



DEEDS NOT WORDS



REVIEW OF
GENDER EQUALITY
IN WALES
(PHASE TWO)

**NATASHA DAVIES
& CERYYS FURLONG**

JUNE 2019

Acknowledgements

We would like to extend our thanks to a number of co-contributors who have made this Review possible. The findings in this report draw heavily on a number of reports from leading academics, providing an invaluable evidence-base for our conclusions and recommendations. In places, original text from these reports has been included in relevant chapters, and we would recommend that these reports are read in conjunction with *Deeds not Words*.

Dr Alison Parken:

- *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities* (2019)
- *Equality Mainstreaming: Policy Development Model* (2019)

Wales Centre for Public Policy - Dr Angela O'Hagan, Emanuella Lau Christenson, Dr. Helen Tilley and Suzanna Nesom:

- *Tackling Inequality through Gender Budgeting Evidence and Models* (2019)

Wales Centre for Public Policy – Emma Taylor-Collins and Suzanna Nesom:

- *Gender Equality: Learning from Nordic Nations Gender Equality Review Phase Two*, Wales Centre for Public Policy (2019)

Contents

1. Introduction.....	4
2. Methodology	9
3. Vision and Leadership.....	14
4. Strengthening our legislative framework.....	23
5. Assessing Impact.....	34
6. Moving toward an evidence-based, mainstreaming model	48
7. The budget.....	61
8. Capacity, expertise and gender competence	74
9. Delivering Change: Ways of Working	82
10. Conclusion	95

1. Introduction

In March 2018 the then First Minister outlined a vision for Wales to be a world leader for gender equality, and an ambition for Welsh Government to be a feminist Government. The current First Minister and his Government have asserted their commitment to this vision, and supported it with the leadership and resources for this Review.

In 2019 as we mark and celebrate twenty years of devolution in Wales it is right to reflect on our progress towards equality, and consider what further, additional or different steps we need to take to make that vision a reality to women, men and non-binary people across Wales.

“For centuries, the political culture in Wales was one that marginalised and excluded women. The style of pre-devolution Wales was male dominated, exclusive, centralising and anti-democratic. With low levels of awareness of equality matters amongst government officials as well as politicians” (WEN/ Bevan Foundation 2015)¹

We know that during the 1990s many feminists, and others, lobbied for ways for equality to be embedded into the devolution legislation, and they were successful. The Government of Wales Act 1998 and subsequent Government of Wales Act 2006 imposed a unique duty to promote equality on the National Assembly for Wales and subsequently the Welsh Ministers. In those early years of devolution, there was significant activity to ensure this equality was mainstreamed, across the way Assembly business was conducted, as well as the programme of government business.

Over the past two years, there have been many opportunities to reflect on the journey towards equality, not least as we celebrated 100 years since some women first got the vote in the UK. It is also important that we benchmark our progress to date because an understanding of the past, what we have tried and failed to achieve is crucial to setting and delivering our ambitions for the future.

In January 2019 Chwarae Teg published the first State of the Nation briefing which provides a benchmark for how well Wales is performing on key indicators and demonstrates the challenges we face in achieving gender equality.² Brought together by the Women’s Equality Network (WEN) Wales, the broader women’s movement earlier published a comprehensive manifesto ‘*Equality for Women and Girls in Wales*’³. In addition, there have been many efforts made by organisations large and small, to bring a sharper focus to the lived

¹ WEN Wales (2015) *Women’s Equality Now: The Position in Wales Today on Devolution* <https://41ydvd1cuyvlonsm03mpf21pub-wpengine.netdna-ssl.com/wp-content/uploads/2015/05/WEN-Devolution.pdf>

² Chwarae Teg (2019) *State of the Nation 2019* https://chwaraeteg.com/wp-content/uploads/2019/02/SOTN2019_english.pdf

³ WEN Wales (2018) *Equality for Women and Girls Our Manifesto* http://www.wenwales.org.uk/wp-content/uploads/LR_11509-WEN-Manifesto-20pp-A4-English.pdf

experiences of women and girls in Wales, and unite in our belief that there is still much more work to do to achieve real equality.

We know that action is still needed to remove the barriers women encounter across the board. We cannot afford to continue under-utilising women's skills and potential and must ensure that women can access and progress in fair work with decent pay. This will require taking steps to change our workplaces, challenge stereotypes and ensure we have a world class early years and childcare service that delivers for children while supporting parents to work.

Women's voices remain under-represented in key decision-making positions across Welsh society. The pace of change remains painfully slow; in business, in local government and across the structures where power lies.

The inequality women currently face leaves them at risk. Wales will not be the safest place to be a woman unless the risk of violence, harassment, poverty and isolation is eradicated. Improving women's economic situation will reduce some of these risks but there remains a need for wholesale societal and cultural change where gender-based violence becomes a thing of the past.

Gender equality matters; to ensure that women, men and non-binary people can enjoy the same rights, opportunities and outcomes but also to drive economic growth and increase wellbeing in our nation, so that in future generations, our sex, gender, age, religion, ethnicity, disability, education or socio economic profile, or the community that we come from, will not dictate our ability to achieve happiness and fulfilment, and make the fullest contribution to society.

1.1. Background

Between April and July 2018 Chwarae Teg undertook Phase One of the Gender Equality Review. The Review was carried out in the context of newly affirmed commitment from Welsh Ministers to gender equality, including ambitions for Wales to be a world leader in this field and for the Welsh Government to become a feminist government.

Phase One aimed to scope what is working well and what can be improved, map the existing policy and legislative framework for addressing gender inequality in Wales and determine what lessons could be learnt from governments regarded as world leaders for gender equality.

The Phase One report reached a number of conclusions around three central themes⁴:

⁴ Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One June 2018* <https://www.cteg.org.uk/wp-content/uploads/2018/07/final-Rapid-Review-of-Gender-Equality-Phase-One.pdf>

1. Vision and Leadership
2. Policy in Practice
3. External Scrutiny and Accountability

From July 2018, work commenced on Phase Two of the Review to explore some of these issues further and develop recommendations that will enable Welsh Government to progress towards its bold ambitions to be a world leader.

This report summarises the findings from a variety of pieces of work carried out by Chwarae Teg, Dr Alison Parken and the Wales Centre for Public Policy. While some of the key messages from these various reports have been brought through to this report, we strongly recommend that it is read in conjunction with the other papers, particularly the Roadmap, to provide a comprehensive understanding of the findings and recommendations we are making. To deliver lasting change we are clear that good intentions alone are not enough, and to date have not resulted in the changes that we need to achieve gender equality. We need to see continued political commitment, changes in the way Welsh Government functions as an institution that develops and delivers policies and programmes, and the development of new policy-making tools to truly embed equalities in the process.

As we outlined in Phase One⁵:

“To deliver the change required to be a world leader in gender equality there will need to be a radical change in what we do, and in how we do it.”

Therefore this Phase delivers two key outputs- a *Roadmap for Gender Equality* which gives Welsh Government a clear focus on the areas for action which can make the most impact on advancing gender equality in the medium term; and this report, *Deeds not Words*, which outlines explicitly how Welsh Government needs to change the way it works to be able to deliver successfully on that Roadmap. One without the other will result in failure, about that we are very clear.

We are conscious that this is a long report and it sits within a larger suite of reports, all of which form a vital part of the evidence-base demonstrating the case for change and indicating potential solutions. Gender equality is a complex issue and the Review has rightly sought to consider a wide breadth of issues that have been shown to be critical elements of successful approaches to equality and mainstreaming. We are confident that this suite of papers and the recommendations set out throughout *Deeds not Words* offer a clear plan to move forward, build on a strong commitment to equality and ensure that rhetoric becomes a reality.

⁵ Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One June 2018* <https://www.cteg.org.uk/wp-content/uploads/2018/07/final-Rapid-Review-of-Gender-Equality-Phase-One.pdf>

1.2. Scope of Phase 2

Phase Two takes forward a number of recommendations from Phase One, and delivers against three core objectives:

1. Develop a vision and shared language for gender equality in Wales and define what a feminist Welsh Government is
2. Develop a Roadmap for gender equality
3. Ensure Wales has an effective and integrated legislative and regulatory framework that embeds meaningful consideration of gender into policy and spending decisions

These objectives provided the necessary breadth for Phase Two to consider how ambitions for gender equality can be clearly articulated and the legal framework, tools, policies, capacity and ways of working that will be required to deliver change. Work to achieve these objectives was supported by a range of specific activities including a knowledge exchange with experts and policy-makers from Nordic nations, and significant stakeholder engagement.

The activities to deliver on these objectives are discussed in the methodology section below. Outcome One is discussed in Chapter Three within the theme of vision and leadership. Outcome Two is discussed as part of the Roadmap for Gender Equality, which sits alongside this report.

Outcome Three required consideration of a number of issues including:

- Whether the existing legislative framework could be better aligned
- The effectiveness of new approaches to impact assessment
- Whether new tools could better deliver on equalities goals
- The role of the budget and opportunities to better embed equalities in the process
- Whether there is sufficient equalities capacity, resources and competence across Welsh Government
- Ways of working and culture change within Welsh Government

These are discussed in detail in Chapters Four to Nine.

Welsh Ministers have rightly set out bold ambitions to make Wales a world leader in gender equality. Achieving this will require a radical shift in what we do and how we do it. We are acutely aware that this Review takes place in a challenging context. We are approaching nearly ten years of austerity, in which budgets have been squeezed and difficult decisions have been taken, including an ongoing recruitment freeze within Welsh Government. Brexit uncertainty persists, with serious concerns about the potential roll back of rights and protections following our exit from the EU. However, these challenges also affect the everyday lives of the people of Wales and only make it more important to place equality at the heart of what we do, to protect hard won progress and to continue to push forward.

Despite these current and real challenges we are firmly of the view that this is the time, twenty years since the establishment of the National Assembly for Wales and of government in Wales, to respond with renewed vigour and commitment. The next twenty years should be characterised by much more radical action towards equality. Necessarily this review looks at the current situation, and the recent past, but it is also situated in an understanding of what devolution is trying to achieve - government closer to the people, more attuned and better able to respond to those people's needs and experiences. It is our view that in Wales we have all too often been too quick, too content, to accept that something can't be done, that there isn't sufficient time or resource, or that the challenges we face are too great to enable us to achieve our ambitions. We reject this as a collective failure (not just of government, but also of wider civil society), which also betrays the promise of devolution, and we must use this opportunity, this twenty year anniversary, to refocus with greater energy, innovation and commitment to do things differently so that all the people of Wales can have a meaningful role to play in shaping our collective future.

Therefore this report, *Deeds not Words*, contains recommendations that must reach beyond this Assembly term. Early work in Phase Two developed a new, radical vision for gender equality, which will require action in the short and long-term to become a reality. We have deliberately made recommendations that can be implemented now, but we are aware that the new vision takes us far beyond the current status quo and have therefore also made recommendations for long-term, structural change.

2. Methodology

Phase Two has been delivered by a project team at Chwarae Teg, supported by the work of Dr Alison Parken and the Wales Centre for Public Policy (WCPP). As outlined above, the result is a suite of papers and reports that have provided the evidence base for this final report. For a full understanding of the findings and recommendations, it is essential that all the reports be considered.

To address the questions posed in Phase Two of the Review, a wide range of activities have been undertaken, to build a robust evidence-base. These are set out below.

2.1. Stakeholder engagement

During the short timescale of Phase One, the project team had limited opportunity to engage with stakeholders. A central focus of Phase Two has been to bring stakeholder voice more to the fore and ensure that the recommendations we make are reflective of the experiences of all women and draw on the expertise of organisations working to tackle inequality. To that end, an Expert Advisory Group was formed to bring together organisations that could ensure an intersectional approach was taken and reflect on their experience of delivering specialist services. The Advisory Group was chaired by WEN Wales Director Catherine Fookes. Membership of the advisory group included representatives of the following organisations:

- Welsh Women's Aid
- Women's Equality Network (WEN) Wales
- Disability Wales
- Stonewall Cymru
- Women Connect First
- Race Council Cymru
- BAWSO
- Welsh Local Government Association (WLGA)
- Oxfam Cymru
- Safer Wales
- Ethnic Youth Support Team (EYST)
- Llamau
- Cymorth Cymru
- Equality and Human Rights Commission
- Wales Trade Unions Congress (TUC)
- Women's Institute
- Plan International

There were also a number of observers to the group including Welsh Government officials and Dr Alison Parken. To ensure that financial concerns were not a barrier to participating in

the group, funding was made available to organisations who would otherwise have been unable to attend meetings. This reflects a key concern raised in Phase One that too often only a limited view or experience of the world is reflected in policy-making, and that this is in part due to the difference in means to participate. Throughout this Review, we took the view that as the Review team, we would need to put in significant additional efforts to maximise opportunities for a diverse a group of voices to be heard.

The Expert Advisory Group met five times between October 2018 and May 2019. In addition to the Expert Advisory Group, further stakeholder engagement was facilitated through a series of events, online surveys and consultations to support the development of the Roadmap, and we hope that the Review will be stronger as a result.

Between August and November 2018 an online consultation collected the views of 112 individuals on the tests that a vision for gender equality should meet, what principles a feminist government should maintain and whether new indicators would be needed to measure progress.⁶

Events were held in:

- Llandrindod Wells 28th February
- Flint 14th March
- Bridgend 9th April
- Cardiff 9th May

Across the events we discussed gender equality challenges and solutions with people from a range of organisations including public bodies, health campaigners, further education and advisory bodies.

To further engage with women who might otherwise not be heard during our consultation we also met with a number of groups including:

- Mother and Toddler group in Ammanford
- Bangladeshi Women's Group in Port Talbot
- Autism/Learning Difficulties Support Group in West Wales
- Sex workers in Cardiff
- Survivors Group at Welsh Women's Aid

Together with 88 responses to an online survey and stakeholder consultation in Phase One, these meetings and events have provided the evidence-base for the Roadmap.

⁶ The full set of questions are outlined in Annex 1

2.2. Desk-based research & Interviews

To support the development of the Roadmap, further desk-based research was carried out to place stakeholder views in context. Research has also been undertaken into alternative approaches to impact assessment, outlined in Chapter Five.

To address questions of capacity, expertise and ways of working, over 20 interviews were carried out with Welsh Government officials. These were semi-structured interviews, and the project team met with officials from various departments, roles and levels of seniority. The open and constructive manner in which officials engaged with the project team has been invaluable in building our understanding and evidence-base.

2.3. Working Group research: Aligning existing legislative framework

To address the question of whether existing legislative and regulatory duties can be better aligned and whether they deliver on the new vision for gender equality, Dr Alison Parken convened a working group of key stakeholders that comprised of representatives from Future Generations Commissioner (FGC), EHRC, Welsh Government Communities Division (including VADASV and the Equalities Team), Futures and Integrated Policy Making Division, Legal Services and Social Services and Well-Being. The full report produced by Dr Parken is available as a separate report and key findings are summarised as part of Chapter Four.

2.4. Wales Centre for Public Policy

The project team have worked closely with the Wales Centre for Public Policy (WCPP) on two elements of Phase 2.

Building on the Phase One report *Putting equality at the heart of decision-making*, which explored international promising practice, WCPP facilitated an event to enable Welsh Government officials to discuss approaches to delivering gender equality with leading experts and senior policy officials from Nordic countries.⁷ This reflects the fact that on international benchmarks, such as the World Economic Forum *Gender Gap Report* and European Institute for Gender Equality *Gender Equality Index*, a number of Nordic nations have consistently demonstrated significant progress towards gender equality.⁸ On the 21st February 2019, colleagues from Iceland, Sweden, Denmark and Finland attended a day-long roundtable to discuss four key topics:

1. What is meant by gender equality and what progress have Nordic countries made towards achieving it?

⁷ Parken, A. (2018) *Putting equality at the heart of decision-making Gender Equality Review (GER) Phase One: International Policy and Practice*

⁸World Economic Forum (2018) *The Global Gender Gap Report* <https://www.weforum.org/reports/the-global-gender-gap-report-2018> / European Institute for Gender Equality (2017) *Gender Equality Index 2017* <https://eige.europa.eu/gender-equality-index/about> Accessed June 2019

2. What gender mainstreaming policies and practices have Nordic countries adopted?
3. How have Nordic countries implemented gender budgeting and which approaches have worked best?
4. How have Nordic countries measured progress in achieving gender equality?

In addition, a number of Nordic colleagues were able to meet directly with key Welsh Government officials to discuss their experience and views on best practice. The learning that was shared at the event is summarised in a separate report from the WCPP – *Gender Equality: Learning from Nordic Nations* - and has been drawn on throughout this report.⁹

WCPP also commissioned an evidence review of gender budgeting. The resulting report – *Tackling Inequalities Through Gender Budgeting Evidence and Models* – is available as a separate report and is drawn on as part of Chapter Seven in this report.¹⁰

2.5. Gender Equality Review Steering Group

The work of the project team has been supported by a Ministerial Steering Group. Chaired by the Leader of the House & Chief Whip Julie James AM and then, following the election of a new First Minister and subsequent Cabinet reshuffle, the Deputy Minister and Chief Whip Jane Hutt AM. The role of the Steering Group is to provide expert, evidence-based advice to the Welsh Government on the policy necessary to improve equality of outcome in terms of gender equality in Wales, and ensure progress is made against Phase One recommendations.

Membership of the group was as follows:

- National Advisors for VAWDASV, Nazir Afzal & Yasmin Khan
- Director for Wales, EHRC, Ruth Coombes
- Director, WEN Wales, Catherine Fookes
- Chief Executive, Chwarae Teg, Cerys Furlong
- Future Generations Commissioner, Sophie Howe
- Director, BAWSO, Mutale Merrill
- Director, Women Connect First, Maria Mesa
- Dr Alison Parken

2.6. Definitions

A critical concern at the outset of Phase Two was to ensure clarity of purpose, including a shared understanding of what was meant by gender, gender equality and intersectionality.

⁹ Taylor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations – Gender Equality Review Phase 2*, Wales Centre for Public Policy

¹⁰ O'Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

Working with the advisory group and drawing on the responses to an online consultation that ran during the Summer of 2018, the project team developed the following definitions. These are the definitions that apply to all of the work of the Review and should be kept in mind when reading the report.

Gender

By Gender we mean both identity and the way in which gender shapes society and day-to-day life. While it can include sex, it is not synonymous with (the same as) sex and does not only refer to gender identity or gender expression. Gender identity can be expressed in a variety of ways, such as masculinity, femininity and non-binary, and can be regulated by stereotypes and norms.

Gender also shapes the organisation of our society, the economy and power relationships, as ideas about what is considered appropriate for men and women are carried through social, legal, cultural and economic policy, practices and processes. These processes reproduce inequality by ascribing differently valued attributes, behaviours and roles to men, women and non-binary people.

Intersectionality

By Intersectionality we mean recognising the way in which power structures based on factors such as gender, race, sexuality, disability, class, age and faith interact with each other and create inequalities, discrimination and oppression. Crucially, it is about understanding the way in which characteristics, such as gender, race or class, can interact and produce unique and often multiple experiences and disadvantage in specific situations.

One single form of discrimination cannot and should not be understood in isolation from another. A truly intersectional approach ensures that this does not happen.

Gender Equality

By Gender Equality we mean that regardless of sex, gender identity or gender expression people enjoy the same social, economic, and political rights, resources, opportunities and protections.

An egalitarian society must seek to address the imbalances in power and resources that gendered systems create, which prevent equality of outcomes. It does this on an intersectional basis recognising that gender is always intersected by all the other dimensions of inequality.

3. Vision and Leadership

In Phase One, we argued that in articulating a vision for gender equality, Welsh Government would need to be bold, and it has been. We also argued that both as an employer and a policy-maker, in order to achieve lasting change, Welsh Government would need to drive a sustained effort and work harder to be an exemplar to other public bodies. In this chapter we outline the work completed to deliver a vision for gender equality and principles for a feminist government and the necessary steps to make these a reality.

Key Messages

1. Welsh Ministers have adopted a radical vision for gender equality, that is built on redistributive intent and equality of outcome.
2. To become more than a theoretical aspiration there will need to be a seismic shift in how Welsh Government works. The principles for feminist government set out the values and approaches that need to be central to this change.
3. The new vision can be delivered by moving to an equalities mainstreaming approach that is built on an equity model (explained in more detail below).
4. Welsh Ministers will need to play a much needed leadership role in making this vision a reality, acting as champions for equality and challenging officials to work differently.
5. Officials will need to be supported to move to this new way of thinking, developing policy and delivery, with clear communication about how the vision and principles should be built into their day-to-day

3.1. Background

In Phase One we identified that Wales lacked a shared vision and language around gender equality. There was a need to de-mystify the language of equality so that those engaged in policy-making can be more confident to mainstream gender equality and implement specific action to address underlying structural inequalities. We also said that in articulating a vision for gender equality, Welsh Government must be bold, and it has been, in accepting a vision for gender equality that represents a major shift from the current status quo.

This vision was developed in the context of twenty years since the National Assembly for Wales was established on clear principles and intent to mainstream equality; integrating gender equality into policy, practice and programmes. However, as we found in Phase One, it is felt by those we have engaged with that there has been a diminution of focus on equality and a renewed vision, language and guiding principles are required, along with clear ambitious and specific goals (linked to international standards) if Wales is truly to become a world leader.¹¹ In the past two years we have seen renewed focus and energy in

¹¹ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018*

relation to equality, which is welcomed by many external stakeholders. Going forward, we will need to ensure that the vision and principles for a feminist government outlined in this chapter are effectively embedded so that equality remains a central priority in the future.

