the dissatisfaction with the active role of the ministry of Health and the entities of central administration in what regards the reformation of primary healthcare. Approximately one out of three coordinators participating in the study reported that, during 2012, reported shortage of basic material for regular activity incidents occurring more than 10 times.

Opposite conclusions were drawn by a recent study commissioned by the Central Administration of Health Services (Pita Barros et al, 2013). According to the authors there is no evidence that the increase in the prices of user charges has significantly prevented patients from resorting to health services. According to the study "results indicate that the increase in the prices of user charges has not been a crucial factor limiting access to healthcare in Portugal.

Despite this positive note, most signs regarding the health sector show sharp contrast with the recommendation to "improve the responsiveness of health systems to address the needs of disadvantaged children, ensuring that all children can make full use of their universal right to health care, including through disease prevention and health promotion as well as access to quality health services" (EC, 2013:7).

3.4. Housing and living environment

According to the data specifically provided by the Ministry of Justice for the present report, the number of new processes for eviction increased roughly by 12% between 2010 and 2012. In 2012, nearly 3,200 processes were issued, the vast majority of which were linked to lack of payment situations.

This figure is expected to rise considerably in 2013, following the coming into force of the new Tenancy Law in November 2012 and the transfer of responsibility for evictions to the new *Balcão Nacional de Arrendamento* (BNA), which is expected to speed up the processes of eviction (in 2011, it took 17 months, in average, to be concluded). As such, it is likely that many property owners have waited for 2013 to go forward with new processes for eviction. If the flow of new processes registered during the first quarter of 2013 is kept, the increase is expected to reach 40%³⁹ by the end of 2013.

Families are at the centre of concerns regarding this matter. Even though some cases regard unjustifiable failures, most are related to difficult situations: according to the Association of Tenants of Lisbon there are "families affected by

³⁸ Formerly known as health centres.

³⁹ "Despejos na habitação e no comércio aumentaram 14 em dois anos", in *Jornal de Negócios*, available at: <http://www.mynetpress.com/pdf/2013/maio/2013050831bd0e.pdf>

the crisis, by unemployment and severe health problems, for which measures must be taken" avoiding "indiscriminate evictions".

Such concerns are shared by the Chamber of Solicitors, who point out the particularly difficult situation of lone mothers, often unemployed and without family support. According to the projections made by this entity, the number of evictions is likely to double in 2013 (comparing to 2012), as a consequence of the new Law and of the crisis. According to the President of this entity, "Landlords decided to wait for the new Law instead of going to court and wait two or three years to get their dwelling back. (...) There will be a boom, a race for evictions, motivated by all the fuss originated by the media and by the guarantees that everything will be faster. Some landlords that previously did not want to bother will now decide to go for eviction⁴⁰. Contrary to previous circumstances, evictions are now considered urgent processes.

In order to counteract these effects, the Association of Tenants of Lisbon considers that "the government should back up people, providing a rent subsidy that currently does not exist". Such concern, however, has not been addressed. The government decided not to regulate this matter, for now, since rent updates are limited by a maximum ceiling whenever the person is considered in economic need.

Rent updates are limited to 10% for households with a monthly income up to 500 euros, to 17% for households with a monthly income higher than 500 and up to 1,500 euros and to 25% for households with a monthly income between 1,501 and 2,829 euros⁴¹. In early July 2013, over 27,000 tenants had also requested the Tax and Customs Authority the issuing of a document proving economic need so that the rent update may be limited.

Between November 2012 and early March 2013, more than 50,000 tenants have requested help and/or information, to different associations and to the State, regarding how to face the substantial rent increases they are being confronted with⁴². These requests represent approximately 20% of the 255,000 leases prior to 1990, to which the new law is applicable.

Worrying signs extend to the home-owning market. Data from June (regarding April⁴³) regarding doubtful loans, evidenced new maximums within the housing credit. In total terms, the doubtful loans of families amounted to 5.13 million euros.

Thus, as far as housing is concerned there are upsetting signs if one compares the present situation with the Recommendation's plea, namely regarding the need to provide children with a safe, adequate housing and living environment, which will allow them to live and grow up in a safe, healthy and child-friendly environment (EC, 2013).

⁴⁰ "Despejos deverão duplicar este ano prevêem solicitadores", in *Jornal de Negócios* 5/03/2013, available at: <http://www.mynetpress.com/pdf/2013/marco/2013030530a674.pdf>

⁴¹ "Mais de 27 mil inquilinos pediram carência económica", in *RR* 9/072013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=114046

⁴² There may be some overlapping.

