



# REPORT ON CHILDREN'S RIGHTS

EXECUTIVE SUMMARY

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**SÍNDIC**

EL DEFENSOR  
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## 2016 REPORT ON CHILDREN'S RIGHTS

## EXECUTIVE SUMMARY

The 2016 Annual Report on Children's Rights reviews the main actions taken by the Catalan Ombudsman over the year in defense of children's rights, and that affect rights of the Convention that may have been violated or not sufficiently protected by the administrations, and that have been the origin of recommendations by the Catalan Ombudsman. Likewise, the report features follow-up information on compliance with the main recommendations made by this institution in relation with public children and youth affairs policies, that are essential for the guarantee of children's rights.

### 1. ADVANCEMENTS IN SPECIFIC MEASURES TO HANDLE SITUATIONS OF VULNERABILITY, BUT PROGRESS STILL INSUFFICIENT IN THE STRUCTURAL CHANGES REQUIRED BY CHILDREN AND YOUTH AFFAIRS POLICIES

In recent years, the Catalan Ombudsman's reports have contained recommendations on structural changes needed in children and youth affairs policies to significantly progress in children's rights. Boosting the benefits addressed to more socially underprivileged children, choosing a protection model more oriented toward family placement or the fight against school segregation are a few examples.

The Catalan Ombudsman takes a positive view of some of the significant advancements made in attending situations of vulnerability, partially of a compensatory nature, but also calls for a focusing of efforts on the generation of the structural changes necessary in children and youth affairs policies.

#### Specific advancements in situations of greatest vulnerability:

##### *Risk and abuse prevention policies*

- The Catalan Ombudsman confirms the increase in staffing for the Basic Social Service Units (BSSU) and the CAUA (Children and Adolescent Affairs Units), through the 2016-2019 Program Contract, an interinstitutional agreement between the Autonomous Ministry of Labor, Social Affairs and Families and different local organizations from the counties of Barcelona, although it does not make for an updating of the Charter of Social Services. This program contract stipulates the gradual increase in the number of professionals of the BSSU (with 149 more professionals by 2019) and the CAUA (58 more professionals) until the ratio set by law is reached.

- The Catalan Ombudsman highlights the development of the non-residential socio-educational intervention services model for at-risk children and adolescents and their families by the Ministry of Labor, Social Affairs and Families, playing a clearly preventive role, and protecting the most vulnerable children from risk, augmenting the provision of service offered by the open centers up to now. Furthermore, there has been continued support for investment in day centers, and augmentation of places available (at a pace of 500 new places annually in recent years).

**Table 1. Day centers in Catalonia (2005-2016)**

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Subsidy destined for the Ministry's day centers	3,2 M €	4,6 M €	5,8 M €	5,8 M €	5,8 M €	6,2 M €	6,5 M €	6,5 M €	6,5 M €	7,3 M €	8,0 M €	9,5 M €
Day center capacity (places)	5.392	5.438	5.714	6.236	6.301	6.698	7.591	7.533	7.876	8.562	8.979	9.301
Number of centers	-	-	-	-	-	196	199	219	221	238	243	264

Source: Autonomous Ministry of Labor, Social Affairs and Families.

The Catalan Ombudsman also underscores the Catalan Government's taking different measures to improve interventions by public authorities in the situations of child abuse, and specifically of sexual abuse. The Interdepartmental Committee for Follow-up and Coordination of the protocols that exist for sexual or any other type of abuse of minors, and also the Interdepartmental Committee for Promotion of Effective Protection against the Abuse of Children and Adolescents have been created. Furthermore, the Education protocol has been revised, and the 2006 Framework Protocol, as well as the Clinical Care Protocol of the Autonomous Ministry of Health, are being updated. Additionally, other specific measures in this field have been approved, such as the creation of the "person of reference" in the area of victimization and sexual abuse in the DGAIA (Directorate General for Children and Adolescent Services) centers, as well as a significant increase in the staffing of professionals on children and adolescent care units through the program contract signed with local administrations, previously referred to.

### Compensatory measures in the right to education

With regard to the provision of scholarships, the Catalan Ombudsman confirms an improvement in the granting of school lunchroom benefits (with the change in the IRSC [Catalonia economic sufficiency income indicator] poverty risk threshold) and also subsidies to schools with situations of high complexity derived from the socio-economic characteristics of the students and their surroundings, for them to acquire textbooks and school and ICT materials to loan to students who are unable to buy them due to the economic situation of their family.

