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## Current organisational framework of *childcare services* in the Valencian region of Spain

SPAIN

Valencian region



*Polibienestar Research Institute – University of Valencia*

Working Paper No. 4

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May, 2013

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**CURRENT ORGANISATIONAL FRAMEWORK OF CHILDCARE SERVICES  
IN  
THE VALENCIAN REGION OF SPAIN  
SPAIN, Valencian region**

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**COST Action IS1102 SO.S. COHESION - Social services, welfare state and places**  
**The restructuring of social services in Europe and its impact on social and territorial cohesion and governance**

In the last 20 years social services have experienced significant restructuring throughout Europe, involving cuts in public funding, devolution (from central to local governments), and externalisation (from public to private providers). Among the reasons for such changes have been stressed the fiscal crisis of the State (on the supply side) and the need to ensure greater efficiency, wider consumer choice and more democratic governance (on the demand side). Although relevant research is available on such processes, the recent global financial crisis and the awareness that, among services of general interest, social services are a major vehicle of social and territorial cohesion have brought social services back on the EU agenda.

The Cost Action IS1102 – which runs from 2012 to 2015 – brings together institutions carrying out research on these themes in different nations, from different disciplinary points of view, and with different emphases, with a view to jointly assess the effects of the restructuring processes, from 5 points of view: a) efficiency and quality; b) democratic governance; c) social and territorial cohesion; d) training and contractual conditions in social work; e) gender and equal opportunities. The Action provides a structured comparative context to share and valorise existing knowledge with the purpose of disseminating findings at the local and international scale and identifying inputs for a European social policy platform.

Some of the output of the Action is published in the form of *COST IS1102 Working papers*, freely available for consultation. While acknowledging the key role of the Cost Programme in general – and of the IS1102 Action in particular – in favouring the production of these papers, the responsibility of their contents remains with the authors.

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## CURRENT ORGANISATIONAL FRAMEWORK OF CHILDCARE SERVICES IN VALENCIAN REGION (SPAIN)

*Ascensión Doñate, Carmen García, Irene Monsonís & Estrella Durá*

### Introduction

Public policies from the Spanish Government are greatly important to organize the Spanish Welfare State. The management and funding of many of its components and fields – as education, health or social services to families – have been transferred to autonomic government. This explains the fact that Spain is described sometimes as a state with 17 Welfare States (one for each Autonomous Region) instead of just one. However, the central government has already a fundamental role both in the funding as in the regulation of the Welfare State.

Education is one of the components of the Welfare State, which public expenditure in Spain is one of the lowest around the European Union. In our country, in comparison with other European countries, there is relative low use of childcare services; however, the percentage of non-remunerated caregivers is relatively high (González, 2003). Moreover, the public services to support families are the little developed in Spain, as for example: the daycare centres for children aged between 0-3 years, home services to elders and to people with disabilities, assisted homes, daycare centres or social housing among others.

To understand this situation it is necessary to refer to the birth and evolution of the current childcare model.

#### *State of the art of current childcare model*

As stated before, in Spain, in comparison with other European countries, there is relative low use of childcare services; however, the percentage of non-remunerated caregivers is relatively high (González, 2003). To understand this situation it is necessary to refer to the birth and evolution of the current childcare model.

During the **XIX century and the first half of XXs**, pre-school education (defined as education for children before compulsory schooling) was addressed to poor families with children aged 2-6 years, which mothers worked and could not look after them. Thus, this kind of education was not considered as necessary and convenient for all; it has a secondary role with respect to the mother. In this sense, when mothers could not educate and take care of their children it was justified the attendance of children to daycare centres (Sanchidrián, 2009).

Social protection measures directed towards families were introduced in 1938 as a component of the new **Francoist state**. Alongside monthly payments for workers' dependent family members, these included birth grants and special benefits for women who abandoned the labour market; thus, defining a conservative and traditional model of family policy with a pronatalist orientation. In the early 1960s, this policy framework was simplified to the extent that this was now only based on wage supplements granted by the social security. Provisions remained normally unaltered after 1971 and were maintained without indexation during the years of its transition to

democracy and the years beyond, until 1990, when a new rationale was established for child benefits.

During the **democratic transition** Spanish government did not engage in significant reforms regarding policies related to childcare and child benefits and the family policies established during Franco's rule; although they were dismantled in practice. This non-development of child policies after Franco can be understood as a case of dismantling by non-decision. However, in the light of multiple socio-economic environmental factors favourable to its expansion, Spain turns out to be a puzzling case of phasing out the status-quo prior to democratic transition in the field of child benefits, without any policy substitution.

The first substantial transformation of child benefits emerged on **1990s**. The reform was part of another policy concern regarding pension reform and a broader policy initiative to alleviate poverty. This new system entailed a non-contributory benefit, thus decoupling, for the first time, eligibility from workers status. As a matter of fact, benefit levels increased somewhat between 1990 and 1995 due to the new progressive tax system favouring persons with family responsibilities and increased financial support directed towards large families. Family policies witnessed some tentative reorientation 1996, and the tax treatment of the family improved slightly. Moreover, during the 2000s, support for families increased in real terms, although spending levels remains behind most Mediterranean countries. The approval of the Fundamental Law 1/1990 on Educative System (LOGSE) supposed a turning point in the regulation of childcare services. For the first time the pre-school education as a part integrated on the educative system and not as a care service addressed to disadvantaged families. Thus, from LOGSE pre-school education constitutes the first stage of the educative system.