⁴³ "Malparado volta a registar novo máximo em abril", in *Dinheiro Vivo* 13/06/2013 <http://www.dinheirovivo.pt/Economia/Artigo/CIECO174601.html?page=1>

3.5. Family support and alternative care

The Plan SERE+ was created by the State Secretary of Social Security and Solidarity's Order 9016/2012 of 26 June as part of the Social Emergency Programme. It is specifically addressed to institutionalised children and its main aim is the continuous improvement of the services addressed to institutionalised children in order to promote their rights, leading to shorter periods of institutionalisation.

SERE+ also advocates the need to implement new forms of early childhood education and care for children and young people at risk, as well as new management methods of human and financial resources and alternative solutions to institutionalisation as well as the reinforcement of continued intervention with families, children and young people.

However, a major concern, also expressed in the Annual characterisation report of the situation of children placed in care facilities (ISS, 2013) regards the high number of children and young people living in institutions, associated to the length of their stay. In 2012, 34% of the children living in foster care or in an institution were there for four years or more and an additional 21% for two or three years.

Additionally, situations of children in care without any protective measures still persist. Data regarding children and young people in care whose legal situation is not settled shows that there has been improvement on this matter over the last few years. In 2007, 449 children were in this situation, in other words 4% of the total children placed in care. Nonetheless, in 2012, the number still amounted to 182, i.e. 2% of all children placed in care.

It should also be mentioned that for a total of 3,194 children no "natural living environment" measures were applied before their placement in an institution. For an additional 2,822 additional children there was no information whether this had happened or not.

At the local level there are two networks which ensure the application of prevention strategies. Firstly, there is the local Consultative Board⁴⁴ of CPCJ which was set up according to the Law of Protection of Children and Youth in Risk (Law 147/99); apart from this commission there is also the Social Network⁴⁵. The Social Network operates with Municipal Councils (CLAS - Local Council for Social Action) and with districts (CSF - Social District Commissions). Local authorities and civil society representatives take part in these networks and combatting exclusion and promoting social development is one of their goals.

⁴⁴ Each CPCJ has always two functioning modalities – a restricted Committee and a plenary Committee. The former is responsible for the direct intervention in concrete cases, after a situation of danger is signalled to it. The plenary Committee integrates various members of the community, among others representatives of the city council, of social security, of the Ministry of Education, health services, civil society organisations, parents' associations, security forces and other competent members of the community. The Plenary Committee is specifically in charge of undertaking a more preventive action within the community, namely through information and dissemination of child rights and by promoting actions with the competent authorities for the detection of facts and situations that affect children's rights and interests, that put their health, training or education in danger, or which prove to be unfavourable to their social development and insertion.

⁴⁵ The Social Network was created by the Resolution of the Council of Ministers 197/97 of 18 November 1997.

In 2012⁴⁶, the number of new cases accompanied by the Commissions for the Protection of Children and Young People (CPCJ) increased by 9,000 comparing to 2011, reaching a total of 20,724. This increase reflects the extension of compulsory schooling from the 9th grade to the 12th grade, which led to an increased universe of children and young people subject to a possible referral to the CPCJ by schools.

As a consequence, those aged 15 to 21 – the least representative cohort within the CPCJ – became the largest group. These referrals regard, most of all, situations of danger regarding the right to education, i.e. absenteeism, drop-out and failure.

In total terms, over 69,000 children and young people were accompanied by the CPCJ in 2012. There was an increase of domestic violence situations and of the number of children who were abandoned or left on their own. On the other hand, there was a decrease in the number of begging and child labour exploitation situations.

Between May and September 2013, the staff of the CPCJs was reinforced with 200 new members⁴⁷, which is no doubt good news, most of all in a context of retraction.

Another issue regarding the access of children to alternative care is the dragging on of situations of abandoned babies in hospitals. According to the President of the “Agenda da Criança”, an emergency system should be operationalised so that these children would not have to linger in these facilities for so long⁴⁸.

These problems derive not from any assessment of the child’s specific health needs but rather from the inexistence of a referral structure, which could in fact be in place and run by existing organisations.

Thus – following a court order – the child remains in hospital while there is discussion on where to place him/her, increasing the risk of infections and the cost associated to his/her care.

Still according to the President of the “Agenda da Criança”, courts should not have the power to decide on the length of stay of the child in the hospital. This situation is particularly relevant as there are signs of an increase in the number of abandoned babies in hospitals.

Another situation where there is a lack of continued care alternatives regards those children who cannot return to their families when they are discharged from hospital but who still need to continue treatment. These are situations affecting, most of all, children from Portuguese speaking African Countries, when respective embassies, stated in agreements as responsible for the non-health related aspects fail to comply with their commitments.