**Table 2. Evolution of individual school lunchroom benefits (2007-2016)**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Amount (in M€)	23,5	29,3	42	33,2	31,6	32,7	39	46,4	57	69 (p)
Beneficiaries	49.401	57.553	75.270	67.377	63.537	60.759	72.556	85.204	88.000 (p)	98.000 (p)

Source: Developed from data from the Catalan Autonomous Ministry of Education.

The Catalan Ombudsman positively views the advancement made for in the implementation of the specific educational pathways (SEP) pilot plan. The plan makes possible an educational opportunity for students with mild or moderate intellectual disabilities who have not obtained a graduate diploma in ESO (mandatory secondary education) or who have earned it and are unable to enter vocational training education. It has a four-year duration, from the 2016-2017 to the 2019-2020 school years, with places and eight groups in regular vocational training and public special educational schools, where this pilot experience is being conducted.

### Access Conditions to social emergency housing

The Catalan Ombudsman asked for a revision of the regulations for allocation of social emergency housing to improve the protection of children (and their families) at risk of residential exclusion. The Housing Agency of Catalonia fully incorporated these recommendations into the Regulations of the Catalonia Economic and Social Emergency Situation Evaluation Board for the year 2016, specifically:

- special attention to situations in which there are children at imminent risk losing their housing or residential exclusion as a criterion to qualify as a social emergency (art. 4.a);
- the obligation to justify the decision if an application is denied (art. 11.2);

- the presence of children in the cohabitation unit as a criterion of prioritization (art. 11.1);
- the need to provide for families with children in their care the most appropriate housing or lodging solution (art. 11.4);
- the non-implementation of reference values based on years of municipal census registration or minimum income (art. 7).

Additionally, there are a number of local administrations (Badalona, Barcelona or Terrassa) that have modified or begun the procedures to modify their own regulations, to partially or totally incorporate these recommendations.

### *Children's rights in the protection system*

The DGAIA is completing the formalities for a draft decree that regulates the rights and obligations of children and adolescents in the protection system, and the protection procedure and measures for children and adolescents. This draft decree was presented in the framework of the National Children's Panel of Catalonia meeting held on September 23, 2016. It is a request the Catalan Ombudsman has been making for years.

### **Structural changes pending compliance (with different degrees):**

#### *Benefits to fight child poverty*

In light of the vast number of children who are in a situation of social vulnerability, due to the fact that in Catalonia the public investment in childhood and social protection is low and not very effective, the Catalan Ombudsman has recommended that the Ministry of Labor, Social Affairs and Families establish a rule for minimums considered essential to guarantee the right of children to a proper standard of living, that determines the economic sufficiency income that a family must have to guarantee access of any child to these minimums established, and that it create specific benefits conditioned to the income to guarantee it. There have been no significant advancements on this issue.

In 2012, the Catalan Ombudsman presented the *Report on Child Poverty in Catalonia*, that featured a simulation to evaluate the effect of three types of benefits (universal aid, aid based on income levels and aid based on belonging to one of the groups with higher risk of poverty—single-parent families, numerous families and those with adolescents) on the reduction of poverty. This analysis concluded that, because of the limited budgetary possibilities, the most effective option to reduce poverty is aid based on income. For example, with a cost of 132.7 million euros, a benefit could be designed for families with lower incomes that would reduce the child poverty rate by 2.5 percentage points. With a cost of 530.9 million euros, the reduction of the poverty rate would be 10.6 percentage points. Although it is necessary to update this simulation with current data, the *report on child poverty* demonstrates that benefits are a strategic area through which to fight this phenomenon.

**Table 3. Evolution of child poverty rates in Catalonia (2009-2015)**

Percentage of population at risk of poverty or social exclusion (AROPE [At-Risk of Poverty or Exclusion] rate)	2009	2010	2011	2012	2013	2014	2015
Child population (under 16 years)	-	-	-	-	29,3	31,8	30,2
Total population	22,7	24,7	25,2	26,3	24,5	26	23,5
Poverty risk rate	2009	2010	2011	2012	2013	2014	2015
Child population (under 16 years)	30,7	27,3	26,9	28,8	27,3	28,8	27,9
Total population	19,9	19,2	19,5	20,5	19,8	20,9	19
Severe material deprivation	2009	2010	2011	2012	2013	2014	2015
Child population (under 16 years)	-	-	-	-	8,2	8,7	11,1
Total population	3,1	5,1	7,2	7,4	6,1	6,3	6,7

Source: Idescat, based on data from the INE Living Conditions Survey.

