**Guiding Questions for the focus areas of the X Session of the Open-ended Working Group on Ageing: Education, training, life-long learning and capacity- building**

# National Legal Framework

1. In your country/region, how is the right to education, training, life-long learning and capacity building in older age guaranteed in legal and policy frameworks?

# The Portuguese education and training system is inclusive, promoting social inclusion and active citizenship of all citizens regardless of gender, age or race. It should also be noted that the education and training system guarantees the right to education and culture to all Portuguese, as established in paragraph 1 of article 73 of the Portuguese Constitution and in Law nº 46/1986, of October 14, paragraph 1 of article 2, revised by the wording of Law nº 49/2005 of 30 August. In Portugal older age does not prevent adults from participating in the education and training system, namely in Adult’s Education and Training courses and in the Recognition, Validation and Certification of Competences (RVCC) processes meant to validate non-formal and informal learning (VNFIL).

According to the **Portuguese Labour Law** (Law 7/2009, of February 12th), namely its article 24, the worker or jobseeker has the right to equal opportunities and treatment regarding access to employment, training and career advancement, and working conditions. Age is specifically mentioned, among other “requirements”, as something that should not influence the procedures.

# Availability, Accessibility and Adaptability

1. What are the key issues and challenges faced by older persons in your country/region *with regard to the enjoyment of all levels of quality education, training, life-long* learning, and capacity building services1?

Upgrading the qualifications of the adult population (employed and unemployed) in order to develop skills that are critical for the modernisation of the economy and for the adaptation of workers to the needs of the labour market is a priority of the Portuguese Government.

The participation of older people in lifelong learning is crucial when discussing the challenges of an ageing population, particularly those related to the labour market and social security systems.

Portugal believes that the development of new skills by older adults, whether they are in or out of the labour market, contributes greatly to the promotion of active ageing and is, above all, an important way to ensure intergenerational communication.

Boosting human capital, regardless of age, is a priority embodied in the National Reform Programme (2016, reviewed in 2018). The first strategic pillar of this programme is “Qualifying the Portuguese”. Under this pillar, an integrated adult education and training strategy - the Qualifica Programme - has been designed to achieve an adult participation rate in Lifelong Learning actions of 15% in 2020 and 25% in 2025.

In 2018, the Government decided to engage in the design of a National Plan for Adult Literacy (NPAL) that targets adults, a particularly vulnerable sector of the population. The Plan foresees a set of concrete and customized measures to promote and offer basic and life skills to the various groups of citizens with (very) low or no qualifications. The measures will be designed in collaboration with the civil society. The use of non-formal and informal approaches will be combined with appropriate outreach strategies. The main parties involved are: the Ministry of Education, the Ministry of Labour, Solidarity and Social Security, National Agency for Qualification and Vocational Education (ANQEP[[1]](#footnote-1)), the European Association for the Education of Adults and the European Commission.

1. What steps have been taken to ensure that education, training, life-long learning, and capacity building services are available and accessible to all older persons, adapted to their needs, suited to their preferences and motivations, and of high quality?

The Employment and Vocational Training Institute (IEFP[[2]](#footnote-2)) promotes initial training, adult training and life-long learning. There are no specific courses for older people, although, there are no age limitations to access courses except for those specifically designed for youths, such as apprenticeship courses.

Given the fact that a significant share of adult learning takes place «on the job», IEFP has been promoting lifelong learning through specific courses that can complement that informal learning and certificate it by means of RVCC processes (see answer to question 1). The RVCC processes are open to all adults, over 18, with no age limitations.

In 2017, IEFP promoted a Seminar on “Active Ageing - Challenges and Opportunities” where, among other themes, the issues related to learning, training and the digital inclusion of senior workers were discussed.

IEFP’s 53 job and vocational training centers all over the country have a universal counseling service for all people, up to active age of working (66 years old, and five months) that needs career counselling.

The Active Labour Market Policies in Portugal contemplate differentiation based in age (plus 45 years old) mainly in three measures:

* “Contrato-emprego” (employment-contract) - financially supports employers who create new jobs and hires for that jobs unemployed individuals. The amount of money they can receive from the IEFP is majored in 10%, if a more than 45 years old person is hired;
* “Contrato-emprego inserção” (Employment-Integration Contract) - financially supports non-profit organizations for the integration of unemployed people with more than 45 years community, mainly in the social sector;
* “Estágios” (Traineeship) - financially supports employers that promote on-the-job-training experience for unemployed people with more than 45 years old and some qualifications, supporting the transition between the qualification system and the labour market.
1. In your country/region, are there studies and/or data available on the access of older persons to the right to education, training, life-long learning and capacity building in older age?

Every month IEFP provides in its webpage (<https://www.iefp.pt/estatisticas>) data regarding the implementation of its employment and vocational training programs and measures.

The age groups that are: up to 20; 20-24; 25-34; 35-44; 45-49 and 50 and more. As mentioned, IEFP’s public almost never goes beyond the 65 years of age.

The National Statistical Institute (INE) has available on its website (<https://www.ine.pt>) – a study and data entitled *Adult education and training in Portugal: the statistical portrait of a decade of 2016[[3]](#footnote-3)*.

Portugal’s data on old age employment, education and lifelong learning is also available on the 2017 Portuguese report for UNECE available at: <https://www.unece.org/fileadmin/DAM/pau/age/country_rpts/2017/POR_report_EN.pdf>

# Equality and non-discrimination

1. In your country, is age one of the prohibited grounds for discrimination in relation to education in older age?

Age is specifically cited as a prohibited ground for discrimination in the Portuguese Labour Law (Law 7/2009, of February 12th) in its article 24.

The right to education for all people is a core principle of our Constitutional law, namely in article 73.

# Accountability

1. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to education, training, lifelong **learning and capacity building?**

Mechanisms existent include administrative procedures of appeal (it is always possible to appeal against decisions of the public administration), the complaint to the ombudsman (*Provedor de Justiça*) and the right to use judicial procedures.

1 including for example: literacy and numeracy programmes; adult education; vocational and professional training; higher education; information and communication technologies (ICT); and informal, recreational and community- based programmes, including volunteering.

1. ANQEP is a public institute in the indirect administration of the State, under the Ministries of Education and Science together with the Ministry of Labour, Solidarity and Social Security. ANQEP is responsible for coordinating the implementation of vocational education and training policies for youth and adults and ensure the development and management of the recognition system, validation and certification of skills. [↑](#footnote-ref-1)
2. IEFP is the national public employment service and aims to promote the creation and quality of employment and to combat unemployment, through the implementation of active employment and training policies. [↑](#footnote-ref-2)
3. <https://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_destaques&DESTAQUESdest_boui=281447960&DESTAQUESmodo=2&xlang=pt> [↑](#footnote-ref-3)