The *Ley de Igualdad* (“Gender Equality Act”) in Spain and gender mainstreaming in government statistics

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1. Introduction: the gender perspective in Spain

The Fourth World Conference on Women of 1995 in Beijing is widely cited as the start of "gender statistics". The Beijing Declaration and Platform for Action adopted at the end of the Conference spelled out the strategic aims and actions required to overcome barriers to the advancement of women. The Conference identified twelve critical areas of concern that required specific actions for women's empowerment to achieve full equality of the sexes: poverty, education, health, violence against women, armed conflict, economic participation, inequality in power and decision-making, lack of advancement opportunities, human rights, women and the media, natural resources and the environment, and the girl child. As in any sphere of policymaking, these strategic aims were associated with a list of monitoring indicators. A reading of the topics listed illustrates the extent to which the need for information on men and women pervades the entire statistical system.

From the mid-1990s onwards especially, government statistics in Spain and in many other countries increasingly reflected a commitment to compile information to measure the differences between men and women. This is not a matter simply of breaking down the data by sex whenever possible, but, more importantly, of ensuring that statistics are designed from the outset so as to identify and collect information on those ambits in which differences between the sexes may exist. The disaggregation of statistics by sex is a necessary but not a sufficient condition for analysis. The statistical system must seek to produce statistics that aid the assessment and diagnosis of the social position of, and the differences between, both sexes. This approach has been termed "gender mainstreaming".

The distinctive feature of the case of Spain is the government's recent initiative on equality policy. A new *Ley de Igualdad* ("Gender Equality Act"), passed in March 2007, lays the foundations for ambitious policy in support of effective equality between men and women. In the field of statistics, the Act introduces specific rules on both aspects of gender mainstreaming mentioned above: disaggregation by sex of all statistics on individuals, and the establishment of new indicators to garner more accurate knowledge of the differences in "values, roles, situations, conditions, aspirations and needs of women and men."

In accordance with this initiative, the Higher Statistical Council's recommendations paper for the *Plan Estadístico Nacional 2009-2012* (the Spanish national statistical plan), issued in early 2007, breaks new ground by...
including among its eight strategy points express gender perspective guidelines affecting the output of the entire national statistical system.

2. Main actions by INE on gender statistics

There are many new initiatives in progress in the Spanish statistical system to meet new requirements and produce new information relevant to gender analysis. Many of the new initiatives were instigated by Eurostat; therefore, in this document we shall mention only those arising specifically within the national ambit. The highlights are:

The Labour Force Survey (Spanish “EPA”) has been used for decades for general socio-economic analysis of Spanish households. It has also been used as the statistical basis for numerous gender studies.

The information is systematically broken down by sex, thus providing a key tool to assess gender equality. The possibility of working with survey microdata dating from as far back as 1976 allows for extending study beyond the mere tabulation of results by using advanced statistical techniques and thus obtaining a very long time perspective (over 30 years of history).

The combination of the demographic variables (age, sex, marital status, household composition), level of education, studies in progress and economic activity status (for employed persons, occupation and activity of the establishment where they work, occupational status, type of contract, working time, hours worked; for the unemployed, time spent jobseeking, features of previous job, jobsearch methods, etc; for non-working persons, inactivity status, work experience, etc) permits the assessment of a wide-ranging variety of subjects relevant to the study of equality.

This analytical power will soon be enhanced further by the inclusion of data on pay deciles. From 2009 onwards, owing to the changes to Council Regulation (EC) 577/1998 on the organisation of a labour force sample survey in the Community, pay deciles data will be mandatory in the continuing Labour Force Survey (Spanish “ECFT”).

The 2005 Survey of Education and Training Transition and Labour Market Entry (Spanish “ETEFIL 2005”) was published in July 2007, and lies halfway between the world of education and the world of work. It provides information on paths in the education system and entry to the labour market in the period 2001-2005 among young people completing their studies in 2001; it permits comparisons on men and women’s entry to the job market. The survey also addresses early school-leaving and its underlying causes, and allows for the assessment of various behaviours and circumstances for men and women.