The **current Welfare State in Spain** is characterized by a corporatist benefit system, fragmented coverage and strong reliance on family support (Ferrera, 1996). Although civic rights are acquired mainly from the relation of the people with the labour market (contributive rights), there is a limited development of care services, so, a very important part of welfare is obtained through family support. This peculiarity, common around other countries from the Southern Europe as for example Italy, is called "society based on the model of family solidarity"; the support circle implies several generations (Naldini, 2002). Childcare represents a good example of this intergenerational solidarity. In this sense, grandparents have played a crucial role as caregivers of children in the support of families and in the support of women employ when families cannot access to public daycare centres, cannot pay the elevated prize of private ones or are reluctant to leave children with no qualified carers at their own homes (González, 2003).

Due to negative associations established during Francoist state of family policies, there was a lack of will – after the instauration of the Democratic State – to include them into the politic agenda (Valiente, 1997). Moreover, during the dictatorship the generalized opinion related to childcare was based on mothers provided the best quality of care, so the policies were aimed to promote this and not the development and implantation of support centres or services.

The Francoist heritage is very important to explain the current state of childcare in Spain; however, it is worth mentioning that there are other aspects that could explain this situation (Rubio, 2002):

- The absence of institutionalization of family policies and the fragmentation of social initiatives addressed to families.
- The existence of a decentralized structure on social field competences.
- The absence of a clear distribution of responsibilities between the different levels within the Government.

So, according to this progressive approach on Spanish Welfare State focused on family issues, Spain, within the European Union (EU), is the country with the lowest percentage of public expenditure on child benefits and the third country as regards child poverty (Levy, 2003). It is important to note that although some new family policy frameworks have emerged at the regional level, promoted either by more conservative or left-oriented governments, at the national level the policy-field remains underdeveloped and family issues have not come to the forefront of political debate (Bianculli et al., 2010).

In summary, the Spanish Welfare System derives from the conservative welfare regime which heavily relies on income maintenance programmes, social services are not as well developed as in other welfare models – as Scandinavian countries – and the family plays a crucial role. Nevertheless, in the Mediterranean welfare model the family mainly operates in the informal sphere with limited institutional recognition (León, 2007).

## 1. Definition and classification

The Spanish Constitution of 1978 implies the starting point of a new conception of the responsibilities that public entities and actors must assume regarding to childhood protection and childcare. This function and organization was complemented through the decentralization process by the full-assumption of competences in these issues by the different Spanish regions. In the case of the Valencian Region, when the Statute of Autonomy became effective in 1982 it began a process to transfer responsibilities and competences in the field of social services and, thus, childhood protection. So, nowadays, as the rest of Spanish regions – except Ceuta and Melilla – Valencian Government assumes full educative competences in this field.

According to the Conclusions from the Council of Ministers from European Union (OECD, 2006), the concepts ‘Pre-school Education’ and ‘childcare’ are referring to every measure addressed to educate and take care of children since their birth to compulsory schooling age – independently of their environment, funding, hours or educative programme.

In the case of policies, services and competences related to children’s daycare are competence and responsibility of the education field through the ‘Spanish Ministry of Education, Culture and Sports’ (*Ministerio de Educación, Cultura y Deporte*) and ‘Valencian Ministry of Education, Training and Occupation’ (*Conselleria de Educación, Formación y Ocupación*).

So, in accordance with the Spanish Ministry of Education, ‘Pre-school education’ (*Educación Infantil*) is the educative stage that attends children since their birth to 6 years old (*infancia*) with the aim of contributing to their physical, emotional, social and intellectual development. It comprises two cycles: the first is addressed to children aged 0-3 years; and the second, which is free, is for 3-6 years old children.

The first cycle is volunteer and not free and is provided in pre-education Municipal centres, which are subsidized with public funding. Schooling, dinning, and extended timetable fees are established according to family incomes. For this cycle there are schooling and dining fellowships on private centres.

The second cycle, although volunteer, is free to every child and is considered as the first education stage at schools. It is provided in public pre-school and primary education public centres as well as privately managed centres. Although the schooling in this cycle is free, dinning and transport services not; although there are fellowships that parents can apply.

## 2. The legislative milestones

The main legislative milestones in the regulation of Spanish and Valencian childhood protection and childcare are summarized in Table A.