3.2. Vision and leadership

Vision and leadership emerged as key themes in Phase One of the Review, which concluded that while in some respects successive Welsh Governments have demonstrated a vision for Wales in which gender is at the heart of policy-making, the current legislative and regulatory framework had failed to articulate a shared vision for gender equality that was well understood by Ministers, officials, stakeholders and the general public.¹²

Phase One also stated that confusion about terminology was in some instances leading to a fear of 'getting it wrong' and tending to aim for gender neutral policy-making and analysis which in reality was often gender-blind.¹³ Phase One therefore recommended that a vision for gender equality be developed that was based on the concept of equality of outcome, not merely equality of opportunity.

At the start of Phase Two, the main focus of the project team was to work with stakeholders to develop a vision for gender equality and also provide some clarity about what a feminist Welsh Government should be. We were clear that the solutions for the future will need to be different to our approaches of the past, and the vision needed to reflect this. There were a number of international examples to draw upon including the Council of Europe, UN Sustainable Development Goals, Sweden and Canada as well as examples closer to home, including Engender and WEN Wales.¹⁴

During the Summer of 2018, an online consultation was launched to gather stakeholder views on the tests that a vision for gender equality should meet, what principles a feminist government should maintain and whether new indicators would be needed to measure progress.¹⁵ 112 responses were received.

In-depth discussion of these issues took place with members of the GER Expert Advisory Group at a seminar with leading academics on the 15th November 2018 and at an Expert Advisory Group meeting on the 20th November 2018. Based on this evidence the following vision for gender equality was submitted and subsequently accepted by Welsh Ministers:

¹² Chwarae Teg (2018) *Rapid Review of Gender Equality 2018: Phase One Summary Report*

¹³ Ibid

¹⁴ Parken, A. and Davies, N. (2018) *Gender, gender equality, intersectionality and a feminist government: What do we want this to mean for Wales?*

¹⁵ The full set of questions are outlined in Annex 1

Vision Statement:

A gender equal Wales means an equal sharing of power, resources and influence for all women, men and non-binary people. This is a vision where the government aims to create the conditions for equality of outcome for all.

Aims:

We want a Wales where:

- ***All women can have economic independence and paid and unpaid work is valued***
- ***Diverse women are fairly represented in positions of influence and empowered to play a meaningful role in society***
- ***All women are free from discrimination and free to live their lives as they choose***
- ***Violence against women, domestic abuse and sexual violence stops***
- ***Existing power structures that disadvantage women are challenged***
- ***All women, men and non-binary people enjoy equal rights and protections and equality of outcome***

This is a radical vision that reasserts the commitment to equality that was built into the creation of the Assembly. *“This vision indicates redistributive intent and realising it will involve mainstreaming equality throughout policy development and programme delivery, as well as adopting specific actions.”*¹⁶

Focusing on equality of outcome takes us beyond current legal minimum requirements and closer to an equity approach, which is the foundation of approaches in a number of Nordic countries. Current legislation is focused around delivering equal treatment or equal opportunities, which intends to “level the playing field”.¹⁷ The key difference between this and an equity approach, is that the latter recognises that inequalities can prevent some from getting to the “playing field” in the first place.¹⁸ *“Such an approach recognises structural inequalities and intends to ensure that people have what they need in order to participate; to be able to be in the position from which they might compete equally in an equal opportunities’ framework.”*¹⁹

¹⁶ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Ibid

An Equity Model

By equity model, we mean an approach based on the concept of equity rather than equality of opportunity.

Equality is taken to mean “equal treatment”, with an assumption that if everyone is treated the same they will benefit equally. This however, does not recognise the different barriers that different people will experience.

In contrast equity is the quality of being fair, which can require treatment that is not the same in order to ensure a fair outcome for all. This approach recognises that there are structural inequalities that could prevent people from participating in the first place and therefore action may be required to tackle these inequalities so that people are able to compete equally.

Shifting to a focus on equality of outcome and an equity model will therefore require a step-change in how we do things to become more than a theoretical aspiration. The principles for feminist government outline the values and approaches that need to be at the centre of this change.

A feminist Welsh Government:

- ***Is committed to equality of outcome for all women, men and non-binary people and actively works to drive cultural and structural change***
- ***Pro-actively works to advance equality and remove the barriers against all women’s participation in the economy, public and social life***
- ***Puts a gender perspective at the heart of decision-making, resource and budget allocation***
- ***Takes an intersectional approach to all of its work and ensures diversity of representation, participation and voice***
- ***Is people-focused and collaborative, ensuring that all communities are meaningfully engaged in its work***
- ***Is open, transparent and accountable and welcomes scrutiny through a gender lens***
- ***Makes use of policy development and analysis tools to embed gender equality into all of its work and actively monitors progress towards equality using a robust evidence base***
- ***Leads by example and supports other public bodies to take action to deliver equality***

These principles deliberately align with existing priorities for the Welsh Government including the five ways of working contained in the Well-being of Future Generations (WFG) Act and the Open Government action plan. They are also directly relevant as consideration is given to bolstering human rights and potentially incorporating further international treaties into Welsh law. This is not an agenda that can be treated as an “add-on” but must be mainstreamed into the heart of Welsh Government, and other public bodies, if we are to deliver the radical shift required to be a truly equal Wales.

Accepting this vision and set of principles was an important first step in demonstrating the leadership required to deliver change. However, this was the first step of a much longer journey. Welsh Ministers will need to continue to show leadership and pro-actively drive action to make this vision a reality. They will need to champion equality in all they do and challenge officials to do things differently. Officials will need to be supported to understand what this vision means in practice and to utilise new tools and approaches to embed equalities more effectively into their work.

3.3. Equalities Mainstreaming

To make this vision a reality, we must move to an equalities mainstreaming approach that is built on an equity model (definition of equity outlined above). This approach will support the necessary institutional change and ensure a focus on equality of outcome. It will enshrine equality as a guiding principle for all of Welsh Government’s work, embed mainstreaming methods and tools into core processes and ways of working and drive a systematic and planned process for organisational change. To be effective and sustainable this programme of work needs to be led from the top, with demonstrable commitment from all Ministers and senior civil servants.

Mainstreaming

By mainstreaming we mean the systematic integration of equality into all systems and structures, all policies, processes and procedures, and into an organisation’s culture.²⁰ It involves the integration of an equalities perspective in to the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality and combating discrimination.²¹

Mainstreaming can be applied at multiple levels including the political, local and organisational.

²⁰ Rees, T. (2005) “Reflections on the uneven development of gender mainstreaming in Europe” *International Journal of Feminist Politics*, 7, p.555-574

²¹ EIGE *Gender Mainstreaming* Online Platform <https://eige.europa.eu/gender-mainstreaming> Accessed July 2019

Mainstreaming, whether framed as gender mainstreaming or equalities mainstreaming, has been adopted in many countries, including Sweden, Denmark, Finland, Norway and, more recently, Canada. While exact definitions can vary it's predominantly defined as the promotion of equality through its “*systematic integration into all systems and structures, into all policies, processes and procedures, in the organisations and its culture into ways of seeing and doing.*”²² It is not just about adopting new tools and processes, but a systematic and planned process for organisational change in order to achieve equality, both internally and externally, and to integrate equality into the regular rules, procedures and practices of an institution.²³ The Phase One report *Putting gender equality at the heart of decision-making* has further information on what mainstreaming is and how it's been approached by different Nordic nations.²⁴

While there are many international examples that can provide examples of best practice and mainstreaming tools, it is not simply a case of taking a model from another nation and implementing the same in Wales. The economic, legislative and cultural context in different countries shapes the mainstreaming approach in operation. Wales will need to develop a distinctly Welsh mainstreaming approach that is effective in the devolved context and builds on the foundation of existing legislation.

It is our view that to deliver the recommendations in this report, the Welsh Government must develop and implement an equalities mainstreaming approach that is reflective of the Welsh context. This approach would encapsulate the breadth of topics discussed in this report and would provide clarity of purpose for changes across Welsh Government.

Many nations, including the Nordic nations, have adopted a “dual strategy” whereby equality is mainstreamed into all policy and programmes, and is supported by targeted initiatives that aim to tackle historical inequalities. We recommend that the same approach is taken in Wales.

Given the widespread adoption of gender mainstreaming across the world, there is much international practice on which to draw, some of which is discussed in this report, the supporting report from the WCPP *Gender Equality: Learning from Nordic Nations* and in the Phase One report *Putting Equality at the Heart of Decision-making*.²⁵

The issues discussed in this report are all integral to effective mainstreaming. Vision and leadership is key to outline clear, shared goals on which SMART equality objectives can be

²² Rees, T. (2005) “Reflections on the uneven development of gender mainstreaming in Europe” *International Journal of Feminist Politics*, 7, p.555-574

²³ European Institute of Gender Equality (EIGE) (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

²⁴ Parken, A. (2018) *Putting Equality at the Heart of Decision-making Gender Equality Review Phase One: International Policy and Practice*

²⁵ Taylor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations – Gender Equality Review Phase 2*, Wales Centre for Public Policy / Parken, A.(2018) *Putting Equality at the Heart of Decision-making*

based.²⁶ The Welsh legislative framework has the potential to provide the necessary underpinning for mainstreaming to be adopted not just within Welsh Government but across the public sector. Moving to an evidence-based mainstreaming model of policy development will support officials to make effective use of a range of methods and tools for mainstreaming, while implementing gender budgeting will do the same for Welsh Government's fiscal policy. Mainstreaming can only be implemented effectively if there is sufficient capacity and if officials have been supported to build their equalities competence and knowledge. And crucially, this kind of institutional transformation can only take place if organisational culture is taken into account.²⁷ This is discussed in more detail in Chapter Nine.

International practice shows that there are some key, common elements of a successful mainstreaming approach. Development of a Welsh approach will need to consider the following²⁸:

- Investing in and supporting dedicated, specialist equalities and mainstreaming staff with sufficient time, resources and expertise to drive change
- Building capacity, going beyond one-off training to institute a process of continuing professional development and fostering the attitudes and skills needed for gender sensitive and transformative work
- Supporting collaborative approaches that bring together officials, grass roots organisations, experts by experience and academics
- Working with HR to incorporate equalities competencies into recruitment and performance management, monitor and improve diversity within the organisation
- Developing a gender policy, strategy and action plan that includes equality objectives, and is resourced and regularly reviewed
- Developing and implementing methods and tools that will support equalities mainstreaming in policy making, including fiscal policy and budgeting
- Building the equalities evidence-base to support effective use of mainstreaming tools and meaningful evaluation
- Putting in place strong accountability mechanisms, including performance indicators reviewed at senior levels and ongoing monitoring and evaluation of progress towards institutional mainstreaming
- Fostering an enabling organisational culture and environment that support and encourages open reflection, discussion and learning

Mainstreaming guidance from the European Institute for Gender Equality (EIGE) sets out three stages to implementing gender mainstreaming²⁹:

²⁶ SMART meaning Specific, Measurable, Achievable, Relevant and Time-bound

²⁷ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

²⁸ This lists predominantly draws on three sources: <https://www.bond.org.uk/news/2019/03/gender-mainstreaming-moving-from-rhetoric-to-reality> Accessed 25.6.19 / EIGE (2016) *Institutional Transformation Gender Mainstreaming Toolkit* p.20 / Parken, A. (2016) *Putting Equality at the Heart of Decision-Making* 2018

²⁹ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

1. Introduction: planning the process of change and taking initial steps
2. Implementation phase: necessary regulations and procedures are in place and equality is anchored in the organisation
3. Consolidation phase: equality is part of all regular procedures and it is an unquestioned requirement, much like saving cost or working efficiently.

Welsh Government are comfortably within the introduction phase. By undertaking the Gender Equality Review, Welsh Government have taken an important step by investigating where they currently stand and gathering information on what action could be taken to implement mainstreaming. Strong leadership has also been shown in adopting the vision and principles outlined in this report, which provides a clear vision for change and commitment to doing things differently. Together the vision and principles provide an invaluable framework to develop further elements of a mainstreaming approach including objectives, methods and tools.

The recommendations in this report, within a wider framework for mainstreaming, will drive Welsh Government toward the implementation phase and ongoing commitment can see us move into phase three in the medium to long- term.

The current context marks the perfect time to embark on this journey. There is ongoing discussion about strengthening existing duties for equality and better joining up of equalities and well-being and there is a programme of work planned to strengthen the policy profession within Welsh Government and embed the Well-being of Future Generations Act into ways of working. Furthermore, with continued uncertainty around Brexit and concerns about the potential roll-back of rights it's all the more important that new ways of working are embedded into Welsh Government, and the public sector more broadly, to ensure that equality and well-being remain at the forefront of the agenda.

This is a programme of work that will need to reach beyond this Assembly term, but important steps can and must be taken now to start putting the foundations in place.

3.4. Recommendations

1. To ensure success there is a need for leadership and demonstrable commitment at the highest level from all Ministers and Senior Civil Servants.
2. Now that there is a vision in place, Phase One Recommendation Five should be accepted and implemented, which called for a shared statement from the entire Cabinet setting out how they are advancing gender equality and individual statements by Ministers on an annual basis on how their portfolio is advancing equality of outcome.³⁰ This should be connected to annual equality reporting requirements that are already in place.

³⁰ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018*

3. Welsh Government should find creative and innovative ways to engage government staff, sponsored bodies and agencies and the wider public. This should be done directly and through stakeholders, to ensure that there is widespread understanding and support for the new vision, including how it aligns with existing agendas such as Well-being of Future Generations Act and human rights.
4. Senior Officials and Welsh Ministers should ensure that they use their positions of influence to challenge policy and practice that falls short of the new vision, including through Permanent Secretary Challenge sessions (across Government), Ministerial Advice and other methods
5. Welsh Government should build on progress that has already been made and the evidence-base provided by the Gender Equality Review, to work with experts and develop a Welsh equalities mainstreaming approach, based on an equity model. The implementation of this approach should be structured, focused on organisational change and accompanied by a clear timetable.

4. Strengthening our legislative framework

In Phase One, we outlined that the current legislative and regulatory framework fails to articulate a shared vision for gender equality in Wales that is well understood by Welsh Ministers, Officials, stakeholders and the general public, and that as a result actions can be fragmented and incoherent. While developing a radical new vision for gender equality and set of guiding principles for a feminist government is crucial in addressing this, we are clear that good intentions alone are not enough. We need to strengthen the alignment of this legislative framework to enable public bodies to deliver on the vision. This is not a straightforward task, not least because many of the levers to achieve gender equality are not devolved - equality law itself, but also much of the tax and benefits system, criminal justice, employment legislation and key aspects of healthcare affecting women, such as abortion rights.

However, as we have outlined, successive Welsh Governments have introduced ambitious and visionary legislation, and the Equality Act 2010 enabled Welsh Government to bring in specific duties for Welsh public bodies in respect of equality, specifically to enable the better performance of the main duty under section 149. In this chapter we outline the steps needed to better align that framework of powers and existing legislation and improve outcome through new ways of working.

This chapter draws heavily on the report from Dr Alison Parken *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities* and includes some original text from the report.

Key messages

1. Robust legislation is important in underpinning efforts to achieve gender equality. Wales has a strong legislative foundation but effective implementation remains a critical challenge and declarations of intent are not a replacement for robust actions.
2. Aligning the processes required under existing duties, notably the Welsh Specific Equality Duties (WSED) and Well-being of Future Generations (WFG) Act, could support more effective implementation but process alignment will not in isolation close the implementation gap identified in Phase One.
3. Alignment of processes is not without its challenges. Well-being, equalities and human rights can be interpreted in different ways and their links have not been clearly articulated. There are differences in respect of aims, timescales and coverage of the various duties.
4. Alignment of timescales, engagement and involvement, objective setting, monitoring and reporting however is possible and can be supported by joint guidance from the Commissions.
5. Solving the implementation gap will also require looking beyond alignment and the setting of challenging objectives based on equality of outcome by both Welsh

Government and public bodies. Welsh Government and public bodies need to move to a reflexive, mainstreaming model of policy development (outlined below and in detail in Chapter Six) that allows the necessary space to think, analyse, vision and act in pursuit of stronger equality objectives. This will require increased analytical capacity and improved access to evidence and research is an important foundation to a new approach.

6. Lessons must be learnt to ensure that new duties, such as the socio-economic duty, are developed and implemented with alignment with existing duties in mind. The forthcoming review of Welsh Specific Equality Duties (WSED) provides further opportunity to align overarching goals and objectives and must consider how to push public bodies beyond process focused compliance to meaningful action and ambitious objectives.

4.1. Background

Phase One of the Review identified a framework of legislation and regulation that should in principle embed consideration of equality into policy-making. This framework includes the Welsh Specific Equality Duties (WSED), Well-being of Future Generations (Wales) (WFG) Act and Violence Against Women, Domestic Abuse and Sexual Violence Act (VAWDASV).³¹ Phase One concluded that despite having largely complementary aims, objectives and duties, this framework was not well integrated and that this was contributing to a weakened response to progressing gender equality, that was overly-compliance based.³² Phase One also pointed to a tendency for new duties to supplant existing duties, for example the mainstreaming duty in the Government of Wales Act 2006 being largely replaced by the Equality Act and associated public sector duties. There were therefore concerns from some stakeholders that the same could happen to statutory equality objectives as focus and resources shifted towards the WFG Act.³³

This picture of equality, human rights and well-being needs to be understood within the broader context of ‘generations’ of developing equality legislation. As others, including Sir Bob Hepple have argued, social legislation of this kind is not a ‘gift’ of enlightened rulers so much as the outcome of struggles between different interest groups and compelling ideologies.³⁴ This journey from the first Race Relations Act of 1965, to the Equal Pay Act 1970, Sex Discrimination Act 1975, Disability Discrimination Act 1995 and further Race Relations Acts, right through to the latest Equality Act in 2010 represents many hard fought battles, as well as the UK responding to a range of European Union frameworks and directives which resulted in secondary legislation. Prior to 2010 many had argued that further legislation was required to achieve harmonisation, simplification and modernisation of this breadth of equality law.

³¹ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018: Phase One Summary Report*

³² Ibid

³³ Ibid

³⁴ Hepple, B. (2010) *The new Single Equality Act* Equal Rights Review, Vol Five.

Despite the relative weakness of the Equality Act 2010, it is generally agreed that legislation is a significant lever, and important framework for advancing equality. The importance of robust legislation to “*underpin attempts to achieve greater gender equality which might otherwise be downgraded by a change in government*” was reiterated by experts from Nordic countries.³⁵ There was also agreement from Nordic colleagues that legislation in Wales already provides a good basis for this, but the challenge is to “*secure effective implementation of the intent signalled by these Acts*”.³⁶

The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (the Welsh Regulations) require Welsh Government to comply with the general and specific (Welsh) duties of the PSED and this should be set out in the Strategic Equality Plan.

We highlighted in Phase One that it was unclear “*whether the Welsh Government and other public bodies are fulfilling specific duties within the Public Sector Equality Duty.*”³⁷ Similar concerns have been raised through Committee scrutiny of the way in which the impact of the Welsh Government budget is assessed. The cross-committee examination of the Strategic Integrated Impact Assessment (SIIA) carried out on the budget stated that “*the current SIIA does not provide an effective analysis of spending decisions and could arguably be failing to fulfil its legislative requirements as a result*”.³⁸

Current activity by both Welsh Government and public bodies may be found to meet legal requirements. The forthcoming evaluation by the EHRC will need to be considered alongside the work of the Review to answer this question and consider how WSED can be strengthened to ensure compliance leads to meaningful change. Concerns remain around the effectiveness of the action currently being taken under the equality duties. Critique in Phase One focused on equality objectives and use of equality impact assessments. Discussion of the Welsh Specific Equality Duty on gender pay gaps in the Phase One report from Alison Parken, *Putting equality at the heart of decision-making*, stated that there is a lack of clarity among public bodies about what this duty requires and that often there is “*poor visibility of published results, and monitoring has been weak.*”³⁹

4.2. Process Alignment

To consider whether better integration of the existing framework is possible and whether it delivers on the new vision for gender equality, research was carried out by Dr Alison Parken and a working group made up of key stakeholders. The aims of the research were:

³⁵Taylor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations – Gender Equality Review Phase 2*, Wales Centre for Public Policy

³⁶ Ibid

³⁷ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018*

³⁸ National Assembly for Wales Children Young People and Education, Equality Local Government and Communities & Finance Committee (2019) *Assessing the impact of budget decisions*

³⁹Parken, A. (2018) *Putting equality at the heart of decision-making Gender Equality Review Phase One: International Policy and Practice*

- To consider whether and how the aims, objective setting, action planning, outcomes, monitoring, reporting, scrutiny and enforcement mechanisms under the WFG Act, Welsh Specific Equality Duties (WSED), VAWDASV Act and Social Services and Well-being (SSWB) Act can be better aligned to improve their effectiveness with regard to promoting equality of outcome
- To consider whether and how the new vision for gender equality can be implemented through the existing legislation. This includes assessing the strengths and weaknesses of the existing legislation to meet this aim.

