**Republic of Poland**

**Ministry of the Family, Labour and Social Policy**

**Open-ended working group on Aging, 10th session, 2019**

**Guiding questions: Social protection and social security**

**Ad. 1.**

The Polish legal provisions, that recognize the right to social security and social protection, have a constitutional, legislative as well as executive foundation. According to Article 67 of the Constitution every citizen has the right to social security in the event of incapacity for work due to illness or disability and after reaching the retirement age.

The scope and forms of social security are specified in the relevant laws, particularly:

* in relation to all persons covered by the general social security system – in:
* the Act of 13 October 1998 on the social insurance system (contributory benefits),
* the Act of 17 December 1998 on old-age and disability pensions from the Social Insurance Fund (contributory and non-contributory benefits),
* the Act of 21 November 2008 on the old-age funded pensions (contributory old-age benefits),
* the Act of 28 August 1997 on the organisation and operation of the old-age pension funds (contributory and non-contributory benefits),
* the Act of 19 December 2008 on the old-age bridging pensions (contributory and non-contributory benefits),
* the Act of 30 April 2004 on the pre-retirement benefits (contributory and non-contributory benefits),
* the Act of 23 January 2008 on the transfer of retirement benefit rights of the civil servants of the European Union (contributory and non-contributory benefits),
* the Act of 12 March 2004 on social assistance (contributory and non-contributory benefits),
* in relation to farmers – the Act of 20 December 1990 on the social insurance of farmers (contributory benefits).

The implementation of the regulations on social security is a part of tasks of the Polish Social Insurance Institution (ZUS). These tasks of ZUS include inter alia: determination of social security obligations as well as entitlements to social security benefits and their payment, assessment and collection of social security contributions, keeping individual accounts of insured persons and accounts of contribution payers as well as keeping settlements with contribution payers.

**Ad. 2.**

The Constitution provides every older person with the right to social security and social protection, including after reaching the retirement age. The solvency of social security benefits, including the old-age pensions, is guaranteed by the State. Older people have the right to receive inter alia the old-age pensions, the nursing supplements to pensions.

**Ad. 3.**

The Constitution provides every older person with the right to social security and social protection in the event of incapacity for work due to illness or disability. Older people have the right in particular to receive the disability pensions, survivor’s pensions, the nursing supplements to pensions. They also have the general access to universal health services as well as to care and support services.

**Ad. 4.**

The solvency of social security benefits, including the old-age pensions, is guaranteed by the State. The benefits received by the older people form the social security system are regularly indexed. The indexation rate of the benefits represents the average annual price index of consumer goods and services for the preceding calendar year, increased by at least 20% of real growth of the average monthly salary in the preceding calendar year.

**Ad. 5.**

The statutory tasks of ZUS include inter alia popularization of knowledge about social security, issuance of the Information Bulletin. ZUS undertakes information activities for all groups of insured persons, including older people. These information activities are aimed, in particular, at disseminating knowledge about the available social security and social protection schemes as well as the procedure of claiming entitlements.

**Ad. 6.**

The older people are provided with information on the available system of social security and social protection as well as on the possibilities of using the available services and entitlements. ZUS provides them with information regarding meaningful participation in that system.

**Ad. 7.**

The system of social security and social protection is based on the principle of equal and non-discriminatory treatment of all persons participating in that system, particularly groups in vulnerable situation, including older people. This principle applies in particular to the conditions of system coverage, determination of entitlement to benefits and their amount.

**Ad. 8.**

The solvency of social security benefits, including the old-age pensions, is guaranteed by the State. ZUS tasks include inter alia payment of social insurance benefits, assessment and collection of contributions, keeping individual accounts of insured persons and accounts of contribution payers as well as keeping settlements with contribution payers. Apart from that, older people are guaranteed the right to effective use of services and benefits from the system of social security and social protection.

**Ad. 9.**

Persons covered by the system, including older people, who believe that the principle of equal treatment was not applied to them, or that they have not been provided with the benefits to which they were entitled, have the right to claim their social security claims before a court. Apart from that, particularly if the person has not been granted the benefit by way of exception (universal benefit paid from the social security system), she/he may submit an application to the President of ZUS to review the matter.

**Guiding Questions: Education, training, life-long learning and capacity-building**

**Ad. 1.**

Older people can be active in education as part of formal education (organized in accordance with educational programs leading to the acquisition of qualifications), non-formal education (organized outside such education programs) and informal learning.

In the Act on the education system, education of older people does not have the status of a separate task. Adults, including people aged 60+, may participate in lifelong learning referred to in the Act on the education system. This education includes general schools for adults, vocational schools (post-secondary schools) and so-called non-school forms. In schools for adults, the youngest adults, up to twenty-several years, dominate. The catalog of extracurricular forms includes four forms addressed to adults: (1) qualifying vocational course, (2) professional skills course, (3) a general competency course based on any chosen part of the core curriculum of general education, (4) other courses in which the curriculum does not refer to the core curriculum of general education or vocational training.

Education in non-school forms is carried out by continuing education institutions, practical training institutions and centers for further education and training (public and non-public). Qualifying vocational courses may also be run by other entities, including schools providing vocational education, labor market institutions conducting education and training activities, as well as entities conducting educational activities on the principles defined in the provisions on the freedom of economic activity.