**Table A. Legislative milestones in Childcare services**

Year	State level concerned	Legislation/Act (number/title/type*)	Content (synthetic)
1978	National	Spanish Constitution of 1978	Starting point of a new conception of responsibilities that Spanish public entities assume regarding to childhood protection. Conferring of responsibilities in case of children at risk, neglect or lack of protection situations, providing necessary mechanisms to correct those situations.
1982	Regional	Fundamental Law 5/1982, of 1 <sup>st</sup> July. Statute of Autonomy from Valencian Region (DOGV n°74, of July 15 <sup>th</sup> )	Process to transfer responsibilities and competences to Valencian Region in the field of social services, and, so, in the field of childhood protection.
1987	National	Law 21/1987, of 11 <sup>th</sup> November (BOE n°275, of November 17 <sup>th</sup> )	Deep transformation in the Civil Code and Civil Procedure Law about adoption and in the establishment of new institutions related to childhood protection.
1990	National	Fundamental Law 1/1990, of 3 <sup>rd</sup> October on Education System – LOGSE (BOE n° 238, of 4 <sup>th</sup> October 1990).	For the first time, the pre-school education is considered as a part integrated to the educative system and not as a care service addressed to disadvantaged families. Pre-school education covers the ages from 0 to 6 years, and implies two cycles: the first, from 0-2 years, and the second from 3-5 years.
1994	Regional	Law 7/1994 of 16 <sup>th</sup> December (DOGV n°2408, of 16 <sup>th</sup> December 1994)	Establishment of competences ascribed to the Valencian Administration in childhood protection issues and minors' reform.
1994	National	Order of 19 <sup>th</sup> June (BOE n° 160, of 06 <sup>th</sup> July 1994).	Approval of instructions that regulate the organization and working of Pre-school and Primary education centres.
1996	National	Fundamental Law 1/1996, of 15 <sup>th</sup> January (BOE n°15, of 17 <sup>th</sup> January 1996)	Deep reform of childhood protection institutions based on the recognition of the minor as a participative and active person.
1997	Regional	Law 5/1997 of 25 <sup>th</sup> June (DOGV n° 3032, of 10 <sup>th</sup> July 1997)	Regulation of Social Services System within Valencian Region.
1999	National	Law 39/1999, of 5 <sup>th</sup> November (BOE n° 266, of 06 <sup>th</sup> November 1999)	Promotion the reconciliation of family and working life in employed people.
2000	National	Resolution of 12 <sup>th</sup> December 2000 (BOE n° 298, 13 <sup>th</sup> December 2000).	Instructions to provide essential services at non-university centres.
2001	Regional	Decree 93/2001, of 22 <sup>nd</sup> May (DOGV n° 4008, of 28 <sup>th</sup> May 2001).	Approval of the Regulation of Minor's Legal Protection in the Valencian Region.
2002	Regional	Decree 100/2002, of 04 <sup>th</sup> June (DOGV n° 4271, of 14 <sup>th</sup> June 2002)	Regulation of accreditation, functioning and control of the entities in charge of mediation on international adoption and the register of the claims made against mediation entities at the Valencian Region.

2002	National	Fundamental Law 10/2002, of 23 <sup>rd</sup> December on Quality of Education – LOCE (BOE n°307, of 24 <sup>th</sup> December 2002)	Division of pre-school education in two fields: the first, with an educative-care aim and volunteer for 0-3 aged children; and the second with an educative perspective, as well as volunteer and free for 3-6 aged children  Never was applied due to a new modification of the educative model by LOE.
2003	National	Order HAC/3580//2003, of 17 <sup>th</sup> December (BOE n° 306, of 23 <sup>rd</sup> December 2003)	Approval of tax deduction for maternity to employed mothers with children aged under 3 years.
2005	National	Real Decree 1335/2005, of 11 <sup>th</sup> November (BOE n°279, 22 <sup>nd</sup> of November 2005)	Regulation of family benefits from Social Security. It is recognized an economic assignment that is recognized per every child in charge by the beneficiary if not exceeds the limit of incomes established.
2006	National	Fundamental Law of Education – LOE – 2/2006, of 03 <sup>rd</sup> May (BOE n° 106, 04 <sup>th</sup> May 2006).	Similar definition of pre-school education than the previous Fundamental Law on Education (LOGSE).  Public Administrations will promote an increase in the vacancies of public places in the first cycle. The second cycle will be free.
2006	Regional	Order of 09 <sup>th</sup> March 2006 (DOGV n° 5250, of 03 <sup>rd</sup> May 2006).	Introduction of the Notification Book for the childhood social and health care and the protection of minors in the Valencian Region.
2007	National	Law 35/2007, of 15 <sup>th</sup> November (BOE n°275, of 16 <sup>th</sup> November 2007)	Tax deduction for birth or adoption on the Personal Income Tax ( <i>Impuesto sobre la Renta de las Personas Físicas – IRPF</i> ) and economic benefit in one and only payment (amount of 2.500 €) on Social Security for birth or adoption. It is known as 'Baby Check' ( <i>Cheque Bebé</i> ). Currently, this Law is abolished.
2008	Regional	Law 12/2008, of 03 <sup>rd</sup> July (DOCV n° 5803, of 10 <sup>th</sup> June 2008)	Comprehensive protection of Children and Adolescents at the Valencian Region.
2008	Regional	Order of 17 <sup>th</sup> January 2008 (DOCV n° 5693, of 02 <sup>nd</sup> February 2008)	Regulation of the organization and functioning of the centres of protection and residential Foster care and day stay for minors at the Valencian Region.
2008	Regional	Decree 37/2008, of 28 <sup>th</sup> March (DOCV n°5734, of 03 <sup>rd</sup> April 2008)	Establishment by the Valencian Ministry of Education the educative contents of the first cycle from Pre-school education at Valencian Region.
2008	Regional	Decree 38/2008, of 28 <sup>th</sup> March (DOCV n° 5734, of 03 <sup>rd</sup> April 2008)	Establishment by the Valencian Ministry of Education the curriculum of the second cycle from Pre-school education at Valencian Region.
2008	Regional	Order of 24 <sup>th</sup> June 2008 (DOCV n° 5814, of 25 <sup>th</sup> July 2008)	Regulation of Pre-school education stage evaluation by the Valencian Ministry of Education.
2009	Regional	Order of 16 <sup>th</sup> November 2009 (DOCV N° 6149, of 20 <sup>th</sup> November 2009)	Regulation of the educational family target at the Valencian Region.
2009	Regional	Decree 28/2009, of 20 <sup>th</sup> February (DOCV n° 5961, of 24 <sup>th</sup> February 2009)	Change of the Regulation of Legal Protection Measures for children at the Valencian Region.
2010	Regional	Order 1/2010, of 03 <sup>rd</sup> May (DOCV n° 6276, of 27 <sup>th</sup> May 2010)	Introduction of the Notification Book for possible situation of neglect of children detected since the educational context at the Valencian Region. Also, it is established the inter-administrative coordination for the comprehensive