In recognition of the fact that statutory duties underpinning the legislation are distinct and some elements are not devolved, the working group considered alignment rather than integration.⁴⁰

Alignment does not come without its challenges. For instance, well-being, equalities and human rights are often interpreted in different ways and different academic disciplines tend to direct research away from linking well-being and equalities.⁴¹ Current differences in respect of aims, timescales, coverage and footprint also prevent the possibility of producing one plan to cover all requirements.

Despite these challenges, there are opportunities to align the processes required predominantly by the WSED and WFG Act, which could support more effective implementation.

An important first step will be to coordinate planning and reporting timeframes to facilitate aligned assessment, engagement and objective setting. Linked to this, implementation could be strengthened by ensuring objectives under these duties are more prominent through inclusion in organisation's core strategic documents, including Welsh Government's Programme for Government and local authority corporate plans.⁴² Mainstreaming is most effective when it is part of core organisational processes and not seen as an add-on. Including objectives in the corporate plan would ensure they are seen as being core to the organisation's work.

Research with the working group also suggested that more could be done to build equalities into well-being assessments and to bring together requirements related to engagement and involvement.⁴³

Consideration will need to be given to the varying coverage of the duties, i.e. the different public bodies and organisations that are required to meet the various duties. This brings into focus the organisational structures not currently required to comply with either the WSED

⁴⁰ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁴¹ Ibid

⁴² Ibid

⁴³ Ibid

and WFG Act duties, but that play an integral role in regional development, such as Regional Skills Partnerships, Public Services Boards and City Regions (even though they fall under UK Government for reporting).⁴⁴⁴⁵ With a shift towards regional economic development those bodies involved in advising, developing and delivering funds, projects and initiatives should be expected to demonstrate how they are advancing equality and well-being.⁴⁶

Phase One highlighted the importance of scrutiny and some concerns about existing accountability processes. Monitoring across the framework of legislation tends to be process-compliance led, as a result of the legislation being mainly process led.⁴⁷ However, there is potential for improved, reflexive evaluation that recognises the contributions made to goals and outcomes across the framework.⁴⁸ This would require inspectorates and regulators having a more prominent role in assessing contribution to equality outcomes as well as compliance and improved information sharing.⁴⁹

The National Assembly is another key scrutiny body that could play a role in integrating well-being and equality into policy-making and service delivery if all committees were to undertake enquiries in these areas.⁵⁰ However, to support this there may be a need to build understanding and equalities competence among elected members and Assembly staff, which is something a number of Nordic nations have done.

Many of these recommendations could be actioned through the cooperation of public bodies, FGC and EHRC, with further support from WG. While better alignment could contribute to better outcomes, it will not in isolation solve the implementation gap highlighted in Phase One or deliver against the new vision for gender equality. This will require Welsh Government and public bodies to set challenging objectives that focus on equality of outcome and adopt new ways of working.⁵¹

4.3. Responding to future challenges and new ways of working

Phase Two of the Review has taken place in a changing context in relation to equalities and human rights. Work has begun to consider whether further human rights conventions should be incorporated into Welsh law and to introduce the socio-economic duty. There is also a forthcoming review of the Welsh Specific Equality Duty and the potential impacts of Brexit to consider. This gives rise to the question what does a more equal, rights respecting

⁴⁴ Ibid

⁴⁵ While PSBs are scrutinised through local authority committees not such structure exists within health.

⁴⁶ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁴⁷ Ibid

⁴⁸ Reflexive learning approaches are defined below and a reflexive policy model is set out in detail in Chapter Six

⁴⁹ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁵⁰ Ibid

⁵¹ Ibid

Wales look like?⁵² The current picture can be confusing if reading across the work of the EHRC, FGC and others. Therefore, a combined vision for equality, well-being and human rights in Wales, supported by an equity approach with a focus on equality of outcome could be a driver of sustainable change.⁵³

Reflexive Learning

By reflexive learning we mean the process by which people are able to observe what happens to them and others, reflect and decide on courses of action. Reflexive learning models involve active, project-based collaborations between policy-makers, academics, equality organisations and ‘experts by experience’, in an open, curious and exploratory process.⁵⁴ Crucially, they provide an opportunity to consider circular relationships between cause and effect and to constantly ‘sense-check’, adapt, learn and revise. They require sufficient capacity and resource to foster movement from monitoring and compliance-focused behaviours, which are often transactional and can hide challenges and realities, towards a learning culture.

A reflexive policy development model is set out in detail in Chapter Six.

Successful implementation of the duties also relies on public bodies being able to respond to social, participative, cultural and economic goals and move beyond compliance to inclusive, effective policy-making and service delivery.⁵⁵ This approach will depend on institutions having the capacity to support learning, adaptation and use of research and engagement. The value of a reflexive mainstreaming model is explored in more detail in Chapter Six, but in essence enables space to think, analyse, vision and act, supported by equalities evidence, engagement activities and mainstreaming tools such as impact assessment and gender budgeting. If Welsh Government and public bodies were to move to this model, there would likely need to be an increase in the capacity and resources available, at least in the short-term, to drive the agenda forward, develop new mainstreaming policy-models, tools and training and provide support to colleagues as equalities competency is bolstered throughout the organisation. International guidance on implementing mainstreaming often highlights the need for dedicated capacity as part of the implementation phase to maintain momentum and support the introduction and implementation of the approach.⁵⁶ In the long-term the need for dedicated capacity may reduce if the new approach is effectively embedded into core processes and structures and

⁵² Ibid

⁵³ Ibid

⁵⁴ Parken, A. (2019) *Equality Mainstreaming: Policy Development Model*

⁵⁵ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁵⁶ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

the necessary culture change has occurred so that equality is an unquestioned requirement, much like saving costs or working efficiently.⁵⁷

4.4. Building the evidence-base linking equalities and well-being

This new approach would require improved access to research to inform decisions. There remains a need to revalue qualitative research and to promote greater use of mixed research methods. This is particularly important to solving the evidence gaps seen around smaller population groups and supporting an intersectional approach. The creation of an equalities research forum to coordinate and champion equalities research in Wales could bring together universities, research councils, public sector and third sector bodies and those who fund equalities research and analysis.⁵⁸

Within Welsh Government, Knowledge and Analytical Services (KAS) has a role to coordinate research, develop capacity for equalities research, ensure new research is linked to professional practice and that research is applied.⁵⁹ KAS are already taking steps to facilitate better implementation of the WFG Act, supporting research suppliers to ‘enact the act’ and exploring options for producing research guidance collaboratively with key stakeholders.⁶⁰

In the short-term there are a number of actions that could be taken to bolster the evidence base for connections between economic, social, cultural and environmental well-being for protected groups. Our recommendations (see 4.6) set out how connections can be drawn across these agendas in a practical way and ensure the evidence-base enables public bodies to effectively align their work across the different duties.

Improving the availability and use of evidence is further discussed in chapter Six.

4.5. Improving Outcomes: The Socio-economic duty and Welsh Specific Equality Duties

The question of future proofing is also important to alignment. Work carried out during both phases of the Review suggest that insufficient thought was given to alignment when the WSED, WFG Act and VAWDASV Act were being developed, to ensure there was no duplication of actions and to avoid confusion among those bodies required to meet new duties. This mistake must be avoided as we move towards implementation of the socio-economic duty, revision of the WSED and potential incorporation of human rights conventions.

⁵⁷ Ibid

⁵⁸ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁵⁹ Ibid

⁶⁰ Ibid

Further change is likely in the next two years as the existing WSED are reviewed. Critique of the existing WSED has concluded that implementation of the duties has become too process-focused and does not translate into ambitious objectives or meaningful action.⁶¹

As EHRC have previously stated “*it is clear that while responsive legislation prompts public bodies to undertake assessments, this does not always lead to the setting of ambitious equality objectives or plans*”.⁶² Indeed responsive law has to be carried through process, with public bodies required to demonstrate that they have complied by giving ‘due regard’ to equality and well-being in exercising their functions, but process compliance may have become an end in itself. It is possible to comply with current statutory equality obligations without this leading to setting ambitious equality or well-being objectives and recent Judicial Review judgements have shown that it is for the decision maker to determine how much weight to give the duty.⁶³

The renewal of WSEDs provides an opportunity to consider how to strengthen the ‘due regard’ requirements in relation to promoting equality and may also provide transferable lessons for Well-Being of Future Generations, Violence Against Women, Domestic Abuse and Sexual Violence and Social Services and Well-Being Acts. Numerous reports have pointed to the weakness of ‘due regard’ and a lack of clarity about what this looks like in practice has resulted in a reliance on case law to determine compliance. The review of WSED could determine how to strengthen this ‘due regard’.

New WSED provide an opportunity to move focus to improved outcomes and therefore could help close the implementation gap as well as align overarching goals and objectives across equalities and well-being. In the future, Welsh Government will need to consider whether it has sufficient powers to strengthen the legislation and regulations in the way that delivers on its ambitions for equality. This may stretch the current devolution settlement.

4.6. Conclusion

The existing legislative framework in Wales has great potential, if it is embedded in a way that transforms the way institutions work. This will require organisational and cultural change, and the capacity and resources to influence inform and inspire innovative thinking.⁶⁴

Currently, the lack of alignment between WSED, and the WFG, VAWDASV and SSWB Acts, is creating further challenges to effective implementation. There is clear scope to better align

⁶¹ Ibid

⁶² EHRC (2019) cited in Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁶³ Ibid

⁶⁴ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

processes to foster joint assessments, setting of objectives and evaluative practice across the frameworks.⁶⁵ However, this will only get us so far. Further work will be needed to embed equality and well-being in the normal business of organisations, to bolster evidence-informed decision-making and to consider how to better integrate equality and human rights through reflexive institutional learning.⁶⁶

Welsh Government has an important leadership role to play in moving to this model. The following chapters discuss a number of areas that will be integral to delivering this shift in thinking and practice within Welsh Government, which could then inform changes within public bodies.

4.7. Recommendations - process alignment⁶⁷

6. It will be necessary to select a date, and decide upon a point in time at which Welsh Government and public bodies might align the processes for engaging/ involving, objective setting and planning delivery against their well-being and equality objectives.
7. Ensure that Public Services Boards, Regional Partnership Boards, and Regional Learning and Skills Partnerships demonstrate how their work has promoted equality, and encourage City Deals such as the Cardiff Capital Region to do so (even though they fall under UK Government for reporting). If bringing any of these into the scope of equality duties is problematic, using softer mechanisms such as Ministerial remit letters or internal audit mechanisms may be appropriate.
8. Welsh Government and public bodies should:
 - Incorporate objectives and strategic plans for well-being, equality and VAWDASV into corporate plans or equivalent documents. This would situate aims and objectives within the core business and may increase awareness of the connection between well-being and equality with staff working in different policy areas.
 - Undertake joint engagement and involvement activities to inform equality and well-being duties to demonstrate the inter-relationships between equality, well-being and VAWDASV and identify common issues and solutions.
 - Set mutually reinforcing well-being, SSWB, VAWDASV and equality objectives
 - Integrate equality research into well-being assessments to draw out structural dimensions of inequality, which is necessary to successfully implement both WSED and WFG Act duties. This may require changes to statutory guidance related to the assessment of local well-being.
 - Carry out equality impact assessments on well-being statements and plans to ensure that they are focused on equality of outcome.

⁶⁵ Ibid

⁶⁶ Ibid

⁶⁷ Ibid

9. FGC and EHRC should:
- Publish joint advisory guidance to help public bodies to consider the inter-relationships between well-being and equality, the shared aims, and benefits alignment can bring.
 - Publish a combined engagement and involvement framework using the principles of the WSED and WFG Act to support public bodies to foster better links between staff working on equalities and well-being and deliver joint engagement work.
 - Work with other regulators and inspectorates to improve information sharing to identify bodies that may need further encouragement to fulfil their well-being and equality duties in a meaningful way
 - Issue joint non-statutory guidance on the practical application of the combined operation of the well-being goals, the PSED and socio-economic duty.
10. Regulators and inspectorates must have a bigger role in assessing how equality and well-being is being promoted through policy delivery, as well as checking for compliance with the duties. Aligning assessment, engagement and reporting requirements could support this.
11. Refreshed WSED should require that annual reports and action plans are published on a central, searchable website, which will support better monitoring and scrutiny.

4.8. Recommendations - Building the evidence-base linking equalities and well-being⁶⁸

12. Welsh Government has recently consulted on the national milestones under WFG Act (April 2019). Steps should be taken to ensure equality is included in these and there is also some read across to the SSWB Act framework.
13. A series of ‘think pieces’ that bring an equalities ‘lens’ to community cohesion, individual resilience, how equality and well-being could be promoted through inclusive and low-carbon economies, access to green spaces, sports and community activities etc.
14. A worked case study with Local Authority and/or national body to provide practical insights into aligning well-being, equality, VAWDASV and SSWB Acts. Work on aligning well-being and equality is already taking place within the National Public Bodies Network and the North Wales Public Sector Equality Network, suggesting they would be good candidates for a case study. Depending on timing, the research remit could include assessing how ‘the socio-economic duty’ and well-being duty can work in concert.

⁶⁸ Ibid

4.9. Recommendations – Improving Outcomes: The Socio-economic duty and Welsh Specific Equality Duties

15. In implementing and commencing the socio-economic duty, Welsh Ministers' should:

- Draw upon the wider definition of social and economic disadvantage set out in Scotland, and set out how socio-economic disadvantage interacts with poor well-being, and how people with certain protected characteristics can be more likely to be in low pay and find it difficult to escape poverty.
- List the strategic documents to which the duty must be applied in statutory guidance and set out a clear vision that aligns with existing visions for equality. Ensures that consultation considers the intersection between low income, inequalities and poor well-being.

16. When reviewing the WSED, consideration must be given to how Welsh Government and public bodies can deliver on the ambition set out in the gender equality vision, as well as better meet the requirements of the PSED. This should include:

- How we tackle the most severe inequalities, as highlighted in *Is Wales Fairer?* and other reports and benchmarks such as our *State of the Nation 2018*.
- How greater alignment between WSED and other duties can be further strengthened
- How a new specific duty could require public bodies to take steps that are necessary and proportionate for the progressive realisation of equality, leading to coherent equality objective-setting across public bodies in Wales
- How a new specific duty could require public bodies to apply the WFG Act 'five ways of working' to the setting of equality objectives, noting that short-term objectives will also be needed
- A new 'mainstreaming equality duty' which requires public bodies to show how all the equality duties (General and Specific) have been mainstreamed by becoming integral to structures, behaviours and culture.
- A new specific duty that strengthens the use of Equality Impact Assessments (EIAs) at the beginning and throughout policy development to challenge supposedly 'gender-neutral' policy-making, and to change their use as retrospective checking instruments.
- A new specific duty that requires public bodies to publish their Well-being Statements or plans, strategic equality plans and annual reports, on a central searchable website.

5. Assessing Impact

In Phase One we highlighted a number of challenges with the use of equality impact assessments. There were concerns that equality impact assessments were not being approached in a meaningful way, were happening at the end of the policy development process rather than the start and generally lacked critical analysis through an equalities lens. As a result, the approach was often ‘gender-blind’ or in other words, failed to understand that there are different gender roles, needs and responsibilities and therefore failed to realise that policies, programmes and projects can have different impacts on people of different genders.⁶⁹

Since Phase One, the Welsh Government have developed the Integrated Impact Assessment (IIA) Tool that brings together over twenty required impact assessments with the central aim of reducing duplication and complexity. This is now the main vehicle through which the equality impact of policies, legislation and programmes are assessed.

Whilst not the only tool, if used effectively, equality impact assessment embeds equalities into the development, delivery and evaluation of policies and programmes. Equality impact assessments, or gender impact assessments, are used throughout the world to support better policy-making and gender mainstreaming. As a result, there is a wide range of international practice, from Nordic nations and other feminist governments, which can strengthen the use of equality impact assessment in Wales.

In the long-term, the development of a mainstreaming approach for Wales will need to determine the most appropriate tools and methods that will support officials to embed equality into policy and programme development, delivery and evaluation. In Chapter Six we set out a reflexive, mainstreaming policy model that we recommend be implemented as part of a move to mainstreaming. However, we recognise that change of that scale will take time. Therefore this chapter explores opportunities to strengthen the existing IIA tool and better embed practices that will make impact assessment more effective. These recommendations will support improved policy outcomes and lay some of the ground-work for the necessary shift in culture and expertise that the new policy model will require. In the supporting paper *Assessing Impact* we set out recommendations for changes to the IIA tool itself, and in the recommendations at the end of Chapter Five, we draw on international lessons to improve how the IIA tool is used and is embedded in current policy processes.⁷⁰

Key messages

1. Equality Impact Assessments (EIAs) are used across the world as a tool to support gender mainstreaming and inform decision-making. There is plenty of international practice to draw upon as work continues to strengthen impact assessment, including

⁶⁹ UN Definition of “gender blind” cited in Chwarae Teg *Rapid Review of Gender Equality 2018: Phase One* 2018

⁷⁰ Chwarae Teg (2019) *Assessing Impact Supporting Paper Gender Equality Review Phase Two*

the Gender Based Analysis Plus (GBA+) model used in Canada. EIAs are only effective when integrated into policy development and implementation, supported at the highest level of government and carried out by staff with the appropriate expertise and access to qualitative and quantitative data to back up analysis.⁷¹

2. Within Welsh Government, impact assessment is now delivered through the Integrated Impact Assessment (IIA) Tool, which frames all necessary assessments within the framework of the Wellbeing of Future Generations Act. The IIA tool was developed with the primary goal of ensuring people take an integrated approach to assessing impact, and reducing complexity and duplication across the required impact assessments, as a means of tackling the perception of impact assessment being overly burdensome. In this respect it may be a step in the right direction.
3. While efforts have been taken to prompt those completing the IIA to consider equalities at numerous points in the process, there are missed opportunities to truly mainstream equalities, most notably as part of consideration of how proposals deliver against the well-being goals.
4. GBA+ appears to be a more comprehensive approach to impact assessment, with a stronger focus on evidence and analysis and looking through an intersectional lens. By comparison, equality impact assessment in Wales can tend towards looking at each equality strand in turn, which does not provide a full picture of the experiences of many groups. GBA+ is also supported by a suite of engaging and interactive training resources and job-aids as well as mandatory requirements from central government departments to ensure the approach is embedded in policy and programme development across the board.
5. Importantly, GBA+ is not the only tool being used in Canada to meet the aim of being a feminist government. There are plans to introduce new legislation to enshrine gender budgeting in the federal government's budgetary and financial management processes, additional funding has been made available to bolster equalities evidence and a Gender Results Framework has been developed setting out gender equality goals, associated actions and measurement indicators.
6. In the short-term there are some simple changes that could be made to bring equalities more to the fore in the IIA tool and guidance.
7. In the medium-term, work is needed to improve guidance and training, put stronger challenge functions in place to improve both compliance and quality, clarify the role of senior leaders in driving behavioural change in relation to impact assessment and build both equality and analytical capacity and competency. This can build on work already being developed to test the IIA tool and develop online support with the aim of enabling people to consider impact iteratively as they develop policy
8. In the long-term the impact assessment as it is currently designed and delivered is unlikely to be capable of delivering against the new vision for gender equality. *"This vision will not be well served by a reductive interpretation based on comparative*

⁷¹ OECD (2018) *Toolkit Mainstreaming and Implementing Gender Equality: Implementing the 2015 OECD Recommendation on Gender Equality in Public Life*

‘disproportionate impact’ between protected characteristics”.⁷² There will need to be a shift to a more reflexive model of policy-making that has more effective impact assessment and analysis built in. This is discussed in Chapter Six and could be informed by existing practice such as the GBA+.

5.1. Background

There are a number of tools used within Welsh Government aimed at embedding equalities within the policy process. These include impact assessments, Ministerial Advice and engagement and consultation exercises. During Phase Two we have predominantly focused on impact assessment as this emerges as an area with significant potential to drive change and there is a well-established evidence-base as to what works well and what doesn't. Furthermore, the use of gender impact assessments was highlighted by Nordic experts as being one of five key factors necessary for gender mainstreaming.⁷³

During the course of Phase One, work was underway to develop an integrated impact assessment (IIA) tool for use in Welsh Government, which would address some of the issues highlighted by ourselves and others through simplifying and integrating the breadth of required impact assessments. It was recommended that during Phase Two the new IIA tool be reviewed.

As a result, Phase Two of the Gender Equality Review has considered the IIA tool in relation to the wider question of whether there are effective tools and processes in place to support policy-making from a gender perspective within Welsh Government. This question is further explored in Chapter Six, which includes discussion of an evidence-based mainstreaming model for policy development that moves beyond compliance focused impact assessment. We also completed detailed analysis of the IIA tool, making specific detailed recommendations to improve the current tool. These can be found in an additional paper accompanying this report, *Assessing Impact*, and would allow for improvements to be made very quickly.⁷⁴

5.2. The purpose of equality impact assessment

Versions of equality impact assessment or equalities analysis are used by many governments across the world as part of policy and decision-making. Equality or gender impact assessments are considered to be a crucial element of gender mainstreaming and an important tool to ensure that gender mainstreaming is institutionalised, if they are conducted effectively.

