



05/06/2015

EUROPEAN SOCIAL CHARTER

Comments by OPZZ on the
14th National Report on the implementation
of the European Social Charter

submitted by

THE GOVERNMENT OF POLAND

(Article 16)
for the period
01/01/2010 – 31/12/2013)

Report registered by the Secretariat on 5 June 2015

CYCLE 2015

**Remarks of OPZZ on the 14th Report On the Application of the European Social
Charter, submitted by Poland.**

Article 16 – The right of the family to social, legal and economic protection

Family assistant

A family assistants, who shall conduct work with families that experience difficulties in order to support them and help to solve everyday problems, until 2013 were employed by local governments voluntarily in a period following the adoption of the Act on supporting family and foster care system in 2011.

Since 2015, employing the family assistants is an obligation. However, prior to the entry into force of this amendment, Polish government did not create solutions that could prepare local governments for that change. So far assistants were employed thanks to financial means from the state budget. Although programs carried by the Ministry of Labour and Social Policy, which are used to finance the employment of assistants are to be continued, it must be remembered that still we lack solution of the problem of financing in the moment when that financial burden will be shifted to local governments.

This situation does not promote changes in the foster care system, which should aim to reduce and ultimately to eliminate the institutional forms of care at high-volume centres.

Family benefits

The system of family benefits in Poland is inconsistent, complicated from a formal point of view and is based on an entitlement to family allowances and supplements, which is granted depending on the fulfilment of a very low income criteria. The increase of the amount of income criteria in 2012 by 6.9% (up to 539 zł per family) had a symbolic character and has not changed the situation of families most in need.

Institutional forms of care for children under the age of 3

Although the reporting period the proportion of children in the care system has doubled (from 2.6% in 2010 to 5.7% in 2013.), the ratio is still extremely low. Especially in relation to the needs of parents who should have an opportunity to reconcile professional and family roles

and the chance to return to the labour market. Noteworthy is the lack of solutions for families living in small towns and villages where there is no chance to create the day nursery.

Preventing domestic violence

Amendments (2010) to the Act of 29 July 2005 on the prevention of domestic violence, which introduced a number of additional mechanisms to protect family members, met with criticism in some circles due to the implementation of these provisions. Cases of unjustified removal of the child from the family (for example, due to the difficult financial situation) are recorded. The problems associated with financial failure of the family should find another solution that enables the functioning of the child in his natural family. The aim should be to support the family as a whole and to create a situation allowing for overcoming the difficulties of life, including financial difficulties.