Note: 2013 Data

### Improvement in the intensity and coverage of mental health services and other aspects of the right to health

The child and youth mental health centers (CSMIJ) do not provide sufficient coverage of the existing social demand for care of children and youth with mental health problems, both in terms of access (waiting lists) and intensity (visit frequency) of the treatment. Additionally, in recent years these services have seen an increase in the number of patients treated, both in absolute and relative values. Between 2010 and 2015, the number of patients treated has risen by 29.2%, and coverage has gone from 40.4 patients treated per every 1,000 children in 2010 to 50.7 in 2015. This increase in the number of patients treated has been accompanied by an increase in the number of visits, but also a reduction in the number of visits per patient, which have gone from 6.5 in 2010 to 5.9 in 2015. Therefore, the intensity of the treatment has been negatively impacted by the growth in the treatment demand.

**Table 4. Evolution of patients treated in child and youth mental health outpatient units (2010-2015)**

	2010	2011	2012	2013	2014	2015
Patients treated	54.570	54.155	57.373	58.570	62.634	70.521
Patients treated for every 1,000 children	40,4	39,6	41,4	42,1	45,1	50,7
Visits per treated patient	6,5	6,5	6,6	6,4	6,2	5,9
Visits per treated patient (CSMIJ average)	6,4	6,5	6,6	6,4	6,2	6,1
Number of visits	355.285	352.843	376.981	374.414	389.725	416.012
% children from 12 to 17 years	43,9	45,3	46,5	47,5	47,1	-

Source: Autonomous Ministry of Health.

As for waiting lists, the Catalan Ombudsman has asked that one's condition as a child be established as a criterion for prioritization in access of patients to health care services that have an established reference period. This suggestion has not been accepted by the Autonomous Ministry of Health at this time. The processing of complaints has provided evidence that the maximum guaranteed waiting periods established by the Autonomous Ministry of Health are not always met. There are children among the parties affected by this situation.

Data from June 2016 show that the number of children on waiting lists for outpatient care, diagnostic tests and surgeries has increased over the December 2015 figure, as has the proportion of children on waiting lists. Although for some procedures, the average waiting time for diagnostic tests and surgeries has increased, overall, the time has been reduced. Nevertheless, for some procedures, the waiting time can be greater than the planned times of reference.

**Table 5. Evolution of the number and proportion of children on waiting lists (2014-2016)**

	December 2014		December 2015		June 2016	
	Number	Percentage	Number	Percentage	Number	Percentage
Outpatient care	-	-	57.461	11,1	65.290	11,9
Diagnostic tests	3.009	2,9	2.625	2,2	3.781	2,7
Surgeries	12.226	7,6	12.115	7,9	13.218	8,2

Source: Catalan Health Care Service. Waiting list registry.

Note: Provisional outpatient data, updated in October 2016. There is no 2014 outpatient data.

**Table 6. Average waiting time (days) by specialty with the highest number of patients waiting (2014-2016)**

	December 2014	December 2015	June 2016
Outpatient care	--	--	--
Diagnostic tests	74	60	59
Surgeries	181	155	139

Source: Catalan Health Care Service. Waiting list registry.

There is no record of the Autonomous Ministry of Health. having carried out actions aimed at incorporating comprehensive dental and ophthalmological care for children and adolescents into the Charter of Health Care Services.

### **The struggle against social inequalities in education: economic accessibility to first-cycle preschool education, the struggle against school segregation and enrollment support grants**

The Catalan Ombudsman has called attention to the need to approve a new Student Admissions Decree, to replace the 2007 version, that broadens the instruments available to fight school segregation. Among other measures, these regulations should implement Article 48.1 of the LEC (Catalonia Education Act), which establishes a maximum proportion per school of students with special educational needs. For some years now, the Catalan Ombudsman has been aware of the Autonomous Ministry of Education's desire to approve

this new decree to revise the available instruments, but is not aware of any advancements made along these lines in the year 2016.