⁷² Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

⁷³ Taylor Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations*

⁷⁴ Chwarae Teg (2019) *Assessing Impact Supporting Paper Gender Equality Review Phase Two*

The European Commission defines gender impact assessment as “...the process of comparing, assessing, according to gender relevant criteria, the current situation and trend with the expected development resulting from the introduction of the proposed policy”.⁷⁵ Guidance from the European Institute for Gender Equality (EIGE) states that the “final aim of the gender impact assessment is to improve the design and planning of the policy under consideration...Beyond avoiding negative effects a Gender Impact Assessment can also be used in a more transformative way as a tool for defining gender equality objectives and formulating policy to as to proactively promote gender equality.”⁷⁶ Guidance from the OECD outlines a similar purpose of gender impact assessment stating that “they improve the design and the planning of policies, prevent negative impact on gender equality and adapt the policy to make sure that any discriminatory effects are either removed or mitigated.”⁷⁷

In Wales impact assessment is described as “a structured way to consider the factors that mean our policies affect different people’s lives in different ways....[it] prompts and guides us to gather, and if necessary, seek evidence so as to improve the development of a policy or delivery plan.”⁷⁸ Equality Impact Assessment is one of a number of impact assessments that Welsh Government need to consider. Under the Equality Act (2010) and Welsh Specific Equality Duties, Welsh Government are required to have arrangements in place for carrying out equality impact assessments across all the protected characteristics. Equality impact assessment is the formal means by which Welsh Government can demonstrate that due regard has been given to the need to eliminate unlawful discrimination, harassment and victimisation, as well as advance equality of opportunity and foster good relations.⁷⁹

Given the widespread use of impact assessments across the world, and the similar challenges governments have faced in successfully embedding impact assessment into policy processes, there is great opportunity to learn and share best practice.

5.3. Equality Impact Assessment use in Wales and the new Integrated Impact Assessment tool

Equality Impact Assessments are a key mechanism of compliance, and a crucial tool for embedding a gender lens into policy-making. In theory, equality impact assessments should be applied at all stages of the policy life-cycle. They should prompt and guide policy-makers to seek and gather evidence and should form an important element of policy advice alongside fit, cost and management of work.⁸⁰

⁷⁵ European Institute for Gender Equality (EIGE) (2016) *Gender Impact Assessment Gender Mainstreaming Toolkit* 2016 <https://eige.europa.eu/sites/default/files/mh0416171enn.pdf>

⁷⁶ Ibid

⁷⁷ OECD (2018) *Toolkit Mainstreaming and Implementing Gender Equality: Implementing the 2015 OECD Recommendation on Gender Equality in Public Life*

⁷⁸ Welsh Government *Integrated Impact Assessment: Guidance* v1.0

⁷⁹ Ibid

⁸⁰ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018: Phase One*

Unfortunately, equality impact assessments have had a tendency, within Welsh Government and other public bodies, to become tick box exercises; a compliance based exercise that lack detailed analysis, do not comply with the requirements of the specific duties on equality information or engagement and are not done at the appropriate time to meaningfully influence and inform policy and legislation.⁸¹

Increasingly, impact assessment is being viewed through the lens of the Well-being of Future Generations (Wales) Act. This is most marked within Welsh Government, through the development of a new Integrated Impact Assessment Tool (IIA), which has been reviewed as part of this Gender Equality Review.

5.4. Integrated Impact Assessment Tool

Following recommendations made by the Public Policy Institute for Wales (now WCPP), a new tool to support impact assessment within Welsh Government has been developed. The aim of the new IIA tool is to reduce complexity in the impact assessment process, which incorporates a number of impact assessment requirements including equalities, environment and children's rights. The new tool has also sought to frame the process of impact assessment within the Well-being of Future Generations (Wales) Act (WFG Act).

The IIA form and guidance have a clear focus on using the WFG Act to frame this process, including discussion of how the five ways of working have been applied and how proposals will effect social, cultural, economic and environmental well-being. There remains an expectation that statutory impact assessments, like EIAs, be carried out. EIAs are noted as part of the social well-being section of the form.

It should also be noted that at the time of writing, the process of rolling out the new tool and delivering training is ongoing. There are also wider initiatives in place to strengthen the policy profession within Welsh Government and support the implementation of the WFG Act. Under these initiatives a further recommendation made by PPIW will be implemented by creating a "steward" role which will have responsibility for the smooth operation and continuous improvement of the IA process (which we welcome).⁸² It's clear that the development of the IIA tool is seen as an ongoing piece of work and it's recognised that further work will need to be undertaken to improve the implementation of impact assessment and deliver stronger policy and decision-making.

⁸¹ Ibid

⁸² Public Policy Institute for Wales (2016) *Reducing Complexity and Adding Value: A Strategic Approach to Impact Assessment in the Welsh Government*

5.5. Integrated Impact Assessment Guidance and Training Resources

The new Integrated Impact Assessment template is accompanied by a guidance document that sets out in detail the process with prompts and questions to ensure full consideration across the breadth of impact assessment areas. Equalities and equality impact assessment are discussed throughout the guidance document at key points to inform considerations. However, there is no clear statement about the benefit of placing equality/ equality impact assessment at the core of the impact assessment given the way in which equalities should be considered in relation to the well-being goals and five ways of working.

There is greater focus on equalities within the guidance document compared with the form itself. This may be expected, but could risk equalities being overlooked if the guidance is not used by those who have worked on impact assessments for a number of years and feel they are already well versed in how to approach the process.

In principle, basing the impact assessment around the Wellbeing of Future Generations (WFG) Act and well-being goals could work as the WFG Act is still in the process of being embedded into practice across the public sector. However, Phase One of the GER raised concerns about the lack of integration or alignment between WFG and existing equalities duties and a concern that the WFG was superseding existing responsibilities. There is a risk that this could be the case with the new IIA unless steps are taken to more effectively mainstream equality throughout the impact assessment process and equip civil servants with a firm understanding of how equalities aligns with well-being. The new vision for gender equality and feminist government principles and development of an equalities mainstreaming approach will help to achieve this, alongside the work of the new Future Generations and Integrated Policy team within Welsh Government.

Alongside a guidance document, a number of resources have been produced to support the move to IIA including training and 'at-a-glance' job-aids.

5.6. Strengths and Weaknesses of the new Integrated Impact Assessment (IIA) Tool

There are some clear positives about the new IIA template and accompanying guidance. There are prompts at various stages to complete an equality impact assessment and draw across key findings. Officials are directed to have an early conversation with an expert adviser, make use of evidence and carry out the IIA in the early stages of policy development. Officials are also directed to note engagement with people with protected characteristics and note where any data gaps may have prevented full impact assessment.

However, there are some missed opportunities to mainstream equality impact assessment more thoroughly in the process and there is still a sense that equalities is an 'add-on' rather than a core consideration that cuts across all elements of the WFG Act. Notably, you are only directed to complete an EIA after you have set out how the five ways of working will be applied, how the proposals fit with the National Strategy and well-being objectives. In

practice an equalities analysis should inform each of these stages. This is most concerning in relation to section seven, which is used to as part of Ministerial Advice and therefore is the main element of the IIA available to Ministers to inform decisions. It is also seemingly only identified as being relevant to social well-being, which fails to recognise the importance of equality to economic, cultural and environmental well-being.

Finally, there seems to be little to no discussion of intersectionality in the IIA form and guidance. Looking at one form of discrimination of disadvantage in isolation can ignore the way in which characteristics such as gender, race or class can interact and produce unique experiences and, often multiple, disadvantage.

5.7. International Practice: Gender Based Analysis Plus (GBA+) in Canada

A key aim of this part of the Gender Equality Review was to identify and analyse different models of assessing equality impact from across the world. Through our analysis we have identified the Canadian model, GBA+ as particularly significant and worthy of further exploration in the Welsh context.

GBA+ is an analytical tool used in Canada to assess how diverse groups of women, men and gender-diverse people may experience policies, programmes and initiatives.⁸³ The 'plus' is to acknowledge that the tool looks beyond just sex and gender and considers a wide range of identity factors.⁸⁴

GBA+ is framed not just as a means of ensuring that initiatives impact people fairly, but also as a means of delivering better policy and programmes and contributing to broader goals of advancing equality and fairness. Throughout associated training and resources there is a clear focus on equity, not just equality, so that historical inequalities are recognised and addressed.

The GBA+ model includes seven stages: identify key issue, challenge assumptions, gather the facts, develop options and recommendations, monitor and evaluate, communicate and document.

GBA+ has been developed by Status of Women Canada (SWC), who play a leadership role in the government-wide implementation of GBA+. SWC share GBA+ knowledge, provide technical assistance to departments and agencies and develop tools and training. Central agencies (such as Privy Council Office and Treasury Board Secretariat) exercise a challenge function and provide guidance on incorporating GBA+ where appropriate, while federal departments and agencies conduct GBA+, integrate and sustain the practice and monitor and report on GBA+ practice and outcomes.

⁸³ Status of Women Canada <https://cfc-swc.gc.ca/gba-acis/index-en.html> Accessed 20.1.19

⁸⁴ Ibid

It's important to note that GBA+ is not the only tool being utilised by the Government of Canada to meet its aim of being a feminist government. Efforts have been taken to place gender equality at the heart of all the Government does, including bringing a feminist agenda to Canada's international activities such as the presidency of the G7. There are plans to introduce new legislation to enshrine gender budgeting in the federal government's budgetary and financial management processes and additional funding is being made available to Statistics Canada to develop a new Centre for Gender, Diversity and Inclusion Statistics.

The Government of Canada has also developed a Gender Results Framework. This is described as a whole of government tool to track current performance, define what is needed to achieve greater equality and determine how progress will be measured.⁸⁵ The Framework sets out gender equality goals in relation to education and skills policy, economic participation and prosperity, leadership and democratic participation, gender-based violence and access to justice, poverty reduction, health and well-being and gender equality around the world. Each section sets out end goals and the indicators that will be used to measure progress.

For example; the Framework states that "increased labour market opportunities for women, especially women in under-represented groups" as a goal for economic participation and prosperity. This will be measured using labour force participation rate by gender and employment rate by gender (including recent immigrants).

The Gender Results Framework is already being used within broader policy, with its inclusion in the 2018 Government of Canada Budget document with details of Budget 2018 actions noted under the relevant areas.

5.7.1. GBA+ Guidance and Training

An online course accompanying GBA+ is freely available and issued as a main tool for training.⁸⁶ The online course is engaging and interactive. Most modules include videos, case studies and questions aimed at encouraging learners to challenge their own assumptions. There is a strong focus on intersectionality from the outset and the practical examples provided throughout demonstrate the difference that an intersectional, gender analysis can make to decisions. The course is freely available online, including to users from outside Canada and is further supported with job aids and micro-learning videos.

To further support the application of GBA+ SWC have produced a number of Job Aids, essentially go-to documents with the top-line messaging and "nudge" style questions, on

⁸⁵ Government of Canada (2018) *Budget 2018: equality*

⁸⁶ <https://cfc-swc.gc.ca/gba-acsc/course-cours-en.html> Accessed 20.1.19

the model itself and on intersectionality.⁸⁷ The documents are clear, engaging and easy to use in an at-a-glance manner throughout the policy or programme process.

5.7.2. Embedding GBA+: Challenges and Solutions

Embedding GBA+ into the work of all federal bodies in Canada has not been without its challenges. In 2015 the Auditor General produced a report *Implementing Gender-based Analysis*, having carried out an audit of GBA+ implementation in a sample of 4 departments within the Canadian Government.⁸⁸ The report was the second audit of GBA+, the first having been carried out in 2009.

The Auditor General reached a number of conclusions, which continue to inform the development of training, resources and support to deliver more consistent implementation of GBA+ across all departments and agencies. These findings included⁸⁹:

- GBA+ was only being implemented in some federal departments and agencies. In those that had put a GBA+ Framework in place, as suggested by SWC, the analyses were not always complete and quality inconsistent;
- And a key challenge was identified as the lack of mandatory requirements for departments and agencies to conduct GBA+ to inform policy, legislative, and programme initiatives. Tight deadlines, limited senior management review of the completeness of GBA+ and a lack of capacity for conducting GBA+ were also identified as critical barriers.

Following this report from the Auditor General, an action plan was put in place to focus on strengthening infrastructure for GBA+, updating guidance and embedding GBA+ into core processes and procedures. Further steps for monitoring GBA+ implementation have also been introduced, including an annual survey form SWC.

External commentators have identified a number of factors that impact on the success of GBA+.⁹⁰ These are:

- Political support and leadership
- Gender equality champions
- Adequate financial and human resource
- Assumptions about gender equality
- Training and education

⁸⁷ Status of Women Canada https://cfc-swc.gc.ca/gba-acsc/course-cours/assets/modules/Intersectionality_tool_job_aid_EN.pdf / https://www.academia.edu/38427139/Dymistifying_GBA_-_Job_aid Accessed 20.1.19

⁸⁸ Auditor General of Canada (2015) *Implementing Gender-Based Analysis* http://www.oag-bvg.gc.ca/internet/English/parl_oag_201602_01_e_41058.html Accessed 12.2.19

⁸⁹ Ibid

⁹⁰ Hankivsky, O. and Mussell, L. (2018) *Gender-based Analysis Plus in Canada: Problems and Possibilities of Integrating Intersectionality* Policy and Politiques Vol. 44 Issue 4, December 2018 pp.303-316

- Monitoring and evaluation
- Accountability

Despite these critiques, GBA+ is considered an effective intermediate step towards intersectional mainstreaming. It is suggested that a strategy to move GBA+ forward to a more intersectional approach must be supported *“by a shift in equality discourse, new forms of institutions, cross-sectoral capacitors and relationships to allow for an accurate understanding of how inequities are intrinsically related.”*

This critique of GBA+ offers a number of potential lessons for Wales:

- Political leadership is key
- Better data and internal knowledge sharing can support better application of GBA+
- Creating mechanisms for NGO involvement is important, but must be accompanied by appropriate funding and support
- Improving government capacity has to go beyond just training

5.7.3. What can we learn from GBA+?

Evidence-based policy-making seems to be at the heart of GBA+ and there is a clear focus on viewing consultation and engagement activities as a means of building the equalities evidence-base and not merely sense checking proposals. It has a focus on ‘analysis’ rather than ‘impact assessment’ and includes a strong steer to consider how historical inequities can be addressed. It is supported by a suite of engaging and interactive training resources, job-aids and ‘nudge’ questions to support you to implement the model effectively. Regular audits by the Auditor General and annual monitoring by SWC are an important means of supporting ongoing improvement.

As GBA+ has developed a number of changes have been made to support more effective implementation and address some of the identified challenges:

- Steps have been taken to embed GBA+ into existing core processes such as Memoranda to Cabinet and Treasury Board submissions, further enhancing the challenge function across government
- There has been increased training and new tools have been developed
- Dedicated sources of support are in place such as SWC and GBA+ Champions within different departments
- There has been an increase in the infrastructure in place to embed, monitor and improve the use of GBA+, including the involvement of senior members of staff
- Steps have been taken to improve the monitoring and evaluation of GBA+ to support targeted solutions

5.8. Comparing IIA and GBA+

The GBA+ process is more comprehensive based on the 7 stages set out in the SWC training. It's clear that the process begins at the point of defining the issue and runs right through to monitoring and evaluation. While the Status of Women Canada annual survey shows that in practice the application is less consistent at these stages, there is a foundation on which to build given the clarity in the process/ tool itself.⁹¹ Comparatively the IIA process as set out in the new guidance still has equality impact assessment included at quite a late stage in the process, by which point the issue being addressed by the proposal would have been identified and decisions taken about its relevance to broader policy priorities and how to compile the evidence base.

There is a stronger focus on evidence in the GBA+ tool and unlike the equality impact assessment/ IIA guidance engagement and consultation activities are seen as part of building this evidence-base rather than a separate activity.

While the new IIA training does explicitly state that the impact assessment form is only the end-point in a longer process, there seems to be a greater focus within the GBA+ resources that documenting the process and thinking behind decisions is only part of a much more comprehensive process of analysis.

Intersectionality is a core consideration in GBA+. While there are critics who would like a more intersectional approach to be adopted, the approach to intersectionality within GBA+ is much more sophisticated than in equality impact assessment/ IIA. There is no mention of intersectionality in any of the IIA guidance, and this should be addressed urgently. It may be beneficial to review the equality impact assessment training resources within Welsh Government to determine how intersectionality is approached.

GBA+ resources include a more explicit focus on equity and addressing historical/ structural inequities. EIAs are supposed to consider the impact of proposals on advancing equality, but this is not often included in practice. It does not come through strongly in training and support tools either. This may be due to the focus on securing equality of opportunity in UK equality legislation and a lack of understanding of equity compared with equality.

The name of the tools could also affect mind-sets. The focus of GBA+ encourages you to think beyond just assessing impact. The focus on equality within GBA+ may also be helpful so there is less risk of it being diluted by the inclusion alongside wider impact assessment processes.

There appears to have been more recent external scrutiny of GBA+ that looked beyond compliance to consider quality. It's noteworthy that the GBA+ approach has twice been the

⁹¹ Status of Women Canada (2017) *GBA+ Implementation Survey Results Highlights* <https://cfc-swc.gc.ca/gba-acs/gba-survey-acs-sondage-en.html> Accessed 26.6.19

subject of an audit by the Auditor General. There also appears to be greater resource and infrastructure in place to support the implementation of GBA+ effectively across federal departments than has been made available to support IIA/ equality impact assessment within Welsh Government. This infrastructure appears to have a role in quality assurance as well as monitoring compliance.

Central departments within the Government of Canada seem to have a more explicit challenge role in relation to GBA+ than any Welsh Government department in relation to IIA/ equality impact assessment, which again looks at quality as well as compliance. Training and resources have been put in place specifically to support this challenge role. While there are similarities with requirements to attach IIA/ GBA+ to ministerial advice there seems to be more focus on assessing quality within the Government of Canada process, whereas in Wales compliance seems to be a bigger focus.

The challenges to successful implementation of GBA+ appear to be similar to those impacting on equality impact assessment/ IIA. However, there also appears to be much more resource being made available to improve the implementation of GBA+ than equality impact assessment/ IIA. Furthermore GBA+ is being supported by wider action to embed gender equality in to the decision-making processes of the Government of Canada and place equity at the heart of the policy agenda.

5.9. Emerging Practice: Cumulative impact assessment

Over the past nine years there have been numerous calls for a cumulative impact assessment of public spending decisions. These calls have predominantly been made in response to the austerity agenda and welfare reform to enable a better understanding of how different equalities groups have been affected.

In 2017 the EHRC commissioned Aubergine Analysis and Landman Economics to carry out a cumulative impact assessment of the distributional impacts of tax and spending decisions on people sharing different protected characteristics.⁹² To understand the impact of the decisions taken between May 2010 and January 2018, which will be implemented by the financial year 2021-22, the tax-transfer model (TTM) is used.⁹³ Two main sets of data are combined in the model to understand impact – aggregate public spending data and individual service use data.⁹⁴

While there are limitations to this model, it provides a relatively comprehensive understanding of how the spending decisions of the past nine years have impacted on different groups, with breakdown by gender, ethnicity and disability.

⁹² Portes, J and Reed, H. (2018) *The Cumulative impact of tax and welfare reforms 2018*

⁹³ Ibid

⁹⁴ EHRC Seminar 14.3.19 in Cardiff *Cumulative impact assessment of spending decisions in Wales: Technical Workshop*

Given its retrospective view, the cumulative impact assessment is not necessarily a replacement for the forward-looking analysis carried out with GBA+ or EIA, however, it could act as an additional tool to enable governments to understand how their spending decisions have affected communities. If carried out every 3-5 years, the cumulative impact assessment could provide a sense-check as to whether spending decisions have had any unintended impacts, and further grow the equalities evidence-base to inform other impact assessment and analysis work.

5.10. Conclusion

The IIA tool has been developed with a very specific goal of improving integration and reducing complexity and duplication of impact assessment. In some ways it marks a step forward, and a willingness, seeking to bring impact assessment within the framework of the WFG Act and make the process appear less burdensome, therefore removing one of the barriers to effective implementation. However, without further change in behaviour and ways of working, the IIA tool will have limited impact. Here, there are lessons that can be learnt from the Canadian experience of GBA+ as outlined above.

In the longer term we do not believe that IIA/ equality impact assessment as currently understood or used is fit for purpose. In its current form it favours a strand-focused approach to considering equalities, which presents a challenge to adopting an intersectional approach and it leans towards equality of opportunity rather than equality of outcome as a result of the current legislation. This may pose significant challenge in the context of the new gender equality vision, which is more radical in its intersectional approach and focused on equity. In Chapter Six we set out a reflexive, mainstreaming policy model that we recommend be implemented as part of a move to mainstreaming. However, we recognise that change of that scale will take time. It is therefore necessary to consider changes to the existing IIA tool and practice to improve outcomes in the short to medium term.

In the supporting paper *Assessing Impact* are a number of recommendations for changes to the IIA tool itself and associated guidance that we believe can be made almost immediately.⁹⁵ These changes focus on drawing equality more explicitly into the IIA tool and mainstreaming throughout all stages of impact assessment.

In the medium-term we believe there are changes that could be made to better embed impact assessment into the day-to-day work of officials and drive the necessary shift in culture and growth of expertise that a new policy model, such as that outlined in Chapter Six, would require. These recommendations are set out below and draw heavily on the lessons offered by the Canadian approach to GBA+.