			childhood protection.
2011	Regional	Decree 65/2011, of 27 <sup>th</sup> May (DOCV n° 6531, of 30 <sup>th</sup> May 2011)	Regulation of the Council Minors' Adoption at the Valencian Region.
2011	Regional	Order 25/2011, of 27 <sup>th</sup> April (DOCV n° 6517, of 10 <sup>th</sup> May of 2011)	Announcement of cash transfers benefits from Valencian Ministry of Education, called 'Daycare centre voucher' ( <i>Bono Guardería</i> ) to first cycle's daycare centres addressed to students schooled in that centres. The aim in to help families in schooling children until 3 years old in first cycle Pre-school daycare centres from Valencian Region.
2012	Regional	Resolution of 14 <sup>th</sup> March 2012 (DOCV n° 6742, of 27 <sup>th</sup> March 2012)	Approval of the Chart of Minors' Foster Services in Educating Families.
2012	Regional	Decree 62/2012, of 13 <sup>th</sup> April 2012 (DOCV n° 6755, of 17 <sup>th</sup> April 2012)	Regulation of territorial entities on coordination in the context of childhood protection at the Valencian Region.
2012	Regional Municipal	Agreement from Valencian Governing Body, of 24 <sup>th</sup> February (BOP, of 6 <sup>th</sup> March 2012)	This Scholar Check ( <i>Cheque Escolar</i> ) is addressed to pay as maximum ten fees related to the teaching of pre-school education course within Valencia city.
2012	National	Draft bill of Fundamental Law to improve the educative quality	Not definitive content yet.  The contributions to this draft emphasize the necessity of a wide review on the educative system, as well as the relevance of studying new and innovative experiences and initiatives to improve educative practice.

Sources: Authors' own compilation

### 3. The current organizational structure

#### 3.1. Main forms of supply

The main forms of supply in childcare are these kinds of services and care providers: a) cash transfers to families; b) cash transfers to daycare centres; c) in-kind services; and d) informal caregivers.

##### *Cash transfers to families*

The **tax deduction for maternity to employed mothers with children aged under 3 years** (*Deducción por maternidad para madres trabajadoras con hijos menores de 3 años*) – Order HAC/3580/2003 (BOE n° 306, of 23<sup>rd</sup> December 2003) – is applied through two ways: 1) applying it in the Income Tax Return; or 2) receiving it as an advance at the rate of 100 € per month and adding it at the Income tax Return as an income and it is applied a deduction for the same amount, being neutral in this way the tax effect. It is necessary to indicate the months of maternity, including the month of birth. The maximum amount admitted by this tax deduction is 1.200€. The father or guardian just has right to this tax deduction in case of mother death.

The **Scholar Check** (*Cheque Escolar*) – BOP, of 6<sup>th</sup> March 2012 – is a cash transfer within Valencia city; however there are other municipalities in the Valencian Region that dispose similar benefits for their citizens. This Scholar Check is addressed to pay as maximum ten fees related to the teaching of pre-school education course; not taking into consideration the costs related to activities carried out after scholar period and schedule, out-of-school activities, dining, books, registration, etc.

The beneficiaries of this check will be minors with the following requirements:

- Minors must be schooling at Pre-school education aged 0-6 years, with the exception of whose schooling at public or fully-privately managed centres.
- Minors and parents must be registered in Valencia Council.
- The centre in which the minor is schooling must be in Valencia Council.

There are several criteria to assess the applicants:

- Annual family income.
- Existence of disabilities.
- Family situation (as large families).
- Situation of maltreatment or domestic violence.

In this sense, according to the score obtained, there are different amounts in the Scholar Check, being the maximum amount 90 €.

**Family benefits for children or minor taken in charge** (*Prestación familiar por hijo o menor acogido a cargo*) – Real Decree 1335/2005 (BOE n°279, 22<sup>nd</sup> of November 2005) – is an economic assignment that is recognized per every child in charge by the beneficiary if not exceeds the limit of incomes established.