Several statistics provide new data variables on health and social welfare.

The latest edition of the National Health Survey (Spanish “ENS”) was compiled in 2006/2007 by the Ministry of Health and Consumer Affairs and INE; the results are scheduled for release in December this year. Since its creation in 1987, the ENS studies aspects such as state of health, use of healthcare resources and health determinants (lifestyles, health-related habits, preventative practices). Major new features were introduced in this last edition. The key novelties relate to the introduction of the gender dimension. A further new feature of the survey is that it provides data on abuse and violence against
women and, in line with the global perspective of a health survey, against individuals in general.

The Survey on Sexual Health and Behaviour, first conducted in 2003, addresses the sexual behaviour of the population aged from 18 to 49. The survey is run in partnership with the Ministry of Health and Consumer Affairs. The key goal of the survey is to obtain data on the frequency of sexual practices linked with the risk of HIV infection, preventive measures used by individuals in new sexual relations, and individuals' opinions about and attitudes to HIV/AIDS infection, its forms of transmission and the means to prevent it.

The Survey of Disabilities, Personal Autonomy and Situations of Dependence (Spanish “EDAD 2007”) is the largest survey of households ever conducted in Spain. Begun in November, the data collection phase is scheduled to end in February 2008. The overall objective of EDAD 2007 is to produce detailed information on the phenomena of disabilities and dependence. EDAD 07 will provide highly relevant information for gender analysis from the perspective of both disabled people and caregivers, who are addressed by a specific questionnaire. The first results will be available in the summer of 2008.

The key advance in the ambit of violence against women is the statistical use of the Registro de Violencia Doméstica (the Spanish register of domestic violence). In July 2007, a cooperation agreement was signed between the Ministry of Justice and INE for the joint use of administrative records, notably including the domestic violence register.

The effort to obtain relevant data on women and men further extends to the preparation of broad overviews. The statistical offices of many countries and of the main international bodies regularly conduct research in the form of overview publications providing indicators on women and men. There are numerous examples of such papers in the European setting, the most highly regarded of which is probably the Swedish statistical office’s booklet Women and Men in Sweden, which it has released biennially since 1984.

These analyses also detect gaps in the existing statistics and thus aid the development of increasingly specific indicators that can help the study of realities that currently remain obscured or hard to access.

INE produced an early compilation of indicators in its publication Indicadores sociales 2003, which included the monograph "Women and Men in Spain". It was only in 2006, however, that INE issued its first Mujeres y hombres en España ("women and men in Spain"), to be published every two years. The second edition, written in partnership with the Instituto de la Mujer (the Spanish government agency for women’s issues), was recently released in 2007.

The range of available statistics to analyse the situation of men and women is growing very steadily in Spain, as in advanced societies generally. The gender perspective in statistics is present in the national statistical plan 2009-2012 as a strategic aspect, and in the coming years this will no doubt drive up the quantity and quality of the information that can be presented to public opinion.

ANEX
1. Present situation

At present, in accordance with the 2007 annual programme implementing the 2005-2008 Plan Estadístico Nacional (the Spanish national statistical plan), data are provided by sex in the following statistics producing information on individuals:

4001 Agricultural census
4002 Farm structure survey
4110 Statistics on mining and the exploitation of waters subject to mining law
4111 Coordinated dataset of food-related, agricultural and forestry industries
4281 Sports subject to association membership requirements (association licences, register of elite sportspeople, competition results, modes/specialities and competitions of Spanish sports associations, registered high-performance, sports technique and specialised centres, international affiliation of Spanish sports associations)
4285 Sport activities of Spanish citizens
4286 Cultural trends and practices in Spain
4302 University staff
4306 Study grants and aid
4308 Pre-university education (centres, enrolment, graduates and staff)
4310 University education
4311 Three-year, five-year and postgraduate university students (enrolled and graduates)
4314 Statistical use of the Erasmus or PAP/Erasmus Lifelong Learning Programme
4317 Statistical use of the doctoral thesis database
4318 Occupational training
4319 European continuing vocational training survey
4320 Survey of education and training transition and labour market entry
4321 Central government system of education indicators
4323 Statistical use of the Comenius/Grundtvig programme
4324 Survey of adult participation in learning activities
4325 Statistical indicators on education
4341 Research and development statistics
4347 Human resources in science and technology
4372 Hospital morbidity survey
4375 Statistical use of the basic minimum set of hospital data
4376 Diseases subject to mandatory reporting
4377 Central government statistics on AIDS
4378 Microbiological information system
4379 Central government statistics on human-transmissible spongiform encephalopathies
4380 Deaths by cause of death
4382 National health survey
4384 Injuries programme: home and leisure-related accident network
4387 Health indicators
4389 Healthcare barometer
4390 Treatment admissions indicator, issued by the Spanish drug observatory
4391 Indicator of deaths by acute reaction to psychoactive substances ("RASUPSI"), issued by the Spanish drug observatory
4392 Indicator of hospital emergencies in consumers of psychoactive substances, issued by the Spanish drug observatory
4393 Central government survey of drug use in secondary education settings ("ESTUDES")
4394 Household survey of drug abuse in Spain ("EDADES")
4395 Survey of disabilities, personal autonomy and situations of dependence
4396 European health survey
4414 Employee registrations with social security
4416 Social security contributive pensions
4417 Civil service pensions
4418 Unemployment benefits
4420 Aid to workers affected by enterprise restructuring processes
4421 Non-contributive pensions
4422 Assistance-related pensions
4425 Assistance-related pensions to emigrants
4426 Beneficiaries of social and economic benefits to disabled people
4429 Maternity benefits
4430 “War children” benefits
4452 Security statistics: Arrests
4453 Prison population statistics
4454 Road accidents involving deaths and injuries
4455 Driver census
4501 Crime statistics
4503 Conviction statistics
4504 Children’s courts
4505 Suicide in Spain
4542 Continuous municipal register: review of the municipal register ("Padrón")
4543 Continuous municipal register: Statistical use
4544 List of population units, specifying population figures
4545 Statistics on foreign nationals seeking asylum, refugees, persons under subsidiary protection, displaced and stateless persons
4546 Spanish nationals resident abroad
4547 Natural population change
4548 Residential changes
4549 Migrations survey
4550 Assisted emigrants
4556 Short-term demographic data
4557 Longitudinal demographic study
4559 Fertility survey
4560 National survey of immigrants
4561 Estimates of the present population (Spanish “ePOBa”)
4562 Short-term survey of foreign migrants (Spanish “ECME”)
4563 Foreign nationals holding current card or authorisation
4564 Foreign nationals on study leave
4565 Grants of Spanish nationality by reason of residence
4601 Active population survey (Spanish “EPA”)
4602 Community labour force survey ("LFS", Spanish “ECFT”)
4603 Activity rate projections
4604 Active population flows
4605 Short-term labour survey
4606 Work permits to foreign nationals
4608 Labour partnerships
4610 Temporary employment enterprises
4611 Registered employment changes
4612 Regulated lay-off procedures
4613 Job creation support
4617 Occupational accidents
4618 Occupational diseases
4624 Structural survey on earnings
4626 Annual structural survey on earnings
4627 Labour market policies
4628 Labour market and pensions at tax sources
4656 Youth survey
4657 Survey of the homeless
4658 Living conditions survey (Spanish “ECV”)
4660 Time use survey
4661 Quality of work life survey
4662 Survey on information and communication technology equipment and use in households
4663 Opinion polls
4665 Social indicators
4666 Women and men in Spain
4667 Household budget survey (Spanish “EPF”)
4669 Social survey
4670 National working conditions survey
4671 Regular opinion polls and surveys of the situation of young people in Spain
4803 Central register of staff. Statistical bulletin on government staff
4804 Career soldiers of the armed forces and civil guard (Guardia Civil)
4805 Supplementary professional soldiers, voluntary reservists, professional troops and seamen
4806 Civilian functionaries in the service of the military administration
4807 Civilian contract staff in the service of the military administration
4808 Job mobility through internal selection processes in central government
4831 Personal income taxpayer statistic
4975 Continuing sample of working lives