Professionals involved in the First National Meeting of Post-Hospital Care Services, held in October 2012, argued that there is a lack of strategy and cooperation, pointing out the need for a structure addressing children who lack family reintegration perspectives since, still according to the conclusions of the meeting,

⁴⁶ “Quase duplicaram os jovens em perigo”, in *RR* 27/052013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=108874

⁴⁷ “Governo quer rever protecção de menores em risco”, in *RR* 31/05/2013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=109562

⁴⁸ “É necessária a criação de uma rede de emergência infantil”, in *Alert* 4/01/2013, available at: <http://www.alert-online.com/br/news/health-portal/e-necessaria-a-criacao-de-uma-rede-de-emergencia-infantil>

there are situations where children end up lingering in hospital or being integrated in care facilities which are not adequate to their specific situation.

In his report, the Commissioner for Human Rights of the Council of Europe (Muižnieks, 2012) noted that the number of complaints to the Ombudsman had not increased in 2011 and 2012. However, he alerted to the possibility that increasingly difficult socio-economic situations for families and high levels of stress and pressure can result in serious risks of domestic violence towards children.

The Commissioner also noted that the national and local Commissions for the Protection of Children and Young People are requested, as part of the programme of social emergency, to monitor with particular attention situations that can present risks for children as a consequence of the financial crisis.

However, he is concerned that the financial difficulties encountered by a number of local authorities and institutions and organisations providing social support may adversely affect its efficiency and effectiveness, given that local commissions consist of partnerships between local authorities and various other public and private stakeholders. Participation in the CPCJ is not paid.

This is indeed a key challenge and an area for policy improvement: to assure, in a context of budget cuts, the full functioning of CPCJs and of first line entities (which include namely schools, health units and NGOs); moreover when the number of danger and risk cases has peaked in the last year.

As expressed by the President of a CPCJ in a recent study (Perista & Brázia, 2013), "first line entities often do not have the means to act. If schools do not have psychologists and social workers, do not professionals to intervene with families in order to remove the situation of risk so that it does not become a situation of danger, it is evident that Commissions will end up receiving the situations in a phase where it is difficult to act".

3.6. Main conclusions and recommendations

There is an urgent need for the Portuguese state to clarify its role as regards the provision of affordable and quality services. Ensuring access to education, housing and health are inscribed in the Portuguese Constitution as citizenship rights. Huge progress has been made in all these areas since the 1974 Revolution, promoting equality and fostering social cohesion. But changes need to be supported, mechanisms regulated, implementation monitored and results assessed.

Access to education must be sustained, but the quality of the education system needs to be fostered, even – and particularly – in times of crisis. Cooperation relationships, rather than conflict based interactions, are vital to ensure continuity, although ensuring change where it is needed. But the ultimate goal of public schooling as regards fighting inequalities must be kept. State investments made in the quality of education infrastructures should be optimised by improving the quality of the overall school system and not by displacing investment towards other doubtful solutions in the private sector. School success also depends on guaranteeing teaching conditions and that the appropriate level and balance of human resources is attained. The lack of school non-teaching staff and the increasing ratio between teachers and students does not contribute to that goal.

Housing instability is also a major challenge towards the overall development of children. The changing conditions of the Portuguese housing market demand new forms of housing support mechanisms, namely taking into account the changing features of the rental market. Some solutions in this area could include access to rent allowances, to social housing, to affordable housing alternatives. Additionally,

and despite the huge progresses registered in the past twenty years, the persistence of shanties is clearly a situation that needs to be firmly addressed.

Improvements achieved in the specific area of child protection need to be sustained and deepened in order to enhance family support and the quality of alternative care settings (EC, 2013). Additionally, besides investing in quality institutional care, there is a need to invest in non-institutional care. This demands a clear regulating and monitoring but also supportive role from the State, both at the central and at the local level.

Addressing children's health care needs has to be ensured despite the economic constraints. Free access to the public health system must be kept and all efforts must be made in order to guarantee that further costs in areas such as prevention, medicines, and complementary exams do not curtail actual access to comprehensive and continued health care for all children.

Uncertainty and instability within the systems need to be dealt with political capacity and coherence, particularly at times of increased economic and social challenges. Thus, fundamental principles and long-term goals have to be made clear.

4. Addressing child poverty and social exclusion in the European Semester

4.1. Addressing EU2020 challenges

Child poverty in Portugal remains an extensive and persistent phenomenon. Over the last years Portugal's child poverty rate has consistently been above EU27 average rate. The poverty rate among children (less than 18) registered a slight decrease from 22.9% in 2008 to 21.7% in 2011. For the total population the rate was 17.9%.

However, it is important to remind the lowering of the poverty threshold over this period. From 2010 to 2011, the median income per equivalent adult registered a nominal decrease of 1%, from 5,046 to 4,994 euros in annual terms or 421 to 416 euros per month.