To guarantee equality in the access to preschool education for 0-3 year-olds, the Catalan Ombudsman asked the Autonomous Ministry of Education that it reinstate the annual official call for subsidies to local councils for enrollment of children from zero to three years of age, that had been granted until the 2010/2011 school year. Further, it should guarantee that all local councils have a system of financial aid (grants, refunds, exemptions, etc.) to promote equal-opportunity access to the public preschool and nursery school offering for socially underprivileged first-cycle preschool students. There have been no significant advancements in this subject matter, although the Autonomous Ministry of Education has announced the creation of working groups to implement these changes in the future.

Nor has it re-established the call for financial aid for the purchase of textbooks and school materials, or for supplementary activities, not only in subsidized private but also public schools, to cover the expenses for field trips and camps of students from families with the most economic difficulties.

**Table 7. Evolution of financial aid provided by the Autonomous Ministry of Education (2007-2016)**

Amount (in M€)	2007 (2007/08)	2008 (2008/09)	2009 (2009/10)	2010 (2010/11)	2011 (2011/12)	2012 (2012/13)	2013 (2013/14)	2014 (2014/15)	2015 (2015/16)	2016 (2016/17)
Aid for textbooks and educational and ICT materials (subsidy to schools with complexity)	-	-	-	-	-	-	3,7	2,5	4	...
Aid for purchase of books and materials	8,4	10,5	11,7	11,7	11,8	0	0	0	0	0
Subsidies for the reuse of textbooks, curricular material and digital contents	4,3	6,8	8,1	8,1	0	0	0	0	0	0
Subsidies to private subsidized schools for supplementary activities of students with special educational needs	4,9	6,1	7,3	7	7	0	0	0	0	0
Subsidies for additional financing of private schools that provide the Education Service of Catalonia in areas with socio-economically underprivileged characteristics	-	-	-	-	-	6	6,6	6,6	6,6	-
Program contract	-	-	-	6,4	6,4	0	0	0	0	0

Beneficiaries	2007 (2007/08)	2008 (2008/09)	2009 (2009/10)	2010 (2010/11)	2011 (2011/12)	2012 (2012/13)	2013 (2013/14)	2014 (2014/15)	2015 (2015/16)	2016 (2016/17)
Aid for textbooks and educational and ICT materials (subsidy to schools with high complexity) (schools)	0	0	0	0	0	0	902	920	967	-
Aid for purchase of books and materials	90.012	107.740	117.527	134.887	139.074	0	0	0	0	0
Subsidies for the reuse of textbooks, curricular material and digital contents	241.789	279.773	323.534	230.053	0	0	0	0	0	0

Source: Developed from data from the Catalan Autonomous Ministry of Education.

### Suitability of protection system resources: a protection model geared to family placement

The Catalan Ombudsman confirms the difficulty that often exists in the possibility for protective measures to be immediately carried out due to a lack of the appropriate resource, and the fact that many protected children are waiting for the most suitable resource.

In September 2016, there were a total of 644 protected children waiting for the most suitable resources, which stands for 9.2% of all protected children. Of these 644 children waiting for another resource, the majority (523) are awaiting a foster family.

**Table 8. Evolution of protected children in the protection system awaiting another resource (2015-2016)**

	2015	2016 (setembre)
Protected children	6.962	6.988
Waiting protected children	-	644
% of protected children	-	9,2
Protected children awaiting a foster family	522	523
Protected children awaiting an EARC (Educ. Act. Resident. Cent.)	82	83
Protected children awaiting an IERC (Intensive Educ. Resident. Cent.)	-	26
Protected children awaiting a therapeutic facility	-	12

Source: Directorate General for Children and Adolescent Services.

Regarding children under six in institutional care, a measure that is not suitable to attend to their psychological and social needs, the data available show that, this number has in fact diminished, with a positive trend in the institutional care of these children, but that in September 2016 there were still 180 children under six in institutional centers. This figure is still far from the goal of not admitting babies and children under six into institutions, which would be the desired situation from the standpoint of their best interest.