*Cash transfers to daycare centres*

**Daycare centre voucher** (*Bono Guardería*) – Order 25/2011 (DOCV n° 6517, of 10th May of 2011) – from the Valencian Region are cash transfers to first cycle's daycare centres addressed to students schooled in that centres. This voucher will contribute to the partial funding of school vacancies. The maximum global amount that could be assigned in 2011 was 29.449.673 €. The aim of this subvention is to help families in schooling children until 3 years old in first cycle Pre-school daycare centres from Valencian Region.

The beneficiaries that can apply these subsidies for their students are titleholders of educational centres from Valencian Region. These centres must give to students' parents or guardians the checks and discount them from monthly bills to be paid by parents. The maximum monthly cost per scholar place that centres can fix must not be superior than:

- Unities until 1 year: 460 € per student and month
- Unities from 1 to 2 years: 350 € per student and month
- Unities from 2 to 3 years: 280 € per student and month
- Unities until 2 years: 460 € per student and month
- Unities until 3 years: 350 € per student and month
- Unities from 1 to 3 years: 350 € per student and month.

*In-kind services*

In Valencian Region – as well as anywhere in Spain – the **daycare centres** can be classified according:

- **Public.** The titleholders can be the regional Administration – from Valencian Region – or the local/municipal Administration – as the case of Valencia Council. The school calendar consists in five days of class per week distributed in three terms that are followed by vacations' periods. The timetable consists in five hours of classes per day in part-time that are different depending on each centre. During June and September the timetable is full-time just on mornings. Some daycare centres offer care of students an additional care from 7 to 9 on the morning in charge by specialized monitors (*Escoletes Matineras Municipals*).

- **Privately managed.** They are private daycare centres in which a percentage of the places available are subsidized and subject to the same conditions than public centres.
- **Private.** The titleholder is a natural or corporate/legal person.

### *Informal caregivers*

In Spain, as other occidental countries, the number of elders implied in the daycare of children is increasing (e.g. Kropf & Burnette, 2003). The necessities of caring grandchildren have risen considerably due, mainly, to: a) incorporation of woman to labour market; and b) few public resources for young children's daycare as an alternative.

### **3.2. The funding**

In 2008 a 11.3% of the national public expenditure was allocated to education. The distribution taking into account the Administration in charge the distribution is the following: 9.4% by regions; 0.5% by Spanish Ministry of Education; 1.1% other Administrations; and 0.4% by 'others' (MEC, 2011).

Between 1998 and 2008, the expenditure in education, as a percentage of the total public expense, has changed slightly around 0.3%. The expense realized by the Ministry of Education has decreased 2.3%, while regions' expenses with educative competences have increased 3.6%. This increase began to be more pronounced in 2000, when the process of educative competences' transference finalized in the regions did not have yet (MEC, 2011).

The public expenditure in education in 2009 was of 52,527.8 millions € that implies a 4.98% in relation with GPB. More specifically, the costs related to pre-school, primary and special education implied 33.5% (MEC, 2011b). There is no data available related to pre-school education separated.

### **3.3. The planning**

According to the Spanish Ministry of Education (Fundamental Law of Education 2/2006, BOE n° 106, 4<sup>th</sup> May 2006), the Pre-school education will contribute in the children's development of abilities and competences aimed, mainly, to:

- Know their own body and from others, their means of action and to know respect differences between persons.
- To observe and explore their family and social environment.
- To acquire progressively autonomy in their usual activities.
- To develop their emotional capacities.
- To be related to others and to acquire progressively elemental coexistence and social guidelines, as well as how to resolve conflicts peacefully.
- To develop communication skills in different languages and ways to express.
- To begin on logical-mathematics abilities, on reading and writing, on movement, gesticulation and rhythm.

The contents in Pre-school education are organized in areas related to the childhood experience and development, and they are raised through activities with interest and mean for children. Working methods in both cycles are based on experiences, activities and playing applied in and affective and confident environment to foster children's self-esteem and social integration.

Knowledge areas from the second cycle of Pre-school education are the followings:

- Oneself knowledge and personal autonomy.

- Environment knowledge.
- Languages: communication and performance.

These areas must be understood as spheres of action with different kind of learning: attitudes, procedures and concepts that will contribute on children’s development and their world interpretation.

Educative administrations must promote a first approach to: foreign language, reading and writing, basic numeric abilities, TICs and visual and musical expression. Daycare centers are in charge of developing and completing the educative contents from the first cycle and the curriculum from the second cycle established by educative administrations.

**3.4. The coverage**

Between 1998/1999 and 2008/2009 there was an important increase in the number of children aged 0-3 years schooling – first cycle of pre-school education (see Table B). In the case of the second cycle the increase was less evident (see Figure A).

Table B. Evolution of the net rate of schooling in Pre-school education in Spain

	First cycle			Second cycle		
	< 1 year	1 year	2 years	3 years	4 years	5 years
1998/1999	1.3	6.0	14.6	80.2	98.9	100
2003/2004	3.0	12.1	24.8	95.8	99.8	100
2008/2009	7.0	24.7	42.9	97.9	99.2	98.8

Sources: MEC (2011).