Additionally, the 2012 SILC data also show that the poverty rate among families with dependent children increased between the reference years (from 19.9% to 20.4%). These indicators clearly show the particular vulnerability of children in Portugal and also of families with dependent children whose poverty rate has been increasing, compared to the overall population. As in previous years, the higher poverty rate regarded households with two adults and three or more dependent children.

These results are further highlighted by the usage of a poverty line anchored to 2009 which expresses the increase of poverty among children in the last few years, reaching 23.9% in 2010 and 26.1% in 2011.

According to data issued in 2012, children were also more vulnerable in terms of material deprivation and severe material deprivation than the total population (25.2% and 11.3% compared to 20.9% and 8.3%) Young girls registered higher deprivation rates than young boys (27% and 11.7 compared to 23.5% and 11%).

Families with dependent children also registered a higher material deprivation rate (22.8%), situation that is particularly serious among families in lone parent households (33.9%) and nuclear families with three or more dependent children (38.6%).

Data issued in 2013 so far does not provide an update of these results. However, it reveals the increase in both the material and severe material deprivation rates, which reached 21.8% and 8.6%, respectively.

These same data show that, in 2011, social transfers were slightly less effective for the decrease in the poverty rate than in 2010 (7.3 p.p. and 7.4 p.p., respectively) while the Gini Index increased from 34.2% to 34.5%.

Aside from the official statistics and indicators there is strong evidence of the impact of the crisis and of the austerity measures in the living conditions of children. The above-mentioned report of the Commissioner for Human Rights of the Council of Europe noted the negative impacts of both the economic crisis and of the fiscal consolidation measures introduced in Portugal on children's rights. The report stresses the significant increase in the risk of children being exposed to poverty deriving from the different austerity packages put in place in 2010 and 2011. Budgetary restrictions in education are pictured as being particularly harmful in an overall context where there is a high rate of school dropout.

The combination of growing unemployment and salary cuts, increased taxes and reduced social and unemployment benefits have resulted in many families having less income and being more vulnerable to poverty. Further austerity measures in

the subsequent years have certainly contributed for the deepening of such impacts.

Recently, the director of UNICEF Portugal showed concern with the wellbeing of Portuguese children due to the effects of unemployment in families and stated that UNICEF has been alerting to the fact that austerity measures “should take into account the impact they have in children, today, on the medium and on the long run”⁴⁹.

Data from the Ministry of Justice⁵⁰ show the increasing number of individuals (usually couples and most of them with at least one dependent child) declaring bankruptcy. In 2012, two out of three situations of judicial insolvency proceedings were requested by individuals and only one third by companies. This represents a significant inversion regarding 2007, where individuals represented one out of six situations.

According to a specialist in insolvency law, “in the last four years, insolvency ceased having the social stigma it used to have (...) as people started looking to it as the answer to the pressure of their creditors to collect their credits”. The crisis and the economic and financial situation of the country are the most visible causes, leading to higher financial difficulties from families and households.

According to the NGO *Instituto de Apoio à Criança*, the crisis is, most likely, leading more adolescents to beg, deal drugs or to prostitution⁵¹. The street teams of this NGO have been detecting, since 2012, more young people, mostly between 14 and 16 who “though not exactly sleeping rough, use the street and are explored on the street (...) quickly passing from victims to offenders”.

A recent Caritas report on the impact of the crisis and austerity on people, focusing on five countries, also highlights the particularly vulnerable and worsening situation of children in Portugal and the insufficiency of existing initiatives to address the actual challenges. This consideration specifically addresses the PES programme. “For its part, according to Caritas Portuguesa, the Government’s Social Emergency Programme is not able to deal with the suffering caused by the crisis and the austerity measures. They point to a mismatch between the measures undertaken and the immediate and unfolding reality for families.” (Caritas, 2013)

The analysis of the initiatives contained in the 2013 NRP also confirms a mismatch between the intentions proclaimed – namely as regards the alignment with the European orientations in the Commission’s Recommendation of February 2013 – and the actual scope of the measures proposed.

Apart from the lack of an adequate and rigorous outlook on the situation of child poverty in Portugal, the single paragraph dedicated to “Combatting Child Poverty” announces a set of measures which aim at “breaking the intergenerational cycles of poverty and social disadvantage and thus increase their opportunities in the

⁴⁹ “UNICEF preocupada com efeitos da crise nas crianças”, in *TVI24* 23/07/2013, available at: <http://www.tvi24.iol.pt/503/sociedade/unicef-crise-criancas-efeitos-tvi24/1472990-4071.html>

⁵⁰ “65% das falências nos tribunais são pedidas por famílias”, in *Jornal de Negócios* 3/05/2013, available at: <http://www.mynetpress.com/pdf/2013/maio/2013050331a6d8.pdf>

⁵¹ “Instituto de Apoio à Criança detecta mais adolescentes a mendigar e a traficar”, in *RR* 24/05/2013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=108635

future.” These measures are then presented in footnote (!) and most of them will hardly make a decisive impact on the announced objective.