In addition, plans are in motion to provide information disaggregated by sex for the following statistics:

4043 Directory of forest industries
4326 Household expenditure on education survey (in preparation)
4397 Sexual health survey (in preparation)
4431 Benefits of the system of care for dependent persons ("SAAD") (in preparation)
4456 Victimisation survey (in preparation)
4509 Marriage annulments, separations and divorces
4511 Justices of the peace
4512 Domestic violence
4567 Short-term population projections (in preparation)
4568 Long-term population projections (in preparation)
4569 Monthly short-term demographic estimates (in preparation)
2. INE actions

2.1 EXISTING AND NEW INE STATISTICS COVERING THE GENDER PERSPECTIVE (2007)

a) The Labour Force Survey (Spanish “EPA”).

Since 2005 EPA has included information on the importance of the availability of facilities for the care of dependent persons in connection with economic activity by introducing into the annual sub-sample the new variables required by Eurostat.

The Labour Force Survey is also the basis of the following European “structural indicators”:

- Employment rate by sex
- Employment rate of older workers by sex
- Average exit age from the labour force by sex
- Lifelong learning by sex
- Unemployment rate by sex
- Dispersion of regional employment rates by sex
- Early school-leavers by sex
- Long-term unemployment rate by sex
- Population in jobless households by sex

Every year, the Labour Force Survey includes an additional module on a specific subject. Each such module can be exploited from a gender perspective (all modules are available on INEbase: [http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t22/e308_mnu&file=inebase&N=&L=0](http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t22/e308_mnu&file=inebase&N=&L=0)).

The subject of the ad hoc modules so far have included:

- 1999: Accidents at work and occupational diseases
- 2000: Transition from school to working life
- 2001: Length and patterns of working time
- 2002: Employment of disabled people
- 2003: Lifelong learning
- 2004: Work organisation and working time arrangements
- 2005: Reconciliation between work and family life
- 2006: Transition from work into retirement
- 2007: Accidents at work and work-related health problems


b) The **Structural Survey on Earnings** (Spanish “EES”). This quadrennial survey investigates the structure and distribution of pay. It is conducted in all European Union Member States simultaneously pursuant to Council Regulation (EC) No 530/1999 concerning structural statistics on earnings and on labour costs.

The key novelty with respect to earlier surveys on the subject is that the questionnaire collects data on earnings individually, and garners a large quantity of variables relating to the worker. This allows for establishing relations between pay and variables that may influence its amount, such as sex, level of education, length of service, type of contract and occupation.

The survey has been conducted twice, with reference to 1995 and 2002. Data are now being collected with reference to 2006.


is systematically broken down by sex, thus providing a key tool to assess gender equality. As with many other surveys, microdata are available for processing.

c) From 2004 onwards, INE has conducted the **Annual Structural Survey on Earnings** (Spanish “EAES”), the primary goal of which is to produce estimates of gross annual earnings per worker, classified by working time type, sex, NACE section and one-digit CNO 94 (Spanish ISCO-linked classification of occupations) occupation in years in which the EES is not conducted.

The EAES uses information drawn from administrative records: it exploits both the general dataset of social security registrations and tax returns using form 190 (annual summary of personal income tax deductions at source and advance tax payments) collected by AEAT, the central Spanish tax authority, and by the Hacienda Foral tax authorities of certain regions, in conjunction with the occupation and working time variables drawn from the survey annexed to the INE Quarterly Survey on Labour Costs.


refers to 2004, and states provisional results. The final results for 2004 and 2005 are scheduled for release in late 2007. No microdata are available.