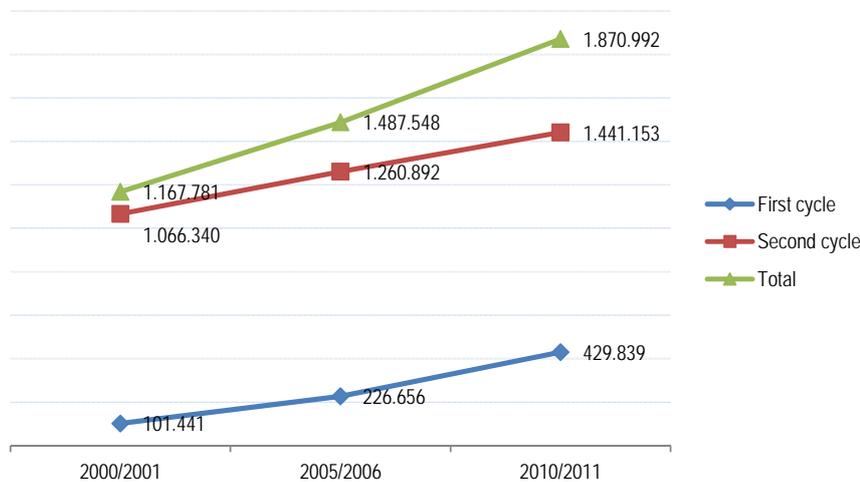


Figure A. Evolution of the net rate of schooling in Pre-school education in Spain

Sources: MEC (2011b).

This increase in the number of students registered at daycare centres has been encouraged and explained – among other factors – by a parallel increase in the number of daycare centres available in Spain, especially public centres (see Figure B).

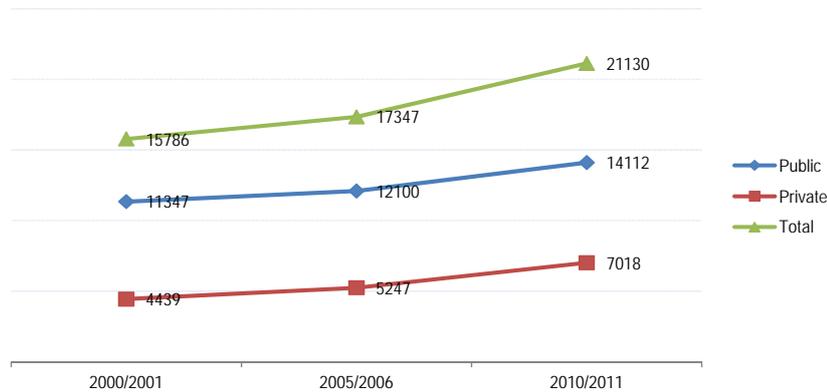


Figure B. Evolution of number of daycare centres in Spain

Sources: MEC (2011b).

There is a notable difference in the number of children registered in the first cycle of Pre-school education along the several Spanish regions (see Figure C).

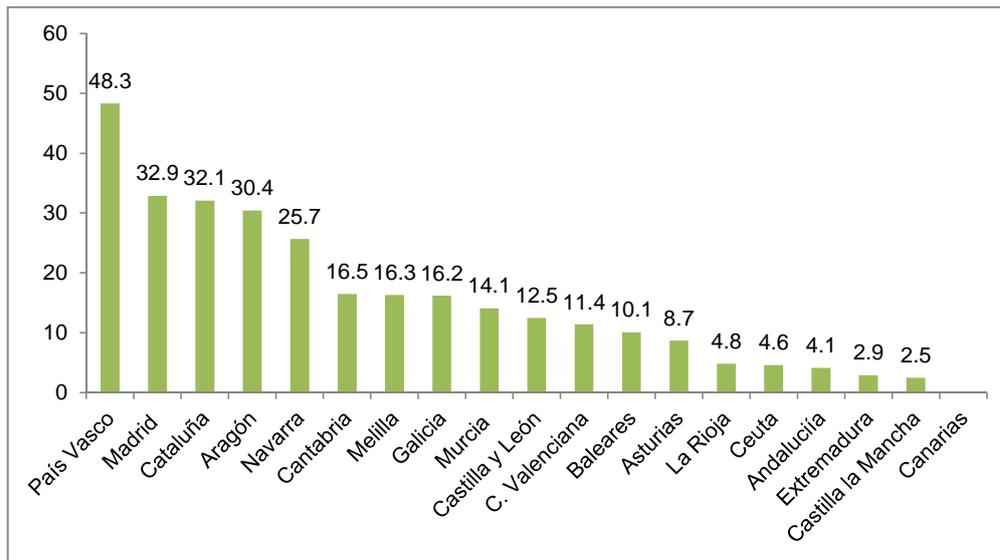


Figure C. Children registered in first cycle of Pre-school education by regions as percentage on 2005/2006

Sources: Fundación Educación y Ciudadanía (2008).

Concretely, in the Table C is shown the number of students registered in Valencian Region and Spain – as a global data – on Pre-school education by cycle.

Table C. Students registered in Pre-school education by cycle during the course 2010/2011

	Total	First cycle	Second cycle
Valencian Region	192.826	36.968	156.656
Spain	1.870.992	429.889	1.441.158

Sources: MEC (2011b).