In fact, most of them address exclusion issues rather than poverty. Additionally, some have a very specific focus on particular groups of children and young people (e.g. the National System of Early Intervention in Childhood, the CASA Plan) or very specific objectives (e.g. the Born Citizen Project). The focus on early intervention which cross-cuts most of the above mentioned measures is indeed important. However, given the nature and the dimension of the present (and persistent) challenges facing children and their families, there is an obvious lack of investment in initiatives aimed at counteract the increasing vulnerability of children to poverty and social exclusion as some of the evidence provided has shown.

In general terms, it must be stressed that the introduction of increased restrictions and cuts in social protection benefits, the cuts in public allocations to education, the lowering of salaries and the reinforcement of a policy perspective that narrows the scope of public policies in this area to exclusively focus on the “most disadvantaged” children is hardly compatible with the recent Commission’s recommendations regarding child poverty, namely as referred to in one of the horizontal principles that should guide Member States’ policies in this area: “Maintain an appropriate balance between universal policies, aimed at promoting the well-being of all children, and targeted approaches, aimed at supporting the most disadvantaged”.

Additionally, any objective of safeguarding children and, especially, of promoting their social inclusion seems nonetheless at stake. Apart from what has been already mentioned, the figures show that budget allocation to Social Security has been reduced in more than 3 billion euros since 2008⁵². According to the Budgetary Strategy, approved in the end of April, 2014 will register a further cut of 1.3 billion euros in the expense with social benefits, the biggest ever registered and bigger than what was registered in 2012 when the payment of the benefits corresponding to the 13th and 14th month was suspended⁵³.

Considering the area of education more specifically, it must be stressed that the changes in Education occur in a context where the expenses of the sector have already been cut in M€726⁵⁴ and its 235,000 workers in December 2011 have been reduced by 15,500 in March 2013⁵⁵.

The debate around the changes to be introduced also raises concerns from a social inclusion perspective. First, there has been a clear strengthening of options that basically aim at significantly reducing costs. Besides that, new reductions of expense are in progress and even if the Ministry of Education considers that it is

⁵² “Educação, saúde e segurança social com menos 2,7 mil milhões que no início da crise”, in *Rádio Renascença* 06/05/2013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=106259

⁵³ “Governo lança em 2014 o maior corte de sempre na despesa social”, in *Público* 02/05/2013, available at: <http://www.publico.pt/economia/noticia/governo-lanca-em-2014-o-maior-corte-de-sempre-na-despesa-social-1593100>

⁵⁴ “Educação, saúde e segurança social com menos 2,7 mil milhões que no início da crise”, in *Rádio Renascença* 06/05/2013, available at: http://rr.sapo.pt/informacao_detalhe.aspx?fid=25&did=106259

⁵⁵ “Ministério da Educação justifica metade das 30 mil saídas da administração pública desde 2011”, in *Jornal de Negócios* 15/05/2013, available at: http://www.jornaldenegocios.pt/economia/funcao_publica/detalhe/ministerio_da_educacao_justifica_metade_das_saidas_da_administracao_publica_desde_2011.html

still early to talk about concrete measures, it is clear that it will probably impact severely in the sector.

4.2. Main conclusions and recommendations

The extension and the persistence of the challenges affecting the well-being of children and young people in Portugal need a clear political commitment based on existing evidence and on the implementation of monitoring arrangements to assess the impact of measures – including fiscal consolidation measures – on children’s situation.

Piecemeal approaches targeting specific groups of children or specific issues overlook the structural dimension of the problem. Moreover, the persistent mismatch between announced goals and objectives and the actual scope of the measures proposed contribute for the perpetuation of unmet needs and the deterioration of the living conditions of children and their families in a context of increasing poverty and social inclusion challenges.

For these reasons it seems clear that stronger efforts are needed in order to address the Recommendation’s plea to “firmly place child poverty and social exclusion as key issues in the Europe 2020 Strategy and National Reform Programmes, as part of the overall effort to reduce poverty and social exclusion.” (EC, 2013:11)

Although the implementation of the Recommendation will necessarily have to occur at the national level, it would be important to introduce some mechanisms which could enhance the country’s response to what is advocated in the Recommendation, namely:

- the introduction of clear guidelines for drafting the NRP;
- the setting up of indicators to monitor progress in combatting child poverty and social inclusion, namely the setting of a target (similar to the poverty target);
- the inclusion of minimum criteria for the setting up of governance mechanisms in order to ensure the participation of children’s advocacy organisations/entities in the preparation and implementation of the NRP’s objectives and measures;
- a clearer focus of CSR on issues related to child poverty and social exclusion;
- ensuring a focus on children avoiding the drafting of “child-blind documents”.