*Both the EES and the EAES will serve as sources for the preparation of the Gender Pay Gap Structural Indicator* based on the results for 2006.

d) The **National Health Survey** (Spanish “ENS”) The main novelties relate to the
Introduction of the gender dimension and of a range of health determinants not explored in earlier editions of the survey, such as housing conditions and physical environment, social and affective support, perception of the role of the family and work-related stress. The survey also investigates new health dimensions, such as mental health and the quality of life of children.

The information available on INEbase:

http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t15/p419&file=inebase&L=0

relates to 2003. There is also an interim release of the 2006 survey with data for half the sample.


The information available on INEbase:


breaks down the information by sex systematically. The survey microdata are also available.

f) The Survey of Adult Participation in Learning Activities (Spanish “EADA 07”), a harmonised project at the European level, is scheduled for release in Spain in December 2007. This is the first survey to address learning activities engaged in by the adult population (aged 25 years and above). Lifelong learning lies at the heart of the European policy debate since the European Union designated 1996 as the “European Year of Lifelong Learning”, and it has since become a horizontal goal of the European employment strategy. The European Council of Lisbon of March 2000 was the turning-point. Lifelong learning was then included in the Council's conclusions as a key element to achieve the strategic objective of making the European Union the most competitive and dynamic knowledge-based economy.

The survey will elicit quantitative information on education and training among adult women and men, and will provide highly relevant data on access to information about learning possibilities, obstacles to participation in training and attitudes towards learning.

g) The Human Resources in Science and Technology Statistic. This statistic is also produced in the framework of the European Union Lisbon strategy, which points to the need to have detailed statistics on the career path and mobility of workers specialising in science and technology in the international ambit. The key goal of the statistic is to analyse existing human resources in Spain in the field of science and technology, taking as a frame of reference individuals who have completed postgraduate studies and obtained a doctorate. The statistic breaks down the data by sex.

h) The Survey on Information and Communication Technology Usage in Households (ICT-H). Produced since 2003, this survey examines the various patterns of technology use, especially the Internet, among women and men. It provides data on frequency and duration of use, purpose of Internet use and site of access. Every year, a “digital gap” datum is released as a statistical measurement of the difference in use by women and men.

On INEbase:
i) The **Survey on Sexual Health and Behaviour**, first conducted in 2003, addresses

All the survey information is available on INEbase:

[http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t25/p450&file=inebase&L=0](http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t25/p450&file=inebase&L=0) all the results of the survey are available from its inception in 2003, as well as the microdata for all survey waves.

2.2 SHORT- AND MEDIUM TERM PROJECTS

a) **The Survey of Disabilities, Personal Autonomy and Situations of Dependence** (Spanish "EDAD 2007") pursues the overall goal of catering to the information requirements of the national system of dependence care by providing a statistical basis to guide the promotion of personal autonomy and the prevention of situations of dependence. The specific objectives of the survey are to: estimate the number of people with disabilities residing in Spain; become acquainted with the constraints and restrictions on individuals’ activity and participation, the severity of such constraints and restrictions, and the characteristics of people in situations of dependence; identify the various kinds of deficiency that give rise to such constraints and restrictions; pinpoint the causes of such deficiencies; abilities in the fields of employment, education, leisure, mobility, etc; identify assistance needs and requirements, the support received and its nature. For the first time in a survey of disabilities in Spain, the target population will include persons living in collective establishments, thus allowing for a better estimate of the number and characteristics of people with disabilities and in situations of dependence. Fieldwork is scheduled for November 2007 onwards. The survey is conducted under a cooperation agreement between INE and the Ministry of Labour and Social Affairs. **EDAD 07 will provide highly relevant information for gender analysis from the perspective of both disabled people and caregivers**: a specific questionnaire is devoted to the latter. The first results will be available in the summer of 2008.