#### 4. The division of labour within the state and regions in Spain

Since the approval and establishment of the Spanish Constitution of 1978, the educative system has suffered a transformation process in which, gradually, the central Administration has transferred functions, services and resources to the different Autonomous Regions.

This decentralized administrative model of the Spanish educative system assigns the competences between the State, the Autonomous Regions, Local Administrations and education centres. The state has exclusively the competences that safeguard the homogeneity and unity of the educative system and guarantee the conditions of basic equality of every Spaniard in the exercise of their fundamental educative rights established by the Constitution.

The Autonomous Regions have competences to obey national laws and the regulation of non basic aspects of the educative system, as well as the executive-administrative competences to manage the system in their own territory.

The tasks that the legislation entrusts to local corporations do not confer capacity of Educative Administration, but they recognize their capacity to cooperate with State and Autonomic Administrations in the development of their educative policies. Municipalities cooperate with competent Educative Administrations in the development and maintenance of public education centres and in the execution of complementary activities or services. Moreover, the municipal participation is carried out through Autonomic School Boards and in the school boards at the centres.

The Spanish Ministry of Education is the organ from the Central Administration of the State in charge of the proposal and execution of guidelines from the Government. Thus, the Ministry is organized in central services that form the basic structure, and auxiliary services for the management of tasks at regional and provincial level. The State Administration counts with an organ with executive capacity in each Autonomous Region to carry out state educative competences exclusively.

The coordination between the Educative Administrations is necessary due to the assignment of competences to guarantee the adequate execution of some functions, as the decisions on education policies, as well as the development on education research, general arrangement and teaching improvement and the register of education centres.

So, currently, Pre-school Education is managed by autonomic and local governments. The decentralization of competences facilitates the management of services through administration units nearer to users.

Table D. The division of labour within the *state* in childcare (daycare centres) services

Phases	Central/ Federal	Regional/ Lander	Municipal/ Local	Sub-municipal
Legislation/regulation	XX	XXX	X	
Funding	X	XXX	XX	
Programming/planning	X	XXX	XX	
Production/delivery	X	XX	XXX	
Monitoring/evaluation	X	XXX	XX	

Sources: Authors' own compilation

### 5. The division of labour among providers

In Spain, childcare services are mainly provided by daycare centres or through informal caregivers as parents or grandparents. We can distinguish a tendency according the age of the children.

In the case of children aged between 0-3 years, as the first cycle of Pre-school education is not free, the main provider of childcare services is through private daycare centres and the care of informal carers from the nearer family.

Children aged between 3-6 years, although the education is volunteer, it is free. So the main providers of daycare are the public centres; though there is a wide market of private and privately managed centres.

In Spain, the provision of care to young children by non-profit organizations is not very extended. This kind of support is more common in the care of other kind of target groups, as elders or people with disabilities.

Table E. The division of labour among providers in childcare services

Phases	State (at which scale)	Market		Non-profit		Family/users
		For profit organisations	Hired help	Organisations/ associations	Voluntary workers	
Legislation/regulation	X					
Funding:						
• cash transfers	X	X	X			X
• daycare services	X	X	X			X
• other services		X				
Programming/planning	X	X	X			
Production/delivery	X	X				X
Monitoring/evaluation	X	X				

Sources: Authors' own compilation

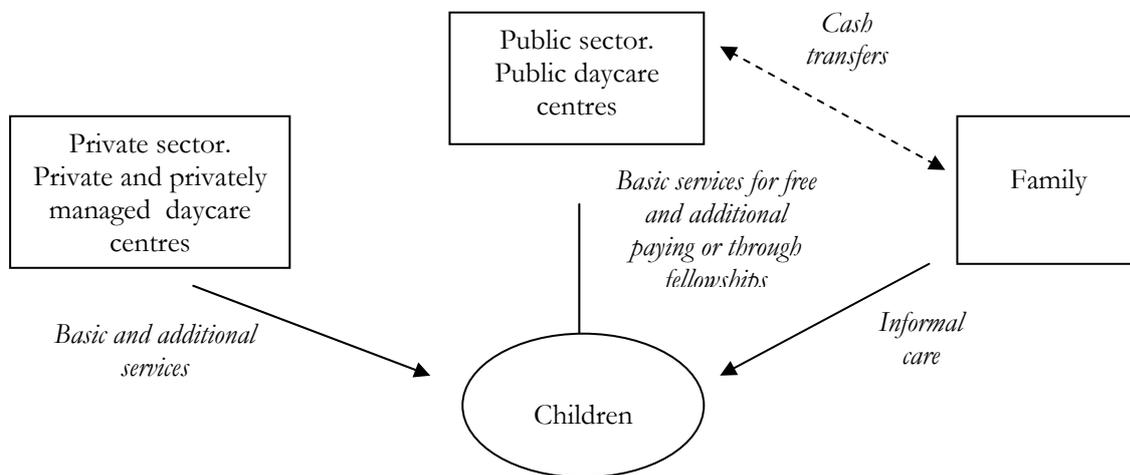


Figure D. The division of labour among providers in childcare services

Source: Author's adaptation of chart by Lyon and Glucksmann (2008).