In the specific situation of the so-called “programme countries” it is unrealistic to expect a greater commitment from member states, when the CSR themselves are exclusively focused on the compliance to the programme’s financial and budgetary conditions imposed. In countries where the situation of children is being seriously endangered not only by the economic crisis but also by the consolidation packages, the “social inclusion related demands” from the EC during the European Semester are at its lowest level. The status of the Recommendation at the EU level – particularly comparing to other EU orientations – would certainly benefit from an “upgrade”. For achieving this, political will to change existing multiple (in)balances is of course crucial, both at the EU and at the national level.

5. Mobilising relevant EU financial instruments

5.1. The European Social Fund

5.1.1. Representation of social inclusion and children within the Portuguese ESF Operational Programmes and their priority axes

The *Human Potential Operational Programme* (POPH), supports initiatives developed in mainland Portugal. Priority Axis (PA) 6 - Citizenship, inclusion and social development deals specifically with social inclusion. Besides support under this PA6, children are also supported as final recipients mainly under PA1 'Initial Qualification'. PA1 (and the corresponding operations within the specific axes for the regions of 'Lisboa' and 'Algarve') has the declared objective of increasing the qualifications of children and young people and of promoting their employability and the adequacy between their qualifications and the actual needs of the labour market. Ideally this would lead to sustained development and to the increase of competitiveness and social cohesion.

The general objectives of this PA include combating school failure and early drop-out; as well as decreasing the number of poorly qualified young people entering the labour market; and ensuring secondary education as minimum qualification standard for Portuguese young people. Six operations run under PA1. In most cases, there are associated operations in PA8 'Lisboa' and PA9 'Algarve'. The operations are: vocational apprenticeship courses – level IV⁵⁶; professional courses – level IV; education and training courses for young people – level III; courses of technological specialisation – level V; support to the re-equipment of schools; specialised artistic teaching courses – level II.

Within *Rumos* - the Operational Programme for the Autonomous Region of Madeira – social inclusion is included in PA 2 (Employment and social cohesion) and it comprises three sub-priorities (SP): i) transition into active life; ii) support to employment and local development; and iii) development of the social labour market and support to vulnerable groups. It is mainly within the last type of intervention that Social Inclusion actions can be found. Children and young people are specifically targeted in the sub-priority 1.1 'initial qualification' under PA1 and in the sub-priority 2.1 'transition into active life' under PA2.

Within Pro-Emprego – the Operational Programme for the Autonomous Region of Azores – social inclusion is included in sub-priority SP6 – Social inclusion through qualification, employment and entrepreneurship of PA 1. Four intervention types are considered under SP6: i) improvement of the levels of literacy and basic qualification of the Azorean population; ii) pilot projects of training-action for social inclusion; iii) support to the (re)integration of vulnerable population in the labour market; and iv) qualification for the modernisation of the organisations of the third sector. Young people are specifically targeted under PA1 and constitute the bulk of beneficiaries of intervention type 1.1 'initial qualification' under sub-priority SP1.

5.1.2. Progress in delivering Social Inclusion

Until the end of 2011, almost €615M had been committed on interventions aiming to reinforce Social Inclusion in Portugal. The majority of this amount (almost 90%) relates to the Operational Programme for Mainland Portugal – POPH. More

⁵⁶ Levels of qualification of vocational training as defined by Council Decision 85/368/EEC of 16 July 1985.

than 105,000 people participated in these interventions, a figure that greatly exceeds the original target of less than 60,000 people.

The Portuguese OPs have been co-financing different types of interventions and addressing different target groups in order to reinforce Social Inclusion. Disadvantaged people are specifically mentioned by all three OPs. Intervention regarding this group comprises integrated pathways aimed at enhancing Social Inclusion through comprehensive intervention, improving literacy, qualifications and employability.

In order to address the low level of qualification among a significant part of the Portuguese population, programmes aimed at the reduction of school failure and early school leaving have been put in place, targeting children and young people at risk. Associated to these, the programme "Local contracts for educational success" aims at improving conditions in schools in order to foster success.

Immigrant children and children descendants of immigrants are specifically addressed by the OP for mainland Portugal (POPH), where levels of immigration are higher. Besides mainstream interventions where children represent a reasonable share of recipients, there is specific targeted intervention through the programme 'Escolhas'.

Annual implementation reports do not provide public sector commitments allocated to children. A possible proxy is to resort to the allocations of Portuguese OPs by December 2011 to priority themes 72⁵⁷ and 73⁵⁸, deemed to be those most closely related to children and young people⁵⁹.

Through this option, it is possible to realise that they amount to a total of approx. €2,723M, of which nearly €18M in theme 72 and a little over €2,705M in theme 73. POPH represents approximately 94% of the total (nearly €16M in theme 72 and €2,536M in theme 73). The total amount allocated to this OP represents 95.6% of the total amount of the three Portuguese OPs under consideration.

The Annual Implementation Reports show that education/training represents the bulk of intervention delivered for children and young people. Thus, they are specifically targeted and commonly engaged in interventions regarding vocational training and apprenticeships, as well as in interventions aiming at the development of core skills. Young people are also engaged in internships specifically designed for them.

Another intervention type children and young people are engaged in is integrated pathways incorporating a range of interventions as it is was the case of the LCSDs (Local Contracts for Social Development) and as it is currently the case of the programme 'Escolhas'.

The LCSDs target the whole community in vulnerable territories (usually neighbourhoods), aiming at promoting social inclusion from an integrated and

⁵⁷ Theme 72 regards the design, introduction and implementation of reforms in education and training systems in order to develop employability, improving the labour market relevance of initial and vocational education and training, updating skills of training personnel with a view to innovation and a knowledge based economy.

⁵⁸ Theme 73 regards the measures to increase participation in education and training throughout the lifecycle, including through action to achieve a reduction in early school leaving, gender-based segregation of subjects and increased access to and quality of initial vocational and tertiary education and training.

⁵⁹ Please note that this does not imply a full correspondence of these priority themes with children as these themes, closely connected to education, also relate, for instance, to young people aged over 18.

multi-sectoral approach. The implementation of partnerships is crucial within this intervention.

'Escolhas' specifically targets children and young people of vulnerable territories, aiming at promoting social inclusion, equal opportunities and social cohesion.

Young people are also engaged in interventions not targeting them directly such as the development of employability skills, the support to individuals currently in employment (e.g. through modular training or courses of technological specialisation) and the support of entrepreneurship and own job creation.

5.1.3. Impacts of the interventions

Despite the general characteristics of the Portuguese situation of children in what poverty and social exclusion is concerned, already depicted in other sections of this report, it seems clear that, even if not at the macro-level, at least at the meso-micro level relevant interventions have been conducted with clear results regarding the reinforcement of social inclusion of children or, at least, regarding the lessening of situations of social exclusion.

Evaluation studies mainly allow identifying the boosting effects in the field of education and training. This has been the case for the evaluations conducted in relation to specific programmes such as 'Mobile School' and the TEIP2 Programme or the expansion of professional courses.

It is not possible to state clearly, from evaluation studies or from overall analysis that scope effects have resulted from ESF action. However, considering the effects of the economic and financial crisis, it seems plausible that budget cuts would have reduced significantly or even stopped some interventions.

From the results it seems that, despite some variation, there have been improvements in schooling results and the fight against school failure and early school leaving has been bearing fruits, thus creating, at least in theory, ground basis for (future) better integration in the labour market and for a broader social inclusion in society. A better connection with the labour market, also translating into higher employability, seems to be achieved through operations such as the professional courses and internships.

Besides, evaluation reports have highlighted the need to be conscious that most education/training programmes will only show effectiveness in stricter terms of employability and social inclusion in the longer run.

The importance of the integration of education/training operations with other and/or within wider interventions is highlighted. Schooling/training results are enhanced if supported by wider programmes both in terms of scope and with regards to the involvement of local communities as well as addressing social inclusion more directly as it is the case of 'Escolhas'.

Thus, the comprehensiveness of the education/training operations, the positive relationships established with the students, tailored pathways and on-going support to students as well as consistent follow-up by different social agents are considered to be important factors for effectiveness.

What the results also show is that the effectiveness of interventions comprising children and young adults seems to be better achieved among children and young people aged up to 18, thus reinforcing the need to address and support them as early as possible. Additionally, the results also show that the specific situation of specific sub-groups of young people such as those belonging to the Gypsy/Roma community or living in itinerant households should be addressed by specific

programmes, as 'mainstream' interventions demonstrate to be less effective regarding these groups.

Two central aspects seem to be inhibiting effectiveness. The first aspect is the current economic crisis, which is particularly dramatic in territories already characterised by deprivation and disruptive features and which imposes budget constraints and cuts to interventions. The second aspect is the poor articulation between education/training operations and other policies and entities for territorial management and programmes to combat poverty, unemployment and social exclusion, as well as labour market-related programmes.

Despite these short comes Portugal seems to be making use of the opportunities provided by ESF even if the nature of the overall challenges overcomes the reach of expected and actual impacts.