All the information produced by the first edition of the survey in 1999 is available on INEbase:


b) **The Time Use Survey** (Spanish “EET”). The central goal of this survey is to obtain primary information for an understanding of the dimensions of unpaid work done by households, the distribution of family duties in households, involvement by individuals in cultural and leisure activities, and the time use of special social groups (young people, the unemployed, older people, etc), for the purposes of policymaking for family affairs and gender equality and to estimate the satellite accounts of the household sector. The first edition was conducted in 2002/2003. A second survey is in preparation, and will be conducted throughout 2009.
All the information produced by the first edition of the survey in 2002/2003 is available on INEbase:


c) Other statistics

Statistical use of the domestic violence register. In July 2007, a cooperation agreement was signed between the Ministry of Justice and INE for the joint use of administrative records, whereby INE will publish annual data drawn from the register of convicts and fugitives, the children’s register and the domestic violence register. INE is currently working with datasets, designing editing rules and developing tabulation software with a view to a first results release in 2008.

INE is also working with the Ministry of the Interior on a pilot survey on victimisation, promoted by Eurostat. The pilot survey questionnaire, as a specific module, contemplates violence in “close relationships”. In 2008 the questionnaire will undergo cognitive testing and a pilot trial in the field. This will not generate new figures on the phenomenon, but will permit assessment of the feasibility of a genuine victimisation survey on 2009 or 2010.

Most of the statistics included in the 2007 annual programme that contain information about individuals disseminate their results classified by sex, but for some statistics breakdown of the data by sex comes up against technical difficulties. This is the case of short-term statistics (monthly or quarterly) aimed at enterprises and asking for data on employees not classified by sex; a part of such information, however, is obtained annually using alternative methods.

To palliate this state of affairs, the units in charge of producing statistics with data on individuals not yet classified by sex are assessing the technical actions required to obtain such breakdowns and setting the time frames needed to achieve this. This analysis is also considering the consequences in terms of increased complexity of the statistic, impaired quality of data, increased response burden, etc, so as to act accordingly.

Finally, the forthcoming Plan Estadístico Nacional 2009-2012 (the Spanish national statistical plan), following the recommendations of the Higher Statistical Council of 4 December 2006 and in pursuance of the Gender Equality Act 2007, includes the adaptation of statistics to the gender perspective as one of its eight strategic axes, with the specific strategic actions being those laid down in article 20 of the Act.
2.3 PUBLICATIONS OF ANALYSIS AND OVERVIEWS

In the first half of 2007 INE worked on the overview publication *Mujeres y Hombres en España* ("Men and Women in Spain") in partnership with the *Instituto de la Mujer* (the Spanish government agency for women). The partnership remains in place to work on the forthcoming 2008 edition. This annual publication sets out a range of gender indicators in each area of concern in the form of tables and diagrams representing data at the national level. Some chapters provide tables and graphs for European Union and OECD countries for comparison, and others break down the data at the regional level. Some of the tables and diagrams are accompanied by text commentaries that supplement and extend the information. The implementation of the project over time will allow for the creation of a database of gender indicators and the construction of time series of indicators to permit analysis and forecasts on social phenomena in which gender bias is significant.

These analyses also detect gaps in the existing statistics and thus aid the development of increasingly specific indicators that can help the study of realities that currently remain obscured or hard to access. Therefore, the guidelines can be extracted on how to rethink existing statistics so as, without adding anything, simply cross-referencing microdata to obtain relevant, currently unavailable information allowing for more accurate evaluation that goes beyond mere description.

INE also compiles information to feed the UNECE Gender Statistics Database. The 2007 questionnaire is now in the process of being completed to extract information from very diverse sources within and outside INE; we expect to have it completed by October.
2.4 IN VolVEMENT IN FORUMS AND WORKING GROUPS

INE participates in numerous forums and working groups created relating to gender statistics:

Internationally, INE regularly attends the meetings of the UNECE Gender Statistics Working Group.

At the national level, INE is an active participant in the Observatorio Estatal de Violencia sobre la Mujer (the national observatory on violence against women) and the Observatorio de la Igualdad de Oportunidades entre Mujeres y Hombres (the observatory of equality of opportunity for women and men), both headed by the Ministry of Labour and Social Affairs.

As a highlight, in July 2007, INE and the national observatory on violence against women co-hosted the first international seminar on "The extent of the phenomenon of violence against women" in Antigua, Guatemala.