⁹⁵ Chwarae Teg (2019) *Assessing Impact Supporting Paper Gender Equality Review Phase Two*

5.11. Recommendations (Medium term)

17. Make immediate changes to the current tool as set out in the supporting paper *Assessing Impact*.⁹⁶
18. Review and refresh training and job aids in relation to IIA to ensure it includes reference to statutory equalities requirements and that they are engaging and user friendly. The GBA+ job aids and training suite provide a strong example of good practice which could be replicated.
19. The Assembly Commission should review processes for induction and continuous development of those who scrutinise Welsh Government, including Assembly Members and Committee Support Staff, so that they are informed of the purpose and application of the new IIA tool and build confidence and competence across Welsh Government, regulator and auditor functions and bodies to strengthen ability to challenge, and scrutinise with a gender and broader equalities lens- looking beyond compliance to quality, and equality of outcome.
20. Leadership and challenge from senior figures in government is essential to successful implementation of IIA. The role of Ministers and senior civil servants in championing the role of IIA and challenging both quality and compliance should be clarified and leaders within Welsh Government must ensure better use of equalities evidence as part of the impact assessment process. Policy officials should engage with Knowledge and Analytical Services (KAS) at an earlier stage in the process. To do so may require the up-skilling of policy officials to improve their evidence analysis skills.
21. Introduce a process for systematic auditing of a sample of IIAs from across Welsh Government departments to routinely assess for quality, compliance and progress towards the vision for gender equality. This would be best delivered through external scrutiny, so Welsh Government should work with Wales Audit Office to implement this change. Such review should not only report on compliance with IIA requirements but also on use of training and resources, and inclusion of IIA findings in ministerial advice.
22. Review the Ministerial Advice process to analyse how well the current practice of requiring impact assessment summaries is working, and consider a mandatory requirement for equalities analysis to be included.

⁹⁶ Ibid

6. Moving toward an evidence-based, mainstreaming model

The new vision for gender equality pushes us to look beyond the legal minimum of equality of opportunity and move to an equalities mainstreaming approach, built on the concept of equity (see Chapter Three). Effective equalities mainstreaming hinges on an evidence-based approach to policy-making, with adequate capacity and competency to analyse evidence through an equalities lens.

This approach may require us to move away from relying on tools like Equality Impact Assessment/ IIA as currently designed, as in practice these do little to get under the skin of a policy problem. Instead we may need to consider an approach to policy and programme development that is more reflexive and encourages a constant check-back against questions of equality and well-being, based on the evidence collected (reflexive learning models are defined in the previous chapter and explained in more detail below under 6.1). Such an approach would embed equality and well-being as central to the policy process and reduce the risk of these issues being treated as an add-on. It would also require a robust equalities evidence base and strengthened analytical capacity to ensure that evidence can be interrogated and used effectively.

Phase One and Two have identified some challenges with current approaches to policy development, namely limited use of evidence and ineffective use of the IIA as the main tool that should embed equality at each stage of the policy cycle.

As outlined in the previous chapter, while there are changes that can be made to the current IIA tool and approaches to impact assessment in the short to medium term, we are not convinced that as currently designed they will be sufficient to realise the Welsh Government's vision for gender equality. The recommendations made in the previous chapter could improve outcomes in the short to medium term, but this chapter considers whether in the longer term there are other approaches to policy-development that would more effectively support a mainstreaming approach and whether the evidence-base needs to be strengthened to support such an approach. It draws heavily on the reports from Dr Alison Parken, *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities* and *Equality Mainstreaming: Policy Development Model*, including the use of some original text.

Key messages

1. To realise the ambitions of the gender equality vision, we will need to adopt a new approach to policy-making, that is more reflexive, evidence-led and mainstreams equality. Reflexive learning models involve active, project-based collaborations between policy-makers, academics, equality organisations and experts by experience. This approach will require a robust equalities evidence-base and improved analytical capacity and capability.

2. Since Phase One a new programme of work has begun to strengthen and develop the policy profession within Welsh Government. This includes work to build policy capability, provide guidance and training on consultation and involvement and the policy cycle. Questions raised in this chapter will need to be considered as part of this work.
3. Currently, Welsh Government collect a large amount of evidence but this is not used as effectively as it could be. Knowledge and Analytical Services (KAS) are often looped into the policy process at too late a stage to provide support with building and interrogating the evidence-base or consideration to the role of monitoring and evaluation.
4. Officials must be supported to become informed users of research, evidence and analysis so they can interrogate the evidence already available and identify gaps. Improving the analytical capacity and capability within Welsh Government should be a priority and it must be recognised that resource and time pressure are also considered barriers to evidence-led policy-making.
5. Strong relationships with other research bodies is an important means of linking evidence and increasing the capacity for analysis, while relationships with external users of statistics and evidence is vital to inform what evidence is needed and most useful.
6. Accessibility of evidence is as important as availability. Increased analysis within regular releases and an online hub for equalities evidence could support better use of the evidence that is already available.

6.1. Background

As outlined in Chapter Four, Wales has the necessary building blocks in place, in terms of legislation, to embed equalities and well-being into decision-making. However, implementation remains a key issue. While there are pockets of good practice, the necessary culture-change to truly mainstream equality and well-being has not been achieved. Phase One also concluded that while there are some tools in place to support implementation, such as EIA, these are often used inconsistently and in many cases become tick-box in nature.

Disaggregated facts and evidence about equality in an organisation's fields of activity and specific policy areas are vital prerequisites to ensure a sound basis for mainstreaming.⁹⁷ All of the Nordic countries emphasise the importance of gender-differentiated statistics and the importance that their visibility has in involving citizens in equality issues.⁹⁸ Participants at the Nordic roundtable all acknowledged that measuring progress through effective gathering of evidence and analytical capacity is vital to working towards equality.⁹⁹

⁹⁷ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

⁹⁸ Parken, A. (2018) *Putting Gender Equality at the Heart of Decision-making Gender Equality Review (GER) Phase One: International Policy and Practice*

⁹⁹ Taylor Collins, E. and Nesom, S. *Gender Equality: Learning from Nordic Nations*

Since Phase One, work has begun to strengthen and develop the policy profession within Welsh Government and to further embed the WFG Act into the policy process. This includes work to build policy capability, provide guidance on how to involve people in the policy process and revamp policy-making materials such as the policy cycle, consultation guidance etc.

Questions of equalities mainstreaming are central to this work and present a good opportunity to begin implementation of a new way of doing things.

6.2. Current approaches and challenges

Guidance on the policy life cycle in Welsh Government sets out five stages: case for change; options; preferred option; implementation and evaluation/ review. The main vehicle through which equalities is considered throughout this process is the IIA. In theory impact assessment should be used “*to test your thinking and help garner the evidence for the policy*” at each stage of the cycle.¹⁰⁰ However, as set out in the previous chapter this is not happening in practice. Guidance for policy-making also stresses the importance of evidence, to ensure that decisions are made on sound analysis.¹⁰¹

Phase One and Two have identified wider challenges with the approach to policy-making within Welsh Government which could affect the successful implementation of mainstreaming. These fall into a number of broad themes.

6.2.1. Availability and use of evidence

There was a perception that while Welsh Government are good at collecting evidence, it’s not used as effectively as it could be. One example given was the role of evaluations. These are carried out on most of Welsh Government’s programmes, but are not necessarily revisited to consider broad, common themes such as impact on inequality. The exception is Wales European Funding Office (WEFO), where such work has occurred partly as a result of requirements from the EU Commission and there being dedicated capacity in place.

There are concerns that evidence is not used as effectively as it should be, with KAS looped into the process at too late a stage to either support with building and interrogating the evidence-base or ensuring monitoring and evaluation is built in from the beginning. In practice it can be difficult to determine when the policy process begins and often discussions start with a focus on what solution Ministers want to see rather than consideration of the policy problem. This means that in practice the problem and solution have already been framed before full consideration of the evidence and before any engagement or involvement of people affected by the issue.

¹⁰⁰ Welsh Government *Refresher on Policy Making for IAs*

¹⁰¹ Ibid

The lack of disaggregated equalities data is often cited as a challenge by those within and outside of Welsh Government. Solving this issue is not easy. Small sample sizes are a particular challenge in Wales and boosting surveys can be an expensive exercise that don't necessarily deliver what we need. This is partly due to how small some groups are in terms of population, which means even if sample sizes are doubled or tripled in existing surveys, it would remain difficult to capture outcomes.

To address this issue, there is a strong focus on improving data linkage between administrative data held by government as this can provide far more detailed information about smaller groups of the population at far lower cost. The Welsh Government have received UK Research and Innovation (UKRI) funding as part of the Administrative Data Research-UK (ADR-UK) partnership to develop a programme of policy-relevant data linkage research, and a core principle of these projects will be to consider equalities. This will require cooperation from across the public sector in terms of data provision. While recommendations in this report are focused on Welsh Government, we are concerned that the ADR-UK partnership is yet to have had success in influencing Whitehall departments to provide key datasets. Access to robust equalities evidence is critical to good policy-making and we therefore urge all public bodies and government departments to make their data available for research that will support the public good.

We also found a tendency towards overreliance on quantitative data. While statistics are an important part of the evidence-base, in isolation they are unlikely to provide insight into the experiences of smaller population groups. While quantitative data can identify where inequality exists it can't necessarily explain what causes this inequality. Stakeholders are therefore keen to see greater value placed on qualitative evidence and greater use of mixed research methods. Accompanying statistical releases with more analysis could also help enhance the evidence already available.

Consultation and engagement are another important means of gathering evidence, but we heard some concerns about whether enough value was placed on stakeholder engagement and network building as skills within Welsh Government and also a possible over-reliance on central units like the Equality Unit to link policy officials with external organisations.

6.2.2. Analytical capacity and capability

There was some consensus that more could be done to support officials to become informed users of research, evidence and analysis so they can better interrogate the evidence already available and identify the gaps. Queries from policy officials are a key driver of what analysis is carried out on existing data. Therefore improved analytical capability across Welsh Government could help build better analysis through a gender lens. Members of the working group that supported Dr. Alison Parken's research into alignment and improved outcomes were of the view that *"policy-makers needed more support with how to interpret research to understand the drivers of poor well-being, gender-based violence and abuse, inequalities and care support needs"*, which would support better

identification of policy priorities.¹⁰² Better analytical capacity could empower officials to be more pro-active about providing evidence-based policy options to Ministers.

6.2.3. Resource and time pressure

Resources and time are a further important consideration. There is a sense that due to time and political pressures, there often isn't the time and space to take a truly evidence-led approach to policy-making. This is identified as the critical barrier rather than any resistance or unwillingness. Time and capacity pressures can also compound the issues outlined above, reducing the time and space that officials have available to interrogate data, engage with experts by experience or develop their analytical capabilities.

6.2.4. Relationships with key stakeholders

External stakeholders are another key part of the jigsaw. Strong relationships with other research bodies is an important means of linking evidence and increasing the capacity for analysis. Bodies like WISERD and Office for National Statistics (ONS) are key partners with whom Welsh Government work. While these relationships are strong, there was a sense that closer working with ONS could be particularly useful. Engagement with users of statistics and evidence also helps to shape what is collected and how it is published. There are some existing forums, like the Third Sector Statistical Users Panel convened by the Welsh Government in partnership with the WCVA, which provide an important platform to bring Welsh Government statisticians and researchers and third sector representatives together. However, there was consensus that these existing forums could be strengthened and recognition of the need for closer working relationships to provide a clearer steer to Welsh Government on what evidence is needed. Connected to this was the question of capacity and capability within the third sector to make use of evidence and awareness of what is already published.

Overcoming these challenges will be crucial as we move to an equalities mainstreaming approach.

6.3. A new approach: Mainstreaming equality policy model

The international review of best practice for Phase 1 of the GER identified the strengths and weaknesses of the gender mainstreaming approach to policy-making.¹⁰³ The countries that consistently top indices that measure progress towards closing gender equality gaps, employ a dual-strategy gender mainstreaming approach. This involves both embedding a

¹⁰² Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

¹⁰³ Parken, A. (2018) *Putting equality at the heart of decision-making Gender Equality Review (GER) Phase One: International Policy and Practice*

gender perspective in all policy making and taking specific actions to address gender inequalities.

However, these mainly Nordic countries, are also historically social democratic, egalitarian and commonly provide generous welfare transfers, enhanced parental leave and childcare provision to underpin their approach to gender equality. This partly explains why these countries were ‘early adopters’ of the gender mainstreaming approach but it also means that we can only partially transpose all of the success measures to Wales at this time. The mainstreaming approach to equality also has its critics, often for paying little attention to other strands of inequality or to intersectionality.¹⁰⁴ Nevertheless, it represents a step-change to the setting of equality objectives in isolation from the core of government business.

To underpin the mainstreaming of equality in Wales, the Phase 1 GER report called for a reflexive equality mainstreaming model that would enable policy makers to consider complex social or economic policy issues from an equality perspective. Reflexive learning models involve active, project- based collaborations between policymakers, academics, equality organisations and ‘experts by experience’, in an open, curious and exploratory process.¹⁰⁵

In Phase 2 of the GER, we undertook a ‘mini-test’ of an evidence-informed, reflexive equality mainstreaming model developed previously in action-research, but not implemented.¹⁰⁶ The model, originally developed to assist policy-makers to integrate equality and human rights, also uniquely provides an intersectional approach to understanding how inequalities can combine to compound disadvantage. The following summary outlines the model. A comprehensive discussion of the model and the learning from the policy development test is provided at as an additional supporting paper for this report, *Equality Mainstreaming: Policy Development Model*.¹⁰⁷

For the purposes of the ‘mini-test’ two policy areas were decided upon; progression from low pay and diversity in public appointments. These policy areas were drawn from a wider

¹⁰⁴ Lombardo, E., Meier, P., and Verloo, M (2017) ‘Policymaking from a Gender+ Equality Perspective’, *Journal of Women Politics and Policy* Jan 2017 Vol 38, No.1. pp.1-17 / Parken, A. (2010a) ‘Mainstreaming across the equality dimensions: Policy on sexual orientation in Wales’, in Charles, N. and Davies, C.A. (eds.) *Gender and Social Justice Post Devolution*, Cardiff: University of Wales Press, pp135-159 / Parken, A. (2010b) ‘A multi-strand approach to promoting equalities and human rights in policy making’. *Policy and Politics*, 38,79–99

¹⁰⁵ Parken, A 2010 / Woodward, Alison (2003) ‘Building velvet triangles: Gender and informal governance’, in: Thomas Christiansen & Simona Piattoni (eds.) *Formal Governance in the European Union*, pp. 76–93 (Cheltenham: Edward Elgar)

¹⁰⁶ Parken, A. and Young, H. (2007) *Integrating the promotion of equality and human rights into policy-making*, research report for the Department for Communities and Local Government and Welsh Assembly Government pp.88

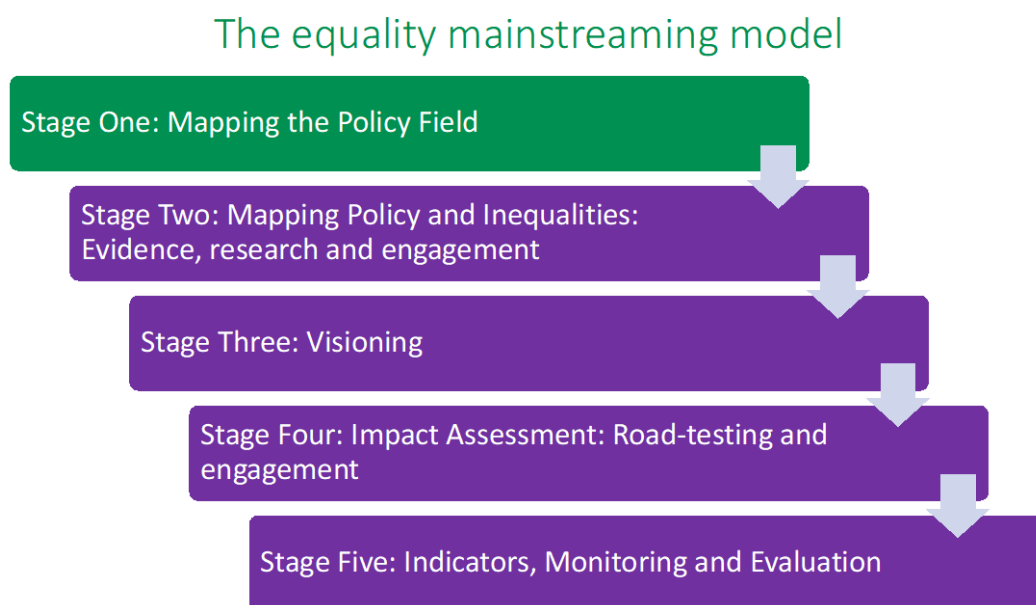
¹⁰⁷ Parken, A. (2019) *Equality Mainstreaming: Policy Development Model*

list of ‘pathfinder’ areas identified through bilateral meetings between the Deputy Minister and Chief Whip and cabinet colleagues. The ‘pathfinder’ policy areas are:

- Diversity in Public Appointments
- Women in STEM, particularly Physics and Computer Science
- Linking Women in Leadership and Women in Africa Programme
- Attracting women and girls to cyber security and semi-conductors industries
- Procurement Framework
- Childcare
- Health, social care and childcare workforce
- Women in agriculture
- Climate change
- Local Government Workforce
- Local Government Bill – Single transferable vote
- Value Wales – women bidding for contracts
- Making council tax fairer
- Social Care Levy

6.1. Equality Mainstreaming Model

The mainstreaming model contains five stages, which are iterative and overlapping. Learning from each stage may refer officials back to previous stages to re-evaluate evidence or assumptions in the policy field. The figure below sets out the stages of policy development:



The model begins with officials examining the policy field and/ or the policy problem, rather than begin from the perspective of one strand or more of inequality to set equality

objectives. In stage one, policy officials collate information on the current policy context, clarifying policy aims and intended outcomes.

In stage two officials, academics and ‘experts by experience’ collaboratively combine their codified, professional and tacit knowledge to examine the policy problem from an equalities perspective. They consider equalities research and data, including information on intersecting inequalities. They may re-examine current policies on the basis of this evidence, undertake further evidence gathering or begin to consider the evidence from a different perspective.

Together they may begin to question assumptions in the policy frame and the way the social, economic, environmental or cultural problem is conceived. The evidence may lead them to reframe the problem. For example, a policy dilemma created by a significant number of women working in the informal economy in Malta, was found to be a barrier created by the androcentricity¹⁰⁸ of the national insurance system, rather than simply an issue of childcare, skills or culture.¹⁰⁹

In Stage three, those involved in developing the policy use evidence of inequalities to ask: ‘What would success look like?’ They work together to ‘vision’ change and begin to consider how this might be achieved - a change to mainstream policy or creation of a specific policy or programme. They may consider changes to eligibility criteria within existing policy or programmes, or that equity measures are required to truly allow everyone to participate. For example, young people who have been in receipt of free transport to school or of Free School Meals may not be able to attend further education or training if such arrangements are not available post-16.

In stage four, policy officials and researchers involve a wider range of people to test whether the proposed policy or programme will work for them, whether it needs to work differently for different people or when there is evidence of compounding disadvantage (the nexus of low income and discrimination on the basis of religion for example). They test whether the envisioned change will achieve the desired outcomes or could have inadvertent consequences.

In stage five, officials and researchers set out how they will monitor and evaluate policy or programmes in ways that allow reflexive learning to inform adaptations as required. A ‘contributions’ evaluation model has been suggested by the Working Group on aligning well-being and equality legislation (see chapter four and Parken et.al, 2019) which would work well with this equality mainstreaming model.¹¹⁰

¹⁰⁸ By androcentric we mean dominated by or emphasising masculine interests or masculine points of view.

¹⁰⁹ Parken, A. (2004) *Mainstreaming infrastructure*, research report for the Maltese Government

¹¹⁰ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

The mini-test of the model produced additional valuable learning, which has since been incorporated into the supporting report.¹¹¹

A reflexive, collaborative, equality mainstreaming policy development model could assist policy-makers by providing a richer understanding of the drivers of complex social or economic policy problems. The collaborative model, based on officials, academics and ‘experts by experience’ combining their knowledge, can lead to the creation of policy solutions based on evidence and lived experience. This is in keeping with a systems approach that recognises the need for connected and reflexive action when addressing complex or ‘wicked’ social, cultural, environmental and economic problems. Such models need to be institutionalised and require sufficient time, capacity and resource to be effective.

The model also addresses the relegation of equality to the setting of vertical equality objectives outside the normal business of policy-making. Vertical equality objectives are designed to tackle inequality but do not impact on the whole institution’s policy or service delivery. By comparison mainstreaming ensures that equality works across the whole of policy development. The model also avoids consideration of equality being left to the end of the policy-making process, which has become the practice in relation to equality impact assessments (see *Improving Well-being and Equality Outcomes* for more information).¹¹²

Adopting such an approach could address persistent concerns related to the policy process within Welsh Government and specifically with the Integrated Impact Assessment (IIA), by more clearly defining how evidence should be used, providing a constant ‘check-back’ against equalities evidence and maintaining a clear focus on equalities at all stages of the policy cycle. Compared to current guidance on the policy life cycle, this model is much clearer that equalities is not an ‘add-on’ but a core facet of each phase.

6.2. Building the evidence-base

To support a move to this reflexive, mainstreaming model of policy-development we will also need to improve the current equalities evidence-base and strengthen analytical capacity, and competency, both within Welsh Government and among external stakeholders. There is already good work being done to address these issues, which can provide a solid foundation on which to build.