5.2. The European School Milk and Fruit Schemes

Over recent years, the School Milk Scheme has been applied in fewer schools. However, this does not correspond to a steady decrease in the number of pupils which is probably connected to the decrease in the number of elementary schools and the transfer of its students to other schools that has been put in place over the last decade. Between the schooling years of 2005/2006 and 2012/2013, 3,720 of these schools have closed, more than the 2,330 still functioning⁶⁰. Since the beginning of the process of reorganisation in the early 2000s, a total of 6,500 elementary schools closed. No closures are foreseen for 2013/2014⁶¹.

From 2009 the number of pupils also decreased, sharper between 2010 and 2011. This decrease is more worrying from a social inclusion perspective, moreover when the decrease in national contribution towards the programme seems to have been more than compensated by EU contribution.

Table 1. School Milk Scheme 2007-2011

	2007	2008	2009	2010	2011
Schools	9,825	9,604	9,355	8,013	7,449
Pupils	416,690	452,713	514,345	513,975	493,843
EU contribution (€)	2,211,314	2,327,415	1,066,829	1,292,733	2,592,180
National contribution (€)	11,082,820	10,464,598	12,365,450	12,726,850	11,850,701
Total spending (€)	13,294,134	12,792,013	13,432,279	14,019,583	14,442,881

⁶⁰ "Ministério da Educação anuncia fecho de mais 239 escolas", in *Jornal de Negócios* 23/07/2012, available at: http://www.jornaldenegocios.pt/economia/educacao/detalhe/ministeacuterio_da_educac cedilatildeo_anuncia_fecho_de_mais_239_escolas_act.html

⁶¹ "Governo não encerra escolas do 1º ciclo pela primeira vez em 11 anos", in *Jornal de Negócios* 21/08/2013, available at: http://www.jornaldenegocios.pt/economia/educacao/detalhe/governo_nao_encerra_esc olas_do_1_ciclo_pela_primeira_vez_em_11_anos.html

Source: Data from the Ministry of Education and Science, provided directly by GPP/MAM

As regards School Fruit, Portugal participates in this Scheme since its implementation in 2009. According to data of the annual monitoring reports, provided specifically by the Department of Planning and Policies of the Ministry of Agriculture and of the Sea, the number of schools and pupils comprised by the measure has been decreasing, which is certainly connected to the financial difficulties felt by the Portuguese municipalities, responsible for the application to the scheme and for its management.

Table 2. School Fruit Scheme 2009/2010-2011/2012

	2009/2010	2010/2011	2011/2012
Municipalities	179	193	129
Schools	3,529	2,911	2,467
Pupils	257,085	217,385	146,333
Annual budget (€)	2,248,748	2,872,320	2,872,320
Total expenditure (€)	387,114	1,175,905	436,785
Execution rate	17%	40%	15%

Source: Data from annual monitoring reports, provided directly by GPP/MAM

5.3. Mobilising EU financial instruments for the programming period 2014/2020

As regards the following programming period 2014-2020, the European Anti-Poverty Network – Portugal, constituted the working group '*Child poverty*', with the aim of contributing with recommendations and strategies.

Their recommendations are the following: 1) that resources allocation to the area of childhood distinguishes the different age cohorts within childhood and the different living conditions of children; 2) the elaboration of a solid and updated diagnosis of children's living conditions allowing the identification of the main flaws; 3) the establishment of a national strategy against poverty and social exclusion and, particularly, against child poverty and social exclusion; 4) a clear and comprehensive intervention for the development of policies and programmes guaranteeing the child's best interest and wellbeing; 5) a proactive investment in social support; the obligation of involving children in the design of evaluation of projects to be funded.

The priorities to be foreseen include a) long-term interventions; b) projects substantiated by child wellbeing indicators; c) evidence-based evaluation; d) the safeguard of the principle of early intervention; e) project design contributing for the development of the most vulnerable territories; f) projects assuming participative methodologies; g) projects able to demonstrate their functioning during on-going assessment and evaluation.

It is also recommended that the specificity of some groups of children is attended: children with special needs; children leaving institutions; Roma children; immigrant children; children with school absenteeism and early drop-out.

Indeed, these EAPN document proposes some relevant recommendations regarding the focus on child poverty in the next programming period that if taken on board will certainly give a positive contribution from a social inclusion standpoint.

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Relevant websites

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Bank of Portugal - www.bportugal.pt

CNIS – Confederação Nacional das Instituições de Solidariedade - <http://www.solidariedade.pt/>

CNJP – Comissão Nacional Justiça e Paz - <http://www.ecclesia.pt/cnjp/>

EAPN - <http://eapnimprensa.blogspot.pt/>

EUROSTAT - <http://epp.eurostat.ec.europa.eu>

Fundação Francisco Manuel dos Santos - <http://ffms.pt/>

GEP – Strategy and Planning Department, Ministry for Labour and Social Social Security - <http://www.gep.msss.gov.pt>

IEFP – Institute for Employment and Vocational Training - <http://www.iefp.pt>

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