### 6. The impact of the restructuring and the crisis

#### 6.1. The effects of the restructuring process in terms of gender and equal opportunities in general

During Francoist dictatorship, in Spain laws and policies favour and promote that woman stay at home in charge of young children, among other tasks. Due to the introduction of democracy and the Constitution of 1978, in the last decades Governments have contribute to the development and establishment of policies and initiatives on reconciliation of family and working life (as the National Law 39/1999, of 5th November – BOE nº 266, of 06th November 1999) with, mainly, the following objectives:

- Promoting and working for the equality between men and women.
- Decreasing the women unemployment rate.
- Favouring the access by woman to a wide range of jobs – types and levels.
- Favouring the access to superior studies – as university – by woman.

Spanish female labour participation rates have risen from a net rate around 3,628 in 1976, 4,363 in 1996 to around 7,920 in 2012 (own compilation through Instituto Nacional de Estadística). This increase is, partially due to the considerable growth in the number of mothers with young children employed (Borra & Palma, 2009). This phenomenon has arisen the necessity to discuss about childcare of young children while mothers work and the necessity to extent and increase the public investment, funding and participation on pre-school education; especially, on the first cycle (addressed to 0-3 aged children).

Although there have been many advances in childcare and family protection policies, it is necessary to continue working in this field as, according to Borra & Palma (2006), caring for young children is the least developed service of Spanish Welfare State. Even if schooling for 3-6 years old children is almost universal, with a net rate of 1.441.152 children attending childcare centres during the course 2010/2011 in our country, just 429.839 children between 0-3 years were schooling the same course (MEC, 2011b).

## ***6.2. The effects of the restructuring process in terms of governance***

The decentralized model of education sharing competences between the State, the Autonomous Regions, Local Administrations and education centres facilitates the management of children daycare services through administration units nearer to users; although the lack of clarity on the competence of different levels of government (autonomic, provincial and municipal) has generated many critics (Rubio, 2002).

Until now, the state has exclusively the competences to safeguard the homogeneity and unity of the educative system along the different Regions and to guarantee the fundamental educative rights established by the Constitution.

This decentralized management of education system, as well as social and care services, at different levels in the same state implies several counterproductive effects as: a) the absence of a comprehensive regulation of education in Spain; b) diversity of funding sources and budget around the different Autonomous Regions; c) duplicity of organizations, bodies and initiatives; and d) regional and local inequalities.

The current Spanish government is working in a Draft bill of Fundamental Law to improve the educative quality that proposes a wide reorganization of the competences. In this sense, the State would control a higher percentage of the contents in the scholar curriculum since Primary School until High School and Professional Training; cutting off, so, the leeway given currently to the Autonomous Regions. The government argues this reform as necessary through these main purposes:

- a) Decrease the rate of early scholar abandon.
- b) Improve the international results.

- c) Improve the comparative rate of excellent students and of students graduated in Secondary Education.
- d) Improve the employability of the students.

However, once again, the Pre-school Education is not a focus in this reform; becoming evident that that the efforts and initiatives addressed to this educative stage are not a focal point in the educative field within the Spanish Welfare State.

## 7. Summary and conclusions

As a summary of the present document, here are represented the most relevant aspects and main conclusions related to childcare services in Spain and Valencian Region:

1. The Spanish educative system is decentralized, which competences are assigned between the State, the Autonomous Regions, Local Administrations and education centres.
2. Pre-school Education is managed by autonomic and local governments. The decentralization of competences facilitates the management of services through administration units nearer to users.
3. Pre-school Education is divided into two cycles:
  - a) First cycle (for 0-3 years old children) is volunteer and not free and is provided in pre-education Municipal centres, which are subsidized with public funding.
  - b) Second cycle (for 3-6 years old children) although volunteer, is free to every child and is considered as the first education stage at schools.
4. The public services to support families are the less developed in Spain, as for example: the daycare centres for children aged between 0-3 years. Although there have been many advances in childcare and family protection policies in the last decades, it is necessary to continue working in this field.
5. In comparison with other European countries, there is relative low use of childcare services; however, the percentage of non-remunerated caregivers is relatively high.

We would like to conclude the document with a reflection through a one of the latest initiatives established by the Valencian Ministry of Education. In the present month of September 2012 in Valencia Region – as well as in other Autonomous Regions, as Cataluña or Madrid – has been approved a rule by that consists in financing the school-dining services and the monitors in charge of the students that have lunch in the centre; both those opt to lunch provided by the centre as well as those bring their own lunch from home. This rule will be applied in the Pre-school and Primary education centres, Special Education and Secondary Education centres from the Valencian Region (*Generalitat Valenciana*) that dispose school-dining service. The 3 years old students of pre-school education must count on with a monitor per every 15 students.

This in an initiative proposed by the Region in response to the budget cuts in Education exposed in the Real Decree 14/2012, of 20<sup>th</sup> April (BOE n<sup>o</sup> 96, of 21<sup>st</sup> April 2012) that establishes a package of urgent measures to rationalize the public expenditure in the educative field.

This initiative is just an example of the changes and challenges that our country is suffering in the last times as a consequence of the current crisis. So, it is important to cope the budget costs and restructuring of the Welfare State through innovative solutions and approaches with the main objective of maintaining the quality of life and effectiveness of our social, health and educational systems.

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