As part of a wider programme of work to strengthen the policy profession within Welsh Government, consideration will need to be given to improving analytical capacity, particularly upskilling officials to analyse evidence through an equalities lens. This will need to revalue qualitative research, which is integral to understanding the causes of inequality

¹¹¹ Parken, A. (2019) *Equality Mainstreaming: Policy Development Model*

¹¹² Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

and experiences of smaller population groups, and will also support consideration of monitoring and evaluation much earlier in the process.

KAS could further support this by creating guidance for Ministers and officials that can be used to support scrutiny of the extent to which evidence has been used and applied, and how the evidence has informed the consideration of equality and subsequent recommendation.¹¹³

Partnership working will be crucial given the capacity challenges within government and other organisations. Strengthening relationships between universities, research councils, public sector and third sector bodies and those that fund research could support a more coordinated programme of work to build the equalities evidence base and fill persistent gaps in the large data sets.¹¹⁴ Consideration could be given to whether there is a need for a formal structure such as an equalities research forum.¹¹⁵

The creation of the ONS Centre for Equalities and Inclusion will also need to facilitate closer working between ONS and the Welsh Government. The work already carried out by the Centre, reviewing what data is currently available for equalities from larger data sets, is incredibly useful. However, going forward it will be important for the Centre to give thought to the policy environment in Wales and work closely with colleagues in KAS to ensure that they service the Welsh Government as well as the UK Government.

As outlined above, there are existing forums to facilitate engagement between Welsh Government and users of statistics and research. Work is underway to reinvigorate and extend the reach of some of these through webinars and other online engagement. Thought may also need to be given to how analytical capacity and capability can be strengthened among users of evidence, particularly the third sector who are often working with very limited budgets. There could be scope to fund training through bodies like the WCVA.

In terms of the publication and dissemination of evidence, there is already work underway to create an equalities data finder on Stats Wales, which will be a welcome addition. While some external users have the necessary capacity and capabilities to work with the raw data published on Stats Wales, for others there will remain a need to strengthen the amount of analysis, particularly around equalities, as part of statistical releases. Capacity is a challenge within KAS, as is the case across Welsh Government (see Chapter Eight), therefore consideration may need to be given to the creation of a small equalities unit within KAS. This unit could support greater equalities analysis as part of regular releases, as well as provide expert advice and guidance to colleagues designing new surveys and research projects and take a pro-active role in reviewing existing equalities evidence and commissioning projects to plug identified gaps.

¹¹³ Parken, A. (2019) *Improving Well-being and Equality Outcomes: Aligning processes, supporting implementation and taking new opportunities*

¹¹⁴ Ibid

¹¹⁵ Ibid

Making the publication of evidence as user-friendly and engaging as possible is also important. Some users can find Stats Wales difficult to navigate. There are numerous examples of online platforms used by other countries and bodies to present evidence that is interactive and easy to understand, including the ONS Sustainable Development Goals reporting platform, UN Gender Statistics that includes both quantitative and qualitative indicators and the Equality Evidence Finder linked to the Scottish Government National Performance Framework.¹¹⁶ Provision of evidence is a key success factor in those nations regarded as world leaders. Alison Parken's Phase One report recommended the creating of a dedicated and engaging website for equality policies, monitoring information, statistics and infographics be developed.¹¹⁷ It may be beneficial to revisit this recommendation in light of this report and the further learning through the Nordic Exchange. Such a platform would also be supportive of commitments related to data publication and access to information in the 2019-21 Open Government Plan.¹¹⁸

The *Future Trends* and annual *Well-being of Wales* reports are two of the most prominent releases from Welsh Government that include evidence related to both equalities and well-being.¹¹⁹ Since Phase One, work has been done to increase the amount of equalities disaggregated data used in the annual *Well-being of Wales Report*. Alongside the main report, there are data and summaries available for each indicator, and the majority of them either include disaggregated data or direct you to other releases with the disaggregated data. There is however, still scope to further strengthen this report and its associated releases. It's not necessarily clear that the report should be viewed alongside other releases and how these link together and awareness and use of the evidence appears to still be limited among stakeholders outside of Welsh Government. An online platform for equalities evidence, as outlined above, could also help to address these issues.

The *Future Trends* report includes more longitudinal data for Wales. In future releases it would be helpful if the report included further information on how inequalities might be diminished or widened by changes in the economy, employment, public service provision and societal change, and how current inequalities may impact on Wales' ability to take advantage of opportunities in these areas.¹²⁰ This would strengthen the equalities evidence base and support greater alignment between equalities and well-being.

¹¹⁶ <https://sustainabledevelopment-uk.github.io/> Accessed 26.6.19 / <https://genderstats.un.org/#/home> Accessed 26.6.19 / <https://scotland.shinyapps.io/sg-equality-evidence-finder/> Accessed 26.6.19

¹¹⁷ Parken, A. (2018) *Putting Gender Equality at the Heart of Decision-making*

¹¹⁸ Welsh Government (2019) *UK Open Government National Action Plan 2019-21 Welsh Government Commitments*

¹¹⁹ Welsh Government (2017) *Future Trends Report 2017* <https://gov.wales/sites/default/files/statistics-and-research/2018-12/170505-future-trends-report-2017-en.pdf> / Welsh Government *Annual Well-being Report* <https://gov.wales/well-being-wales>

¹²⁰ Parken, A. (2019) *Improving Well-being and Equality Outcomes Gender Equality Review (GER) Phase One: International Policy and Practice*

6.3. Conclusion

To deliver on the vision for gender equality, new approaches to policy-making will need to be developed and implemented across Welsh Government. An equalities mainstreaming approach will require a more reflexive, evidence-led policy model that provides space for engagement and learning. During Phase Two a mini-test was carried out on such an approach, which can provide the basis on which to move forward.

This type of policy model relies on a robust evidence-base and analytical capacity and capability. Work is needed to bolster both of these across Welsh Government, and with external bodies and organisations. It will mean moving beyond tools like the current Integrated Impact Assessment (IIA), which focus on assessing and mitigating negative impacts, and investing in both the policy profession and research and statistical capacity.

6.4. Recommendations

23. Welsh Government should run a 'real-time' pilot of the policy model set out in this chapter, and in more detail in the supporting paper, and consider how it could be embedded into Welsh Government as part of wider work to build the policy profession. Consideration will need to be given to time and resource pressures, which are currently perceived as a barrier to evidence-led policy-making.
24. To build analytical capacity within Welsh Government, work to bolster the policy profession should include upskilling officials to analyse evidence through an equalities lens and re-value qualitative evidence. As a result, officials should be more informed users of research and evidence and better able to interrogate evidence and identify gaps.
25. KAS should create a set of questions or expectations that Ministers, public authority scrutiny mechanisms, and regulators can use as questions to integrate what is working/what thinking there is about testing, reflection and change. The guidance should enable scrutineers to ask: 'What evidence have you used and how has it been applied'? 'What creates this inequality/poor well-being/ behaviour/ lack of participation'? 'How far has this issue changed'? 'What have you learned, and how would you do it differently'?
26. To build analytical capacity among external users of evidence consideration should be given to the value of training for the third sector, delivered in partnership with the WCVA.
27. Partnership working should be strengthened through:
 - The creation of an equalities research forum that brings together the Welsh Government, universities, research councils, public sector, third sector and research funders.
 - Analysing whether it is possible or desirable to create data 'read-across' from various indicator sets including the EHRC's Measurement Framework and National Indicators.

- Closer working with the ONS, particularly the Centre for Equality and Inclusion
- Closer relationships with third sector organisations and other external stakeholders through forums like the Third Sector Statistical Users Panel. Awareness of these forums must improve to widen participation.

28. The availability and accessibility of equalities evidence should be improved by:

- Revisiting previous evaluations of Welsh Government programmes to consider broad themes, including impact on equalities and well-being
- Continuing with data linkage projects. All public bodies, including UK Government Departments should cooperate and provide access to databases to support this work.
- Exploring the opportunity for joint PhDs with Welsh universities focused on equalities.
- Making it clearer to external stakeholders that the annual *Well-being Report* is part of a suite of evidence and improving online links between related releases.
- Including in the next *Future Trends* report further information on how inequalities might be diminished or widened by changes in the economy, employment, public service provision and societal change, and how current inequalities may impact on Wales' ability to take advantage of opportunities in these areas.
- Creating a dedicated and engaging Welsh Government website for equality policies, monitoring information, equality evidence and infographics (Phase One Recommendation). This can be informed by other hubs for equalities evidence.

29. Consideration should be given to the creation of an equalities unit within KAS. This unit could support greater equalities analysis as part of regular releases, as well as provide expert advice and guidance to colleagues designing new surveys and research projects and take a pro-active role in reviewing existing equalities evidence and commissioning projects to plug identified gaps.

7. The budget

In Phase One we identified a disconnect between the policy and budget setting processes within Welsh Government. We outlined how budget processes were not aligned to policy-making processes, which led to budgets focussing on financial pressures rather than on impact or even need.¹²¹ This would seem at odds with both existing legislation, such as the Well-being of Future Generations Act and also the acceptance by Welsh Government of the need to move to equality of outcome as part of the new vision for gender equality.

Failure to address this disconnect will result in an inability to meet desired aims around gender equality, and also wider Welsh Government ambitions. We know that changing entrenched gender divisions and inequalities is not an easy task, and that the deep rooted social, economic and cultural forces that drive stereotyping, discrimination and abuse will not disappear quickly or easily, or even at the behest of a Welsh Government policy or new vision.

As we said clearly in Phase One, the changes required will need a seismic shift in both what we do, and how we do it. Reforming budget processes is one of the most important elements of that change, and Welsh Government needs to be prepared to put its radical vision into action. This report recommends that Welsh Government adopt an equalities mainstreaming approach (outlined in detail in Chapter Three). This will only be successful if an equalities perspective is also put at the heart of budget processes, and economic and fiscal policy. Identifying equality-related needs in different policy areas as well as the gender-impact of policies allows the government to target resources more effectively to promote equality and ensure policies do not negatively affect equality.¹²² Putting ambitious equality goals in place is an important first step, but if fiscal policy and budgetary decisions do not contribute to the achievement of these goals, progress will be difficult.

As part of Phase Two consideration has been given to gender or equalities budgeting. This is explored in greater detail below and in the supporting paper *Tackling Inequality through Gender Budgeting*, commissioned and published by the Wales Centre for Public Policy (WCPP).¹²³ Gender budgeting has been described as “good budgeting” and means “*applying gender analysis to how governments raise and spend public money. It is a critical review of how budgetary allocations affect the economic and social opportunities of women and men, and it seeks to restructure revenue and spending decisions to eliminate unequal outcomes, while understanding the context in which those differences arise.*”¹²⁴ O’Hagan et.al argues that “*gender budgeting activates gender mainstreaming by focusing on how resources to fund policy objectives are raised and allocated in such a way that existing gendered*

¹²¹ Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One July 2018*

¹²² OECD (2018) *Toolkit for Mainstreaming and Implementing Gender Equality Implementing the 2015 OECD Recommendation on Gender Equality in Public Life*

¹²³ O’Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

¹²⁴ Ibid

inequalities are addressed and not exacerbated."¹²⁵ Therefore, the way in which budgets, fiscal and economic policy are approached by Welsh Government is a crucial consideration if the vision and aspirations for equality are to be realised.

This chapter draws on a range of sources including desk-based research and analysis of existing budget documents, interviews with Welsh Government officials and research commissioned by the Wales Centre for Public Policy into gender budgeting approaches around the world. While the budget will always be a complex and time pressured process, unless equality is more effectively mainstreamed into budget setting at all levels within Welsh Government, as well as broader fiscal policy it will be incredibly difficult to achieve the ambitions set out in the new vision for gender equality.

Key messages

1. Effective budget processes are key to realising the vision for gender equality. There are two key challenges to address, the first being issues of transparency and a disconnect between budget and policy processes and the second, being meaningful consideration of equality of outcome within budget processes and wider fiscal policy.
2. Currently, budget processes are perceived by both Welsh Government officials and external stakeholders as being too far removed from policy-making and are not regarded as transparent.
3. Equality continues to be insufficiently considered as part of budget processes. For example, Equality Leads are not engaged in budget discussions and the Strategic Integrated Impact Assessment (SIIA) of the annual budget lacks analysis of equalities evidence and fails to link what evidence is presented with spending decisions. It simply is not clear how inequality evidence has informed decisions, if at all.
4. Existing forums to support engagement with experts, such as the Budget Advisory Group for Equalities (BAGE), are not functioning effectively. This has implications for Open Government commitments as well as equalities.
5. Gender budgeting offers a different way of doing things that would better deliver on equalities ambitions. To be successful, there will remain a need for wider work to improve transparency around budget processes and decisions, and improve engagement from external and internal stakeholders. However, moving towards equalities budgeting could help identify solutions to some of these challenges to ensure that policy officials, external stakeholders and scrutiny bodies are better able to support effective budget decisions that advance equality.
6. To be successful gender budgeting needs to be delivered as part of a wider equalities mainstreaming approach and will require political commitment and leadership, time, robust gendered data and the application of a range of analytical tools and processes to reveal the status quo and actions for change.¹²⁶

¹²⁵ Ibid

¹²⁶ Ibid

7. There are numerous examples of gender budgeting from around the world that can inform the development of a Welsh model. These are outlined in the accompanying report from *Tackling Inequality Through Gender Budgeting*, which should be read alongside this chapter in particular.¹²⁷
8. In the short-term, work should continue to implement the recommendations made in the cross-committee report *Assessing the impact of budget decisions*.¹²⁸ The role and membership of BAGE should be reviewed, training to build equalities competence should be developed and rolled out to officials in Treasury and finance roles across Welsh Government and Treasury should take more of a leadership role in this area, including carrying out a challenge function to ensure that gender budgeting is applied consistently across WG.¹²⁹
9. In the long-term, a Welsh approach to gender budgeting should be developed in partnership with experts as part of an equalities mainstreaming approach.

7.1. Background

Budgetary processes, whether at the strategic or departmental level, are critical to achieving the new vision for gender equality. Effective consideration of equalities within budget processes and wider fiscal policy is crucial to understand whether equalities commitments are being backed up with necessary resource allocation and whether spending decisions are delivering fairly for everyone in the country.

To make the new vision for gender equality a reality we need to radically change what we do. This is not possible without being radically different about how we spend money and allocate resources. This is no small challenge. In a context of Brexit, ongoing austerity and historical issues of under-funding from the UK Government, there can be a tendency to stick with the status quo and focus on ‘firefighting’ or ‘salami slicing’ budgets. In our interviews with officials we also found a tendency to view “the budget” as a rigid process that it is impossible to change. However, lessons from Nordic experts and around the world, demonstrate that with ongoing commitment change is possible and, in the Icelandic case, can be implemented in a difficult financial context and deliver much needed innovation. This can also result not only in having better equality outcomes but also a budget that is effective and responsive to need.

7.2. The current budget process

“In the Welsh context, budget responsibilities are shared across ministerial departments.”¹³⁰ Budget processes are complex, multi-layered and nuanced, with budget decisions and

¹²⁷ Ibid

¹²⁸ National Assembly for Wales Children Young People and Education, Equality Local Government and Communities & Finance Committee (2019) *Assessing the impact of budget decisions*

¹²⁹ Ibid

¹³⁰ O’Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

impact assessment being carried out at the strategic level and within departments. Some of these processes are overseen by Welsh Treasury, such as the development and publication of Welsh Government's *Annual Budget*, while others are owned by officials in financial and policy roles within departments, which includes budgeting activity, which happens outside of the process of setting Annual Budgets. To deliver on gender equality ambitions, it's likely that change will be necessary at all levels, and changes in approach will be required from officials both within Welsh Treasury, financial roles and in policy roles with delegated budget responsibilities across Welsh Government. This approach to budgetary processes within Welsh Government means that compared to other Finance Ministries internationally Welsh Treasury are a less directive function than in other governments. This offers a strong foundation on which to build and ensure that finance officials are able to work alongside policy officers, "with a shared objective to make decisions and processes work to advance gender equality".¹³¹

Phase One highlighted a number of challenges with current budget processes, including a disconnect between budget and policy processes. It was identified that as a result, budgetary decisions were overly focused on financial pressures rather than on consideration of potential impacts. Phase One also highlighted issues with the Strategic Integrated Impact Assessment (SIIA) conducted on the annual budget and the limited impact that the Budget Advisory Group for Equalities (BAGE) was having.

There are therefore two important elements to consider in relation to budget processes as part of Phase Two. One is the transparency of current processes and extent to which the policy and budget process is linked up. The second, is the extent to which equalities is considered within fiscal policy. While the second falls firmly into the remit of the Review, the success of many of the recommendations made in this report will depend on wider changes being made to budget processes. In the long-term we recommend moving to an equalities budgeting approach; while this will not solve all the issues related to transparency and engagement, it could help to identify challenges and solutions to ensure that both policy officials and external stakeholders and scrutiny bodies are better able to support effective, budget decisions that advance equality.

Our consideration of budget processes has been informed by a number of activities. Interviews with Welsh Government officials have provided invaluable insight into how current budget processes work and some of the challenges this poses for policy-making more generally, as well as embedding equalities. A review of existing materials has included consideration of the recent cross-committee report *Assessing the impact of budget decisions* and the SIIA of the most recent draft budget.¹³² Finally, an evidence review of

¹³¹ O'Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

¹³²National Assembly for Wales Children Young People and Education, Equality Local Government and Communities & Finance Committee (2019) *Assessing the impact of budget decisions* / <https://gov.wales/draft-budget-2019-2020> Accessed 27.6.19

gender budgeting commissioned and published by the WCPP, provides insight into potential models of gender budgeting that could inform the development of a Welsh approach.

7.3. Current Approaches

Through interviews with a range of Welsh Government officials we were able to further unpick the issue of a disconnect between budgeting processes and both policy officials and policy objectives. Given the multi-layered nature of budget processes within Welsh Government, officials will engage in different ways and at different points, which will inevitably shape their perceptions and experiences. It's also likely that when talking about "the budget" some may have the strategic Annual Budget in mind, while others may instead mean the budgetary processes and decisions made within their department. This should be kept in mind when considering the perceptions outlined below.

Feedback from officials suggests that budget discussions start with a focus on the current budget not on a wider discussion about policy objectives and priorities, assessment of efficacy of approaches or changes to need. There is a perception that unless already a budget holder, it's incredibly difficult to engage with budgeting processes and that there is no clear process to bid for additional funding outside of existing budget lines, for example the new childcare offer. Furthermore, there is a sense that attempting to redirect budget to new priorities or pilot new approaches to delivery could leave existing budgets at risk, posing an additional barrier to innovation. This leads to potentially defensive protection of budgets, without consistent evaluation of impact/ efficacy of spend or analysis of new demand/ need.

While there was recognition that approaches to the budget are shifting, there remains a sense among officials that the strategic budget process is too far removed from policy-making and not transparent enough to enable effective collaboration and scrutiny.

In relation to equalities we were able to test out the initial findings from Phase One and again we found a very similar picture. As will be discussed in Chapter Eight, equality leads are a key element of the current equalities infrastructure. Based within departments they are in post, often part-time (in addition to a substantive role), to support colleagues with equalities, be it through impact assessment or collating submissions for the annual equality report. It is a concern that Equality Leads do not appear to have any consistent or clear involvement in the budget process, and is potentially a missed opportunity to further embed equalities analysis into budget discussions.

The SIIA also continues to cause problems. In theory, the SIIA should draw heavily on impact assessments from departments on their own spending plans. However, it does not appear to be happening in practice. Some report challenges in balancing equalities alongside other impact assessment requirements and others highlighted the challenge posed by the pace of the annual budget process.

The SIIA has recently been reviewed as part of a cross committee inquiry by the Children, Young People and Education (CYPE) Committee, Equality, Local Government and Communities (ELGC) Committee and Finance Committee. Their report, *Assessing the impact of budget decisions*, echoes many of the findings we reached in Phase One. The overarching conclusion of the Committees was that there is a need to go back to fundamental basics to provide clarity on why an assessment is conducted, who uses the assessment, what Welsh Government hope to understand from it and what the best method is for presenting the assessment.¹³³ The Committees state that “*the current SIIA does not provide an effective analysis of spending decisions and could arguably be failing to fulfil its legislative requirements as a result.*”¹³⁴

Having reviewed the SIIA conducted on this year’s Draft Budget, we would echo the concerns raised by the Committees and are disappointed that there hasn’t been a bigger shift since the Phase One report.

This year, the Draft Budget was conducted in two stages. The first saw the publication of high-level, outline budget proposals, the second included more detailed spending proposals that drew on departmental spending plans.¹³⁵ An SIIA was carried out on each stage of the draft budget. In both budget publications, the WFG Act and associated impacts of spending proposals are outlined in the main narrative, while the SIIA is included as an Annex. There does not appear to much read-across from the SIIA into the main narrative of the budget, for example the SIIA highlights the higher proportion of women and BME people accessing micro-loans, but this is not mentioned in the main narrative which sets out the Micro-Loan Fund from the Development Bank of Wales. Similarly, while the SIIA notes the inequality in the labour market that the Fair Work Commission will partly be addressing, there is no mention of inequality when the Fair Work Commission is discussed in the main narrative. This adds to a sense that equality is an “add-on” rather than a core consideration in budgetary decisions. There are international examples of good practice where equality is much more prominent in budget documentation and the links between equalities analysis and decisions are made clear, such as the [Government of Canada 2018 Budget](#). This includes a substantial section focused only on equalities impact of the budget but also references at the start of each section how the following spending plans will advance Canada’s equality goals and has gender equality as a thread throughout the entire budget narrative.