**Table 9. Evolution of the number of protected children under six in institutional care (2013-2016)**

	2013	2014	2015	Sept. 2016
Protected children residing in institutional centers	2.706	2.685	2.672	2.693
Protected children under 6 in institutional centers	286	262	195	180
Protected children under 3 in institutional centers	117	111	77	76

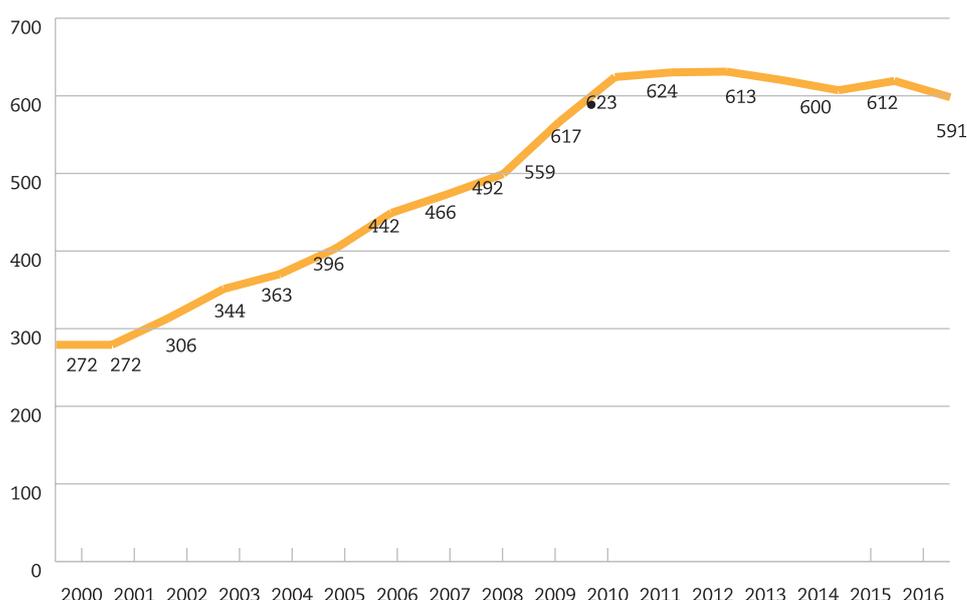
Source: Directorate General for Children and Adolescent Services.

This situation has come about because, in Catalonia, family placement has become a nearly-subsidary measure to institutional care.

This situation is also due in large part to the lack of available foster families. After sustained growth until the year 2010, the number of foster families has stabilized at around 600 (see graph 1). Therefore, there has not been an increase in this number, as this institution had requested.

In the same vein, it must be added that the EACU's (Educational Activity Cohabitation Units) are also an insufficiently developed resource. As of October 2016, in Catalonia there were only 37 children and adolescents in EACU's in a total of 16 families. This figure, which has remained relatively stable in recent years, stands for 0.5% of the total of protected children.

It must be made clear that the Catalan Institute of Foster Care and Adoption (ICAA) is developing a number of actions to promote family placement, that have recently completed the planning phase, but have not yet generated objectifiable results. Over 2016, a strategic plan to promote family placement has been drawn up, based on three basic pillars: a hands-on process for improvement of family placement, support plan for foster families, and dissemination and sensitization actions (promotion campaign).

**Graph 1. Evolution of the number of foster families (200-2016)**

Source: Directorate General for Children and Adolescent Services.

Continued encumbrance of Social Security pensions and benefits of minors protected by the DGAIA, which makes for an imposition on protected children and youth of an obligation to contribute to the cost of a service that the Charter of Social Services defines as free of charge. This constitutes a grievance for children and youth who receive such benefits in comparison to all other minors protected by the DGAIA, who, regardless of their financial capacity or possible income levels, do not have to contribute to the cost of the service.

## 2. MAIN RECOMMENDATIONS MADE IN 2016

The report outlines the main actions that the Catalan Ombudsman has carried out over 2016 in defense of children's rights. These are items that affect children's rights of the Convention that may have been violated or not sufficiently protected, and that have been the origin of recommendations by the Catalan Ombudsman.

### PROTECTION OF CHILDREN: CHILDREN IN SITUATIONS OF VULNERABILITY AND PROTECTION FROM ABUSE

#### Children in situations of vulnerability

##### *Protection of adolescents with disruptive conduct*

The lack of sufficient and appropriate resources to handle the situation of adolescents with behavioral disorders and/or mental health problems exacerbates vulnerability processes, especially as they approach adult age. An analysis of complaints received has provided the Catalan Ombudsman with evidence of adolescents in vulnerable situations who have not been declared abandoned, or that have ceased to have such status before reaching adult age, even despite persistence of severe risk, due to, among other reasons, the difficulties in intervening in their final years as minors and their transition to adult age.