Non-school forms that provide vocational training are addressed to professionally active people. For older people with non-professional interests, an appropriate educational offer can be prepared under the aforementioned general competence courses and other courses. As part of these courses, it is possible to undertake a variety of educational activities, not only aimed at career development, but also related to the development of personal interests. Language courses and digital skills courses are particularly popular.

It is worth noting that among the several hundred universities operating in the third century (the Central Statistical Office reports that there were 575 in 2015), only one is registered in the 2017/18 school year as a non-public continuing education institution in the education system. This is despite the fact that 3/4 of this type of facilities does not work at universities and nearly half of them do not have formal cooperation with universities.

The current system of higher education in Poland offers the possibility of higher education without student age restrictions. It also allows universities to confirm the learning outcomes obtained outside formal education, conduct post-graduate studies, additional training courses and trainings, as well as to implement and launch further fields of study related to the preparation of personnel to meet the needs of an aging population.

**Ad. 2.**

Adults, especially the elderly, if they participate in organized education, it is mainly in non-formal education.

Adults up to 65 years of age learn primarily at work or in connection with work. They complement this with learning in organized communities of citizens. The latter type of involvement applies especially to people of retirement age. The insufficiently researched specificity of this involvement is that in Poland these people participate more intensively in the activities of other types of communities, in particular religious communities, than in most European countries. Some of these activities may relate to specific forms of organized education that are not repeated in Western European countries.

**Ad. 3**

In the document: Social Policy for Older People 2030. Safety. Participation. Solidarity, which was adopted by the Council of Ministers on October 26, 2018, is area VII covering measures for education for old age (care and medical staff), old age (the whole society) , through old age (from the youngest generation) and education in old age (older people), which will be implemented through:

1. increasing the accessibility of the educational offer for the elderly,

2. development and promotion of care professions and improvement of staff competences,

3. development of non-formal education (radio, television, Internet, audiobooks),

4. dissemination of education in the field of new technologies.

Moreover, in order to provide elderly people access to education and various forms of professional and social activity, in accordance with the idea of ​​lifelong learning, especially in the form of classes run by Open Universities and Third Age Universities, in 2017 carried out the first edition of the Program of the Minister of Science and Higher Education under the name "Support for Universities of the Third Age." The basic task of the above-mentioned program is the social, intellectual and cultural activation of older people, preventing their social exclusion, and integrating the local community of seniors and developing intergenerational solidarity. In the first competition, 16 regional operators were selected, whose offer went to 103 universities of the third century and to more than 5,000 seniors. In 2017, an amount of approximately PLN 3,999 thousand was spent on financing the first edition of the program. announced the second edition of the competition, for which about PLN 6 million is planned. Its implementation is scheduled for 2018.

In addition, in 2017 within the framework of European programs, the Ministry of Science and Higher Education co-financed the execution of 8 research projects, the subject of which is related to issues concerning various aspects of elderly people's lives.

One of the forms of educational activities conducted with the aim of activating older people are Universities of the Third Age, whose functioning was covered by a nationwide survey, conducted by the Central Statistical Office in November 2015. The largest group among their students aged over 59 was people aged 60-64 - 37.4%, while the oldest participants - over 75 years - accounted for 12.3% of students. These universities offer, including language courses, computer classes and classes in the use of modern information technologies is an important contribution to increasing the participation of older people in educational activities, part of the concept of lifelong learning, but still students constitute only 1% of the population aged 60 years and more.

**Ad. 4**

The results of the study "Adult Education" in 2016, the elderly were characterized by relatively low educational activity, measured by participation in formal and non-formal education and informal learning. Despite the increase in the share of this group of people in the broadly defined education (by 6.1 pp in comparison to 2011), participation in any form of learning in the 12 months preceding the survey was declared by only 25.6% of respondents aged 60- 69 years, while for all respondents the percentage of participants was at the level of 45.9%. The decline in participation in educational activities, which progressed with the age of the respondents, took place in all analyzed categories of educational activities - apart from a comprehensible reduction in the participation of people undertaking education in the formal system (school system and higher education), low activity was noted in the non-formal education activities (organized extracurricular educational activities, including courses, trainings, seminars) and non-formal learning, understood as independent acquisition of competences, in order to expand knowledge and skills.

Data on the participation of adults in education, including the elderly, are available in the results of surveys conducted on large statistical samples and the study of the activities of universities of the third century by the Central Statistical Office.

Data on participation in education of people aged 60+ for the year 2017 are now available from the Labor Force Survey (BAEL) harmonized with the Labor Force Survey in the European Union, which is conducted on a continuous basis and the results are summarized quarterly and annually. This study shows relatively low percentages of adults in the EU participating in education, as it is limited to studying participation in education 4 weeks prior to the study (several other tests use a reference to 12 months, but they are conducted at longer intervals, e.g. and every 10 years).

**Ad. 5**

Older people in Poland have equal access to education. In the Act on the education system, education of older people does not have the status of a separate task. Adults, including people aged 60+, can participate in lifelong learning, referred to in the Act on the education system, and the current system of higher education in Poland offers the possibility of higher education without student age restrictions. In addition, there are many forms of non-formal education offered by non-public entities, non-governmental organizations and other institutions.

**Ad. 6.**

Complaints regarding access to education for older people can be reported according to their competence to the appropriate education offices depending on its scope, ie. the Minister of National Education, the Minister of Science and Higher Education, and the Ombudsman.