While there are better examples of evidence-use in the SIIA of the detailed budget proposals, overall evidence use is limited and discussion of equalities is generally inconsistent.¹³⁶ There does appear to be greater discussion of equalities evidence in the *Prosperous Wales* section, including discussion of labour market inequality experienced by

¹³³ National Assembly for Wales CYPE, ELGC & Finance Committee (2019) *Assessing the impact of budget decisions*

¹³⁴ Ibid

¹³⁵ Welsh Government <https://gov.wales/draft-budget-2019-2020> Accessed June 2019

¹³⁶ Welsh Government (2018) *Draft Budget 2019-20 Detailed Proposals A Budget to build a better Wales*

women, disabled people and ethnic minorities.¹³⁷ There is disappointingly little equalities discussion in the *Ambitious and Learning* and *Healthier Wales* sections.¹³⁸

Despite some limited use of evidence to highlight existing inequalities, there is often no follow-up discussion about how spending plans are going to help address these. Often, there is no attempt to look beyond the more immediate, obvious impacts. For example, investment in social care is discussed at some length and considers the equalities impact in relation to who needs social care, but there is no consideration of the equalities impact on those who work in social care, who are overwhelmingly female.¹³⁹

It's a concern that impact assessment only appears to be carried out on draft budget proposals and not on the final budget. In the final budget documentation, there is some limited discussion of the impact of changes between the draft and final budget proposals, but this focuses on the impact on the four themes of *Prosperity for All*, rather than any meaningful consideration of equalities.¹⁴⁰ This is despite changes between the draft and final budget including additional money for local government, for Food and Fun (a scheme that supports children in deprived areas during the summer holiday) and for skills and employability.

The cross-committee report concluded that the Welsh Government needs to think more creatively about how it can satisfy legal obligations and suggested using the WFG Act as a framework for the SIIA, which is then supported by individual, detailed impact assessments.¹⁴¹ Moving to this model would bring the SIIA closer to the new IIA used within Welsh Government and consideration should be given to whether the IIA tool could be used on the budget, to bring further consistency to the impact assessment process and documentation.

The Future Generations Commissioner has also published advice for Welsh Government on how to consider the wellbeing of future generations in the budget setting process.¹⁴² In this she welcomes the agreed definition of preventative spend with Welsh Ministers, but says¹⁴³:

“It is hard to understand where the Act is being used to make different investment decisions for future generations. There needs to be a mechanism to enable my office and wider stakeholders to track progress year on year into how decisions are being made differently as a result of the Act”

¹³⁷ Ibid

¹³⁸ Ibid

¹³⁹ Ibid

¹⁴⁰ Welsh Government (2018) *Final Budget 2019-20 A Budget to build a Better Wales*

¹⁴¹ National Assembly for Wales CYPE, ELGC & Finance Committee (2019) *Assessing the impact of budget decisions*

¹⁴² Future Generations Commissioner (2018) *Advice to Welsh Government on taking account of the Well-being of Future Generations Act in the budget process* <https://futuregenerations.wales/wp-content/uploads/2018/12/2018-11-29-FGC-Budget-Recommendations-ENG.pdf>

¹⁴³ Ibid

In her 'Journey Checker' the Future Generations Commissioner outlines a four stage process: Making Simple changes; Being more adventurous; Owning our ambition; and Leading the way. We would endorse her comments that "*stepping out of a business as usual mind-set, taking well managed risks and finding new opportunities to collaborate*" is essential to changing the existing budget process.¹⁴⁴

Beyond the SIIA, there are other measures in place to support equality impact assessment of the budget. The Budget Advisory Group for Equality (BAGE) was established to provide Welsh Government with advice and expertise on budgets and equality. The Phase One report outlined a number of concerns about the way in which BAGE was working, including inconsistent engagement, varying membership and a lack of action as a result of BAGE's engagement.¹⁴⁵ In this year's outline budget proposals it's noted that BAGE has been reviewed in light of the new two-stage budget process.¹⁴⁶ The group met twice, once in the early budget planning stages and then again in the middle of the bilateral meetings between the Minister for Finance and other Ministers. It's noted that the group provided challenge on the employability and skills plan and provided feedback on the approach to integrated impact assessment, the rapid review of gender equality and approach to budget engagement.¹⁴⁷

It's difficult to determine the extent to which the input from BAGE has shaped the final Annual Budget proposals and there remain some concerns about how well it is delivering on its aims. Interviews with officials suggested a perception that given there are already a number of existing equality forums BAGE's relationship to these other forum could be better defined and the current format and structure of BAGE does not easily facilitate evidence provision and analysis. Furthermore, it's felt that the timing of the budget process presents a challenge to maximising BAGE member's input. From an external perspective, BAGE appears to play less of an advisory role than the Scottish Equality Budget Advisory Group (EBAG), which continues to evolve and play a more prominent role in the budget process. Based on the information available online, EBAG has a more clearly defined role and membership and is a more robust example of engagement with experts as part of the budget process.¹⁴⁸

Engaging with experts, particularly in relation to equalities should be a crucial part of the budget process. This is supported by Nordic experts who highlighted the importance of external scrutiny to the successful implementation of gender budgeting, which "*can come from committees, provided they have been trained to scrutinise budgets from a gender*

¹⁴⁴ Ibid

¹⁴⁵ Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One July 2018*

¹⁴⁶ Welsh Government (2018) *Draft Budget 2019-20 Outline Proposals: A Budget to build a better Wales*

¹⁴⁷ Ibid

¹⁴⁸ <https://www.gov.scot/groups/equality-budget-advisory-group/> Accessed June 2019

perspective” but that civil society also played an important role as a critical friend.¹⁴⁹ This engagement obviously hinges on transparency in the budget process, which has been made a priority for Welsh Government through their Open Government commitments.¹⁵⁰

In principle, BAGE should be an invaluable source of evidence and expertise to ensure adequate consideration of equalities throughout the budget process. However it’s our view that some fundamental questions remain about whether BAGE is currently able to fulfil this role:

- Is there clarity of purpose for BAGE? Is this understood across Welsh Government and by members of the group?
- Is BAGE engaged with at the right time and at the right level?
- Is there a need for better engagement with BAGE from departments, when they are impact assessing their indicative spending proposals?
- Do BAGE members need to be funded to provide this expert advisory role, to ensure that they are able to support the process with evidence and analytical capacity?

There are clearly some challenges to ensuring that spending decisions are informed by meaningful consideration of equality. This goes beyond the tool used to document the impact assessment, and will likely require significant overhaul of the budget process that also considers issues of transparency, involvement and use of evidence, as well as equality impact assessment and analysis.

The opportunity to deliver this change is now. Welsh Government officials are keen to explore new ways of doing things, including revisiting the budget process. There are also new commitments in the Open Government Action Plan to “support greater understanding, awareness and openness in relation to how the Welsh Government gets its funding, how money is raised through taxes devolved to Wales and how that funding is spent across devolved public services.”¹⁵¹

It’s our view that a move to gender budgeting can help to address some of these long-standing challenges with the budget process. The supporting report *Tackling Inequality through Gender Budgeting* has informed much of the following section and should be read in conjunction with this chapter.¹⁵²

7.4. Moving Forward: Gender Budgeting

¹⁴⁹ Taylor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations – Gender Equality Review Phase 2*, Wales Centre for Public Policy

¹⁵⁰ Welsh Government (2019) *UK Open Government National Action Plan 2019-21: Welsh Government Commitments*

¹⁵¹ Ibid

¹⁵² O’Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

Gender budgeting means applying gender analysis to how governments raise and spend public money.¹⁵³ In essence, it's a suite of tools that enable governments to examine how budgetary allocations affect the economic and social opportunities of women and men, and restructure revenue and spending decisions to eliminate unequal outcomes.¹⁵⁴ Research suggests three key elements to gender budgeting; gender-based assessment; implementing changes based on gender analysis and organising gender budgeting through work with relevant actors within government and outside government.¹⁵⁵

Gender budgeting has been adopted by numerous countries around the world, most commonly as part of a wider gender mainstreaming strategy. Some argue that gender budgeting activates gender mainstreaming by bringing a focus on how resources to fund policy objectives are raised and allocated in a way that addresses gendered inequalities and does not exacerbate them.¹⁵⁶

It needs to be responsive to national contexts, so there is no blueprint that can be transposed into Wales. However, international examples provide invaluable lessons that can inform the development of a distinctly Welsh approach to gender or equalities budgeting.

There are three building blocks for gender budgeting¹⁵⁷:

1. Clarity of purpose and understanding
2. Robust and consistent political commitment
3. Process and structures that support and engage politicians, officials and civil society to develop an approach to gender budgeting

*"Gender budgeting need not be complex; but it does need to be robust: based on data and analysis and a common understanding of concepts and purpose. The international evidence highlights that those engaged in policy making and budget preparation need to supported to develop their understanding of the gendered dimensions of public policies i.e. that the impact of public spending and revenue decisions have different impacts for women and men."*¹⁵⁸

O'Hagan et. al outlines a framework of favourable conditions necessary for successful gender budgeting.¹⁵⁹ Some of these are in place in Wales, others are weaker and will need attention. At this present time, Wales has the political commitment and leadership to do things differently and to develop a Welsh approach to gender budgeting.

¹⁵³O'Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

¹⁵⁴ Ibid

¹⁵⁵ Ibid

¹⁵⁶ Ibid

¹⁵⁷ Ibid

¹⁵⁸ Ibid

¹⁵⁹ Ibid

However, there are weak points that will need to be addressed. Gender equality machinery, within and external to Welsh Government and understanding of budgetary processes could be stronger. While the WFG Act could inform a conceptual underpinning, adopting an equalities mainstreaming approach across Welsh Government, that includes clear equality goals and/or objectives could significantly strengthen the framework in which gender budgeting tools are being applied. The disconnect currently seen between the policy and budget process weakens institutional arrangements and more work will be needed to embed gender analysis into policy and government processes to ensure the production of gender aware budget documents.

Research into international experiences offer further learning points¹⁶⁰:

- Leadership by the ministry of finance has consistently been identified as an essential element of the successful adoption of gender budgeting. This was echoed by Nordic experts who recommended that responsibility for gender budgeting sit with the Minister of Finance, with dedicated officials trained in gender budgeting integrated into the Ministry.¹⁶¹
- Legal requirements for gender budgeting are important
- Gender budgeting goals should be aligned with national gender equality plans. Gender equality goals “*should be visible and actively pursued across all areas of policy, including economic and fiscal policy; and also focused on tax policies rather than just on spending, which has been a more typical focus for gender budgeting*”.¹⁶²
- Gender budgeting can be implemented successfully at the national, state and/or local levels
- Capacity building is broadly needed but technical-level staff in many countries would benefit from additional training

7.5. Conclusion

There is a strong case to be made to change the way in which we approach fiscal policy and budget processes, not least because this is essential to achieving the new gender equality vision which includes an ‘*equal sharing of power and resources*’. There is a strong political commitment to bring a focus on equality to the fore, but this cannot be achieved without changing the way in which we make spending decisions.

The tools that are currently in place to assess spending plans through an equalities lens, namely the SIIA, have been shown to be lacking. The SIIA is not delivering on stated aims and objectives so we have focused short-term recommendations on how this can be improved to better support consideration of equalities both within Treasury and within

¹⁶⁰ Ibid

¹⁶¹ Talyor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations*

¹⁶² O’Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

finance discussions in different departments. Our research endorses what the Future Generations Commissioner has previously outlined, that “*there was a clear feeling [from stakeholder] that the government are fitting existing decisions into these priorities, rather than use them to consider more integrated approaches*”.¹⁶³

In the long-term we need to think more radically. Therefore our recommendations focus on developing a Welsh approach to equalities budgeting. The report commissioned and published by the WCPP on gender budgeting provides an invaluable evidence base to inform the development of a Welsh approach.¹⁶⁴ This approach must be developed in partnership with experts and we would caution against engaging pilots before more work is done to set out the aims and objectives of gender or equalities budgeting and to place gender budgeting in the context of a wider equalities mainstreaming approach. It will be difficult to judge the success of any pilots without clarity around the equality objectives that spend is being assessed against.

Driving this radical reform will take time and require resource and political commitment but is vitally important to making the vision for gender equality a reality and would be in-line with feminist government principles, notably putting a gender perspective at the heart of decision-making, budget and resource allocation.

7.6. Recommendations: Short-term

We support all of the recommendations made by the National Assembly cross-committee report and would urge Welsh Government to move forward with these as a matter of urgency. In addition:

30. A strengthened IIA tool could be used for the budget as well as policy development to bring greater consistency to impact assessment across Welsh Government.
31. Training should be developed and rolled out to officials within Treasury and in financial roles across Welsh Government departments to build equalities competence. As well as improving current impact assessment this will be an important foundation for equalities budgeting.
32. Training should be developed for Ministers to build equalities competency and support them to ask challenging questions throughout the budget process.
33. BAGE should be reviewed to consider, as a minimum, the following questions:
 - Is there clarity of purpose for BAGE? Is this understood across Welsh Government and by members of the group?
 - Is BAGE engaged with at the right time and at the right level?
 - Is there a need for better engagement with BAGE from departments, when they are impact assessing their indicative spending proposals? Should BAGE

¹⁶³ Future Generations Commissioner (2018) *Advice to Welsh Government on taking account of the Well-being of Future Generations Act in the budget process*

¹⁶⁴ O’Hagan, A., Christensen, E. L., Tilley, H. and Nesom, S. (2019) *Tackling Inequalities through Gender Budgeting: Evidence and Models*. Wales Centre for Public Policy

members be funded to ensure that they are able to support the budget process with evidence and analytical capacity

34. There should be a mandatory requirement for all submissions to Treasury, including draft budget proposals, to have a full IIA attached. This will require Directors, Deputy Directors and Finance Leads to provide leadership, ensuring that equality of outcome is considered in proposals.

7.7. Recommendations: Long-term

35. A Welsh approach to gender or equalities budgeting should be developed in partnership with experts and within the context of a wider equalities mainstreaming approach. This will need to align with the work underway to build the policy profession and embed the WFG Act.
36. The leadership role of the Treasury in developing and implementing gender or equalities budgeting should be defined and communicated widely within government and dedicated capacity for gender budgeting should be put in place within Treasury
37. Gender or equalities budgeting should be piloted and rolled-out as part of a wider equalities mainstreaming approach, which includes clarity of equality goals and/or objectives. This will likely require training for officials, ministers and scrutiny bodies, job-aids and other resources to support implementation, more robust challenge functions within government and an improved BAGE to provide expert advice, analytical capacity and evidence.

8. Capacity, expertise and gender competence

Making the new vision for gender equality a reality can only happen if the right capacity, resource and expertise is in place to support the organisational change this report recommends. In Phase One, equalities capacity across Welsh Government emerged as an area of concern, concluding that capacity was fragmented and inconsistent.

Lessons from Nordic nations and others that have implemented mainstreaming demonstrate the importance of equalities capacity, not just in terms of numbers of officials but also in terms of gender or equality competence. The European Institute for Gender Equality (EIGE) define gender competence as comprising commitment, methodological expertise and specialist knowledge.¹⁶⁵ Similarly, the UN highlight capacity development as one of six key elements to successful mainstreaming and the OECD include clearly assigned roles and responsibility for gender equality and gender mainstreaming as a step in their Gender Mainstreaming self-assessment tool.¹⁶⁶

Since Phase One, the Futures and Integrated Policy department has been set-up to build policy capability across Welsh Government and support further implementation of the WFG Act. It is therefore timely to consider existing equalities capacity and expertise across Welsh Government and how this can be strengthened to deliver on the new vision for gender equality.

Key messages

1. Sufficient capacity, expertise and resource matter. While everyone should have responsibility to think about equalities in policy and programme development, this does not negate the need for dedicated, experts who can support colleagues to build their own competencies in relation to equality as well proactively look at improving systems and processes, training resources and provide a much needed challenge function. This is particularly important during the implementation phase of equalities mainstreaming.
2. Capacity challenges go beyond equalities, impacting on the ability to carry out evidence-led policy-making. Creating more time and space for good policy-making and critical thinking are central to good government and pay dividends in the end.
3. Within Welsh Government Equality Leads are a key part of the equalities infrastructure but often fulfil this role as a small part of their substantive post. This results in them being more reactive and unable to engage in budget discussions or reviewing documents such as Ministerial Advice (MAs). However, there is consensus that without Equality Leads in place to challenge and question, there would be

¹⁶⁵ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

¹⁶⁶ UN CEB cited in EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit* / OECD (2018) *Toolkit for Mainstreaming and Implementing Gender Equality Implementing the 2015 OECD Recommendation on Gender Equality in Public Life*

limited consideration of equalities within day-to-day functions and policy development.

4. Economy Skills and Natural Resources (ESNR) offers a model, with a larger Equality Unit, which is generally regarded as being effective and enabling more pro-active work.
5. The central Equality Team is the main source of support and advice but there are concerns the team are overstretched and are juggling multiple roles, e.g. managing grants and providing expert advice and support. There may be an overreliance on the Equality Team, which is exacerbated by a lack of up-skilling for officials on equalities.
6. Capacity challenges are compounded by time pressures, which also limit opportunities to develop new ways of working, develop evidence-based policy and effectively utilise impact assessment as a policy-making tool.
7. There is a perception that expertise is undervalued within some areas of the civil service and that progression is strongly related to developing as a generalist. This has implications for equalities advice, which is a complex area with legal requirements, and also for institutional memory. While there will always be a need for generalists, it's not clear that the balance between experts and generalists is currently effective in supporting equality priorities.
8. There is a clear case for re-evaluating internal structures for equality as well as upskilling officials to mainstream equalities into their work.
9. People need the time, space, capacity and tools to deliver effective evidence-based policy-making as well effective impact assessment. Consideration needs to be given as to how this space can be created.

8.1. Background

Phase One of the Review concluded that capacity for equalities within Welsh Government was fragmented. Based on the interviews carried out with officials as part of Phase One, we gained a sense of the inconsistency of capacity and expertise across Welsh Government departments, and found that generally good practice was down to passionate individuals pushing the agenda and identified capacity challenges within the Equalities Team.¹⁶⁷

Sufficient capacity, expertise and resource matter for a number of reasons. Adopting a mainstreaming approach requires all staff members to integrate equality into their respective field of responsibility.¹⁶⁸ However, this does not negate the need for dedicated, experts who can support colleagues to build their own competencies in relation to equality as well proactively look at improving systems and processes and training resources and provide a much needed challenge function.

¹⁶⁷ Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One July 2018*

¹⁶⁸ EIGE (2016) *Institutional Transformation: Gender Mainstreaming Toolkit*

Capacity, in terms of dedicated staff, expertise and competence, is a key lesson to learn from international approaches. Most of the Nordic experts reflected on the role of dedicated equalities officials, whether these were full or part-time roles and the importance of building capacity through training. Through the Nordic Exchange five key factors for successful gender mainstreaming were identified; culture change; establishing ownership of gender mainstreaming; the use of gender impact assessments; investing in effective capacity building and training for politicians and effective goal setting, measurement of progress and political commitment.¹⁶⁹ Capacity was a theme running throughout these factors. For example, within culture change it is noted that “*gender equality is often under-resourced and relies on enthusiasts with limited scope to influence senior management.*”¹⁷⁰ Within political ownership it is noted that most Nordic countries have dedicated gender equality officers, and in relation to gender impact assessments (GIA) it was recognised that improving GIAs can “*require significant time and capacity.*”¹⁷¹

It was therefore a core objective of Phase Two to explore whether there is sufficient equalities expertise, capacity and resources across Welsh Government to support a consistent approach to developing gender inclusive policy. Our findings in this Chapter draw heavily on interviews with Welsh Government officials and examples of best practice from Nordic nations and other world leaders for gender equality.

It’s important to note some general points in relation to capacity at the outset. Firstly this is not just about the number of civil servants overall or in specific departments, but also about equalities competency and expertise, working more efficiently and developing innovative approaches to policy development and government business. It’s also important to note that capacity challenges are not just relevant to equalities but impact on the ability of officials to deliver evidence-led policy-making. Creating more time and space for good policy-making and critical thinking is central to good government.

We also recognise that there are ongoing challenges to dealing with the issue of capacity. There has been limited external recruitment (perceived by many as a recruitment freeze) for a number of years and there is a perception of limited organisation-wide workforce planning, which can leave some posts left vacant and put pressure on already stretched teams. A lack of new voices, experiences and expertise coming into government reduces the space for new ideas and innovative ways of doing things and creates additional barriers to becoming a more diverse employer. These issues are discussed in a little more detail in the next chapter and will benefit from being thought about alongside this question of equalities capacity.

¹⁶⁹ Taylor-Collins, E. and Nesom, S. (2019) *Gender Equality: Learning from Nordic Nations – Gender Equality Review Phase 2*, Wales Centre for Public Policy

¹⁷⁰ Ibid

¹⁷¹ Ibid

8.2. Current capacity for equalities and associated challenges

From our interviews we can only conclude that capacity remains a key challenge to successfully mainstreaming gender equality within government. While there is broad recognition that equalities should be considered throughout the development of policies and programmes and that IIA/ EIA should be done earlier, there appears to be limited capacity to drive behaviour change from those in equalities focused roles, or more importantly those in leadership positions.