#### Main recommendations

- Create specific programs and resources to handle the needs of adolescents with behavior that places them and their families in situations of risk.
- Increase the human, material and economic resources at child and youth mental health centers, and other specific mental health resources in the child and youth mental health network to facilitate access to them and augment the intensity required by the real needs of the child population.
- Design protection resources suitable for management of adolescents' needs (and adapt the conditions of the centers to these needs).
- Properly plan the return of adolescents to their families and provide the support necessary, before and after this return has taken place, especially in the case of adolescents that have had difficulties of adaptation to the protection system, and prevent the adaptation difficulties in the protection system from generating returns without sufficient guarantees.

*Care for unaccompanied migrant children and adolescents at shelters*

The complaints received and the actions taken by the Catalan Ombudsman in recent months have been concentrated on the conditions in which care is provided for unaccompanied migrant children at shelters. One of the main problems has to do with the overcrowding of the shelters that provide most of the care for this group, and the care they receive, which is not always suited to the protective measure proposed.

**Main recommendations**

- Reduce the time that unaccompanied migrant children stay in shelters, once the study has been completed, with the reduction of waiting times for the assignment of the resource (or alternatively, create new places in the shelter that would prevent overcrowding of the facilities that currently provide care for unaccompanied migrant children).
- Guarantee unaccompanied migrant children the protection measure proposal best suited to their needs, regardless of their age.
- Downsize existing residential care resources. This also applies to shelters that mostly care for unaccompanied migrant children.

**Protection from abuse***Prohibition of corporal punishment*

Since the approval of the Committee's recommendation to prohibit corporal punishment and degrading treatment, numerous European states have adapted their legislation to explicitly include prohibition of any form of corporal punishment or degrading treatment of children. Law 54/2007, of 28 December, on international adoption, modified the wording of Article 154 of the Spanish Code Civil, eliminating the reference to the so-called corrective competency of parents. On the other hand, in Catalonia, Law 25/2010, of 29 July, of volume two of the Civil Code of Catalonia, on individuals and families, maintains in its Article 236-17 the reference to the "corrective competency" of parents that the Committee on the Rights of the Child has questioned.

**Main recommendation**

- Promote modification of the regulation on parent-child relationships featured in Law 25/2010, of 29 July, of volume two of the Civil Code of Catalonia, on persons and families (Article 236-17), to do away with the reference to the "corrective competency" of parents, in accordance with the recommendations of the Committee on the Rights of the Child.

### *Homophobic and transphobic harassment in schools*

In the framework of several actions, the Catalan Ombudsman has become aware of the problems of bullying, discrimination and violence sometimes suffered by LGTB adolescents in primary and secondary schools, how difficult it is to detect these situations, and the effects on and suffering of the victims.

#### **Main recommendations**

- Promote application of the Protocol for Prevention, Detection and Intervention in Situations of Hatred and Discrimination at all schools.
- Promote adoption of preventive measures at schools that facilitate creation of an environment of mutual civic respect, and ensure that the contents of school, educational and training materials take into account diversity in sexual orientation, gender identity and gender expression, with the provision of training resources, tools and educational materials.
- Provide schools with the directives to carry out a comprehensive approach to these situations and promote the effective deployment of mutual civic respect plans at all schools.

### *Shortcomings in protection of babies*

The Catalan Ombudsman has found evidence of shortcomings in the mechanisms meant to guarantee protection of at-risk children in general, and very especially in the specific treatment required by babies.

#### **Main recommendations**

- Promote specific measures for the protection of at-risk babies (or small children), with a view to guaranteeing more intensive follow-up and care, given their great vulnerability for reasons of age, and considering that they are in a stage in their lives for which there are no other services that guarantee an indirect follow-up.

## SOCIAL RIGHTS: PROPER STANDARD OF LIVING, HEALTH AND EDUCATION

### 1. Proper standard of living

#### *Baby benefits based on income and residency for five years*

The baby benefit system based on income level of the family unit for families in which a birth, adoption, protection or foster care has taken place, establishes as a requisite that at least one of the applicant parents or guardians be a legal resident in Catalonia, and that they have maintained this status for five years, two of which must be immediately prior to the date on which the application is filed. In this regard, the PIRMI (Minimum Integration Income benefit) is not as strict with this requisite, and requires continued, effective residency in Catalonia for two, not five, years.

#### **Main recommendation:**

- Modify the requisite for the concession of this family unit income-based benefit for families in which there has been a birth, adoption, protection or foster care, that states that at least one of the applicant parents or guardians must be a legal resident in Catalonia, and must have maintained this status for five years, two of which must be immediately prior to the date on which the application is filed.

### 2. Right to health

#### *Care for children and adolescents with attention deficit disorder, with or without hyperactivity*

The Catalan Ombudsman has received complaints from families regarding the medical care received by their children with attention deficit hyperactivity disorder (ADHD) and also following the presentation of the protocol for management of child and youth attention deficit hyperactivity disorder (ADHD) in the Catalan Health Care System in 2015, to which a number of organizations, individuals and institutions in Catalonia have expressed a divergent viewpoint. Further, the Ombudsman has found that the prevalence of ADHD in Catalonia is heterogeneous and diverse insofar as the health care professionals' approach to the clinical picture and the diagnostic criteria followed.

#### **Main recommendations:**

- Promote an open, uncompromising debate among professionals on the approach to this disorder and the most appropriate treatment for it, and ensure the independence of participating professionals.
- Guarantee that the psychotherapeutic treatment indicated as the standard therapy is administered within the national health care system, with the scope and intensity necessary for each patient, so that the pharmacological treatment never have to make up for a lack of treatment intensity.

- Guarantee and respect the feedback of children or adolescents, and their families, on the prescribed treatment.

### 3. Right to education in conditions of equality

*Criteria of transparency and access to information in students' school admissions processes*

In recent years, the Catalan Ombudsman has detected shortcomings related with the lack of transparency on the school admissions procedure, and has received complaints on the difficult access to information in situations in which fraud is suspected.

#### Main recommendations:

- In case of claims, facilitate access to the data of applicants relative to the criteria of priority alleged in the pre-registration process, except for especially-protected personal information.
- Guarantee that schools publish the list of pre-registration applications to the school, for first and later choices, with the provisional and definitive scores, and immediate notification of the Administration of places generated from the time the list of admitted students is published until the beginning of the school year.
- Guarantee that both the schools and the education administration publish the places generated from the time the list of admitted students is published until the beginning of the school year, and the list of students enrolled in the school, with the date of enrollment, on a regular basis until the beginning of the course.

*Access to the school lunchroom and the participation in afternoon educational activities for students at secondary schools with compressed school days*

The Catalan Ombudsman draws attention to the risks that implementation of a compressed school day at secondary schools could entail for socially underprivileged students: low participation in the afternoon educational activities and elimination of the school lunchroom service, and with it school lunchroom benefits.

#### Main recommendations:

- Promote, in general terms, the operation of school lunchroom service at secondary schools whether or not they have compressed school days, and provide benefits to socially underprivileged students, even if there are no classes in the afternoon.

**Main recommendations:**

- Alternatively, study compensatory measures school by school that guarantee accessibility and normalization of the use of the school lunchroom for secondary school students who require it.
- Develop measures to guarantee economic accessibility to afternoon educational activities at primary and secondary schools with compressed school days and to ensure socio-educational service is provided to socially-underprivileged students.

**4. Rights and new technologies**

The matters brought to the Ombudsman's attention have to do with inequalities in students' access to Internet and new technologies, a field in which there are notable differences between schools. There have also been detected situations that could make for a violation of students' privacy rights and other security problems, such as violation of the rules of mutual civic respect through improper use of social media platforms and cyberbullying in school settings.

**Main recommendations:**

- Promote proactive policies on children and adolescents' digital competencies, beyond mere skills, which must be reinforced through the promotion of competencies by the different contexts involved, such as school, family and leisure scenarios.
- Regulate Internet and ICT access among children and youth, and monitor compliance to guarantee security.
- Guarantee accessibility for students at all schools to tools that allow responsible, educational use of ICT's in classrooms, free of charge and in conditions of equality throughout the mandatory study period.
- Study and intervene in an educational manner in the use of Internet and new technologies and strategies to prevent addictions among youth and adolescents.



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