Most departments have some form of embedded equalities capacity. Most commonly this is in the form of an Equality Lead, who holds this responsibility alongside their main role. In some cases, Equality Leads spend around half their time on equalities, others estimate less than 10%. There does not appear to be any significant consideration of equalities expertise or experience for those applying for positions that include the Equality Lead role, although often it is people with a passion for equalities that apply for these posts. ESNR differ to most other departments by having a slightly larger Equality Unit, which consists of three members of staff, who have developed expertise in the field of equality. However it should be noted that this is due to a long standing structure remaining from a former quango being brought into Welsh Government, rather than an active decision to create such a unit in response to need, and suggests the need for more dynamic workforce planning across Welsh Government.

Equality Leads meet each month to discuss issues and share best practice. However, due to the capacity challenges facing most Equality Leads they are often limited to playing a more reactive role within their department, responding to requests for help with EIAs. It should be noted that there seem to be limited requests for support with EIA, which might be an indication of limited awareness of the role of Equality Leads or of limited use of EIA. In addition to responding to support requests Equality Leads often play a key coordinating role for reporting for the annual equality report.

A further concern is that due to limited capacity, and role level, Equality Leads do not regularly see Ministerial Advice, have little to no engagement in budget discussions within their department and are unable to pursue more proactive projects focused on upskilling colleagues or assessing the quality of EIAs.

Despite these challenges, there was consensus that without Equality Leads in place to challenge and question colleagues there would be even less consideration of equalities within day-to-day functions and policy development.

The inconsistency between departments causes a number of issues and is a clear barrier to ensuring consistent approaches to equalities responsibilities. It also creates some degree of pressure, and resentment, from those trying to meet the equalities elements of their roles with less capacity than colleagues in similar roles. Generally the model within ESNR is seen as being more robust than that in other departments in that it enables more proactive work

to take place and enables the Equality Team to engage in assessing quality and compliance in relation to Ministerial Advice and IIA, and in strategic discussions, such as the budget.

Equality Leads do receive training for this part of their role, however, there does not appear to be ongoing training and development and they were not overly engaged in the roll out of the new IIA tool.

In terms of support for Equality Leads, there is a strong reliance on the central Equalities Team, but also consensus that they are overstretched to perform the range of duties that fall to them. This is discussed in more detail below. It should also be noted that often there is an overreliance on personal relationships for advice and guidance, which can further exacerbate issues of inconsistency. There are also examples of capacity being bolstered through external expertise but the use of forums and advisory bodies seems to be inconsistent across different parts of Welsh Government.

The impact of dedicated equalities capacity can be seen in examples from the Wales European Funding Office (WEFO) and the Public Appointments Unit. Increasing diversity in public appointments has been made a priority by Welsh Ministers. As part of a major overhaul in how public appointments are managed within Welsh Government, a dedicated post has been created to focus on developing a diversity strategy. While this capacity is still limited, having a dedicated official in place to coordinate the strategy has already supported better engagement with protected groups. Within WEFO, dedicated capacity coupled with requirements from the EU Commission has supported a much stronger focus on cross-cutting themes like equality and enabled better use of evaluations. For example, it has been possible to look across project evaluations to pull out common themes and build the equalities evidence-base. This does not seem to have happened for Welsh Government programmes more generally, but has been identified as a simple action that could provide invaluable insight into impact on different groups.

8.3. The role of the Equalities Team

The central Equalities Team remains a key source of support and guidance for those working in equalities roles, like Equality Leads, but also policy officials more generally. The majority of people we spoke to stated that the Equalities Team would be their first port of call if they had a query related to equalities. Interestingly, the Equalities Team was mentioned much more readily as the key source of support and advice rather than embedded equality leads. This further supports the need to review current capacity and internal structures for equality.

A potential over-reliance on the Equalities Team was identified by a number of interviewees, with the view that this stems from a failure to up-skill policy officials and a lack of relevant guidance and training. By way of contrast, it was felt sufficient resource had been put into up-skilling staff on Welsh language and that this has translated into

consideration of Welsh language requirements being more effectively embedded in internal processes and a shift in culture - this could be a good model to replicate for equalities.

There was broad consensus that the Equalities Team is overstretched, and this has become more apparent as equalities has become a more prominent priority for Ministers, as a result of greater numbers of oral questions, correspondence and ministerial meetings. This renewed focus is welcomed by officials, but has put pressure on already limited resource. Some officials also commented on the changing role of the Equalities Team over time. Previously the Team played a bigger role in training staff and AMs in equality and was made up of more subject specialists e.g. a gender specialist, a race specialist etc. Now the Team appears to have a dual role covering advice and guidance as well as programme management related to equality grants.

It was also felt that pressure on the Equalities Team is exacerbated by a tendency for all correspondence that references equality being passed to the team, rather than being dealt with by the department to which the query was directed. Interestingly, ESNR seems to differ again here, with some dedicated government business capacity, which relieves some of the pressure caused by coordinating business such as questions and correspondence.

8.4. Time pressures

As well as capacity, time pressure emerged as a key issue. Not only was this identified as a challenge to mainstreaming equality, but also to developing new ways of working, developing evidence-based policy and effectively utilising impact assessment as a policy making tool.

Time pressure was attributed to a variety of things including ministerial demands, the 'machine of government' and short budget cycles.

8.5. Valuing expertise

A further challenge relates to expertise. Many people working across the civil service, including those in equalities roles are generalists. There is a perception among some officials that success is often modelled on progressing to the next rung on the ladder, which generally requires developing general competencies and demonstrating the transferability of skills. This creates an environment in which some officials feel that developing specialist subject expertise is not always seen as being valued.

This creates a tension in relation to the question of equalities capacity. Equalities is a complex area, in which expertise is necessary to support effective analysis of evidence and policy proposals through an equalities lens. Advice on the legal implications of new legislation or policy would only be sought from someone with recognised expertise in the law. And yet, despite there being statutory requirements in place to assess equality impact,

there is not the same focus on ensuring that those advising on equalities are regarded as experts in their field.

Consideration will need to be given to the value placed on expertise when considering what capacity and resources are needed to support a radical shift in how Welsh Government works. While there will always be a need for officials to develop generalist skills, valid questions can be asked about whether the current balance, in which developing expertise is not seen as valuable, is supportive of long-term goals. This should be considered alongside issues related to internal progression, discussed in Chapter Eight, as the focus on generalists may be further hindering the career progression of some within Welsh Government.

8.6. Conclusion

Making the new vision for gender equality a reality will not only require a change in what Welsh Government does, but a radical shift in how it works. There is a desire from Ministers and leaders within the civil service to embed equalities into the policy process, but this cannot happen unless there is sufficient capacity, resource, competency and expertise in place to support changes in process and culture.

International examples strengthen the case for re-evaluating internal structures for equalities within Welsh Government to ensure that as well as sufficiently upskilling all officials to mainstream equalities into their work, there are dedicated sources of expert advice and support who can also play an important role in ongoing improvement to policy in practice.

From our research we can conclude that having embedded equalities capacity and expertise in departments is important, to support colleagues and offer a much needed challenge function. This also requires a strong central equalities team that can offer peer support, expert advice, guidance and training and robust evidence and statistics for use in policy analysis.

Addressing issues of capacity and time pressure have the potential to deliver change beyond equalities. People need the time, space, capacity and tools to do effective evidence-based policy-making as well as effective impact assessment. Many officials engaged in Phase Two of the Review have reflected on the value of having time to step back and discuss these important issues. Moving forward consideration needs to be given to how this space can be created.

Our recommendations are predominantly focused on the short to medium term. If recommendations to develop and implement an equalities mainstreaming strategy are accepted, there will be a need to revisit the question of capacity, resource and competence to ensure that the necessary infrastructure is put in place to support successful implementation.

8.7. Recommendations

38. The role of the Central Equalities Team should be clarified and consideration given to whether it is currently sufficiently resourced to perform this role. This should consider capacity, as well as expertise and equalities competence.
39. Equality Leads should be full-time positions with sufficient expertise at an appropriate level of seniority to challenge and inform core processes such as Ministerial Advice and departmental budget discussions. There should be a clear job description setting out roles and responsibilities and their role must be clearly communicated to staff to ensure the skills and support made available have an impact on policy development.
40. Other departments should replicate the mode in ESNR, with equalities units and government business teams created. This will ease pressure on central units, such as the Equalities Team, and enable all departments to develop equalities capacity, with adequate knowledge of the specialist policy areas, e.g. Education and Public Services.
41. A programme of training should be developed to upskill all policy officials and build gender and equalities competence.

9. Delivering Change: Ways of Working

In Phase One we identified that Welsh Government must lead by example when it comes to advancing equality. We looked at Welsh Government's role as an employer and a policy maker to "*drive sustained effort that results in lasting change*".¹⁷² Welsh Government has taken on many recommendations from Phase One and the spirit in which officials have entered into Phase Two has been almost universally very positive. The challenge will be to maintain this focus and momentum once the external focus of the review is no longer present. In this chapter we draw out some of the key themes that have emerged from the review, and necessarily this draws on the interviews we conducted with officials from across Welsh Government, reviewing policies and processes and looking at best practice in how organisations can lead change.

Even in the extended Phase Two of this review, it will not have been possible to review and understand every policy, procedure or process that guides how Welsh Government works in practice. To that extent, there may be good practice which we have not identified, which could help deliver on the ambition of this review and the vision for gender equality. We encourage approaching our recommendations with openness, and willingness to undertake further self-reflection to identify further changes in addition to those we suggest here.

In previous chapters, and in Phase One, we identified an implementation gap between the vision and ambition to deliver greater equality, and practice. We also explore in this review how better alignment of legislation and regulations could provide a ways of moving beyond compliance in terms of equality. Similarly, in this chapter we explore how real change could be embedded within the way Welsh Government works. Culture change is difficult and takes time, but it is achievable and can deliver real rewards for Welsh Government, and for Wales.

Key messages

1. Welsh Government has shown great willingness to identify the need to make further progress towards equality, including commissioning this Review to identify causes, possible solutions, and best practice. The next step is to embrace the 'implementation and measure phase' and continue to evaluate and improve.
2. The importance of leadership and continuous messaging 'from the top' about the need to make progress towards equality cannot be underestimated. This should include both Ministerial leadership, and from the Senior Civil Service.
3. In order to achieve change, staff across Welsh Government, and other public bodies need to understand and embrace the new vision for gender equality and principles for a feminist government. This will not be achieved simply by publishing this report, or the response to it.

¹⁷² Chwarae Teg (2018) *Rapid Review of Gender Equality Phase One July 2018*

4. Most staff we engaged with judge Welsh Government as being committed to being a diverse and inclusive employer, however that there is a significant way to go.
5. We found examples of good practice which we would expect to support efforts to further promote equality across government. This includes particularly the piloting of flexible working (Merthyr) and the subsequent roll out of Smart Working and new IT equipment to enable staff to work remotely and with more autonomy.
6. The introduction of 'Let's Talk' supports greater focus on wellbeing and supports more regular touch points between staff and line managers.
7. It was clear through our interviews that diversity within Welsh Government is a persistent problem, and there needs to be significant and sustained effort to address this.

9.1. Leadership

Leadership to implement the recommendations in this review will be crucial. Welsh Government has already shown considerable leadership in commissioning and engaging with this review, and we have found engagement from the most senior levels within the civil service which has been crucial to our work, and for which we have been grateful. The role of policy directors, and the Diversity and Inclusion Steering Group and Equality Board will be crucial in continuing to drive change on an ongoing basis.

What staff hear and see leaders doing and saying really matters, and when positive can really drive change. However, it is also inconsistent across Welsh Government, and staff experience can depend too heavily on the approach and style of their line manager or leader. We identified some concern that even if there is commitment at the most senior levels, change won't necessarily happen as there are still individuals or teams resistant to change and there seems to be relatively little accountability, or consequence for this. This seems to be backed up by responses to the People Survey in which only 42% of staff responded that 'senior managers in the organisation actively role model the behaviour set out in the civil service leadership statement'.¹⁷³

We know that organisations always work vertically and departmentally, because people feel comfortable with what they know, but staff in Welsh Government need much greater confidence to call out poor behaviour and conduct where it happens. Currently the Welsh Government People Survey shows that only 40% of staff feel that poor performance is dealt with effectively in their team, and only 43% think it's safe to challenge the way things are done in the organisation.¹⁷⁴ If ineffective performance or unwilling conduct is not addressed, and if staff cannot be supported to improve with training and support, then this is a significant barrier to improvement, as well as the retention and progression of other staff.

¹⁷³ <https://gov.wales/welsh-government-people-survey-2018> Accessed 26.6.19

¹⁷⁴ *ibid*

The People Survey also shows that when it comes to leadership and managing change, there is further room for improvement. While some of the measures suggest a trajectory of improvement (on previous results) Senior Civil Servants need to consider how to address the key drivers for engagement across the organisation, particularly drawing attention to the following measures¹⁷⁵:

- Overall I have confidence in the decisions made by senior managers within the organisation- 46%
- When changes are made in the organisation they are usually for the better- 29%
- Change is well managed in the organisation – 39%

We do not underestimate the challenges here, however to successfully implement the changes we propose in this Review, there needs to be a sea change in the organisational culture of Welsh Government. It is a complex organisation, and change is not easy, but concerted effort to focus on areas of improvement must also include a willingness to be more self-aware, self-critical and open to some failures. It also requires a more systematic process and commitment to performance management. It is our firm view that having set an ambitious radical approach to gender equality in Wales, Ministers cannot expect perfection immediately, but neither can they allow the status quo to continue, because the pace of change is too slow.

9.2. Communicating the vision

In order to achieve change, staff across Welsh Government, and other public bodies need to understand and embrace the new vision for gender equality and principles for a feminist government. This will not be achieved simply by publishing this report, or the response to it.

The importance of leadership and continuous messaging ‘from the top’ about the need to make progress towards equality therefore cannot be underestimated. This should include both Ministerial leadership, and from the senior civil service. Ministerial visibility with senior civil servants, regularly re-stating the importance of making progress does make a difference. At senior levels within Welsh Government there is a Board Equality Champion, five senior sponsors and five associated diversity champions (linked to staff networks).

Welsh Government’s People Survey demonstrates that staff on the whole have a good understanding of their objectives and how their work contributes to the organisational objectives, indeed the Senior Civil Service are required to have an equality objective. Building on this strength, and following this Review, leaders across the organisation need to ensure that actions to implement the gender equality vision, and findings of this Review are a clear part of those objectives.

¹⁷⁵ Ibid

Steps also need to be taken to ensure that there is innovative, visual and engaging presentation of what Welsh Government is doing to advance gender equality, linked to tangible actions, in response to this Review. While some work has begun to communicate information about the Gender Equality Review across Welsh Government, we suggest that ongoing working with stakeholders, to think creatively about how to demonstrate action and change, will support this action.

9.3. People and policies

Through our interviews with Welsh Government staff we gained a clear sense of government as a good employer, with good terms and conditions and opportunity. This is also reinforced in the People Survey where staff report high levels of interest in their work (92%) and that they feel trusted to carry out their work (92%). A high proportion of staff also reported that they are treated with respect by the people they work with (88%).¹⁷⁶ Through our interviews we also found that staff feel Welsh Government is a supportive employer, offering good policies for family leave, sickness, compassionate leave and so on.

We found some examples of good practice which we would expect to support efforts to further promote equality across government. This includes particularly the piloting of flexible working (Merthyr) and the subsequent roll out across Welsh Government of Smart Working, and new IT equipment to enable staff to work remotely and with more autonomy. These were welcomed by all those we spoke to and should become business as usual for Welsh Government, with line managers supporting staff to embed new ways of working. Welsh Government has also introduced positive schemes such as reverse mentoring and STEP Opportunities (which provide short term development opportunities) and supports the ongoing staff networks (including women's network) which are seen as generally positive and helpful vehicles to discuss diversity and inclusion issues. The Welsh Government reverse mentoring scheme links more junior staff with protected characteristics with a member of the Senior Civil Service for a suggested period of 6 months. A key intention is to improve Senior Civil Service understanding of diversity issues although mentoring can provide many benefits to mentors and mentees. These are positive schemes, which should continue to be embedded across the organisation and support should be given to staff who lead them to ensure their ongoing viability and impact. We also found that efforts were being made to review recruitment practices, progression opportunities and equality and diversity training. All these are welcome, and should be viewed as key to successful implementation of this Review.

However, we also found inconsistency in how some policies, such as flexible working, are implemented with some staff suggesting there is significant variation depending on the manager (and their view). Senior leaders in the civil service should ensure focus on consistency to ensure all staff and teams are able to benefit from more agile working. We also found that good practice was not routinely shared or communicated as effectively as it could be, and Welsh Government may be missing opportunities to embed change and

¹⁷⁶ Ibid

mainstream it across the organisation. For example it would be useful to identify those parts of Welsh Government that consistently score highly in the People Survey and investigate what lessons could be learned for others.

We were also able to review the changes to appraisal/ performance management process to “Let’s Talk” which seems to encourage a more coaching style of management, has a much stronger focus on well-being and supports more regular touch points between managers and their line reports as opposed to bi-annual appraisals. This approach should help to facilitate change across Welsh Government more quickly, as well as build trust between staff, managers and leaders across the organisation.

9.4. Progression to senior civil service

In our discussions with officials, it was clear that visible role models, and senior leaders with high standards of accountability for themselves, and their behaviours has a positive impact. However, when we explored ways of encouraging and enabling more women to take on more senior roles within Welsh Government there was a clear perception of long hours, loss of benefits (like flexitime) and a perception of needing to ‘fit a certain mould’. We are very aware that many senior jobs in Welsh Government are extremely demanding, and there will of course be requirements to meet those demanding needs. However, the current perception of Senior Civil Service is acting as a barrier and disincentive for many others (women and men) to seek to progress. Leaders in Welsh Government need to find ways to demonstrate positive behaviours that encourage more diverse groups of individuals to seek promotion to Senior Civil Service roles.

There is a particular issue around the change in terms and conditions for those moving from a Grade Six or Seven post into the Senior Civil Service (Deputy Director, Director, Deputy Permanent Secretary and Permanent Secretary levels). Under the Civil Service management code, ‘Departments’ (here including the Welsh Government) have the “authority to determine the terms and conditions relating to the remuneration (excluding pensions) of their own staff outside the Senior Civil Service (SCS) and the payment of allowances to all staff”.¹⁷⁷ As SCS pay is not delegated this means the Welsh Government implements SCS pay awards in accordance with the guidance produced by the UK Government. The Welsh Government’s SCS Remuneration Committee is responsible for recommending senior pay decisions and managing the performance, potential and talent of senior staff. The Committee has some flexibility to operate within the guidance set by Cabinet Office, for example, the Welsh Government has not made any performance related variable (or bonus) payments to Welsh Government SCS employees since 2013.

One of the consequences of this is that in practice there is strong perception that the financial difference in moving from a Grade Six role into SCS, is ‘not worth’ the perceived (if

¹⁷⁷ <https://www.gov.uk/government/publications/civil-servants-terms-and-conditions> Accessed 26.6.19

not real) loss of flexibility you are entitled to under Welsh Government terms (not available in SCS).

We also identified some potential for further discrepancy between staff who progress through 'the ranks' of the organisation and those who are employed through external recruitment. The latter enables negotiation on pay levels, whereas the former is subject to the normal progression through pay scales. This can create pay gaps between equivalent roles, and there is some anecdotal evidence to suggest men are more successful at gaining Welsh Government employment through external recruitment than women, however this requires further review.

Overall, in considering recruitment, and retention and progression approaches, we did not find evidence of a strategic approach to workforce planning. The very limited external recruitment (which is perceived as a recruitment freeze by many in Welsh Government) may exacerbate this problem, but there should be a closer alignment between the priorities of Ministers and resources, capacity and expertise to be able to meet these.

9.5. Policies and approach

While we were able to identify many examples of good practice within Welsh Government when it came to equality, diversity and inclusion, too often they were reactive or ad hoc, and not clearly aligned to identification of the current 'problems' and a clear strategy for improvement. It was clear through our interviews, and stakeholder engagement, that diversity (of staff) within Welsh Government is a serious problem, and there needs to be significant and sustained effort to address this. There is recognition of this issue at both a political and senior leadership level, however there are additional steps that could be taken to improve the current workforce profile to make it more reflective of the diversity of people of Wales.

It was reported to us that the very limited external recruitment (perceived by many staff as an ongoing 'recruitment freeze') across Welsh Government exacerbates this issue, meaning that there are too few opportunities to recruit new talent into the organisation. While we accept that this is a challenge, recruitment alone will not solve the diversity crisis. Too much of Welsh Government, how it creates policy and the implementation of policy across our public bodies is androcentric (and white) and therefore this review should serve as an urgent warning that action must be taken to address this. Leaders must find more creative and urgent ways to increase diversity in Welsh Government, including use of secondments to build experience, outreach to build trust and networks with more diverse communities and different approaches to recruitment that rule out bias. There are examples of where this has worked effectively, such as the apprenticeship recruitment programme highlighted in Phase One. Welsh Government should also look at the experience of minority groups within its employment currently, and seek to find ways to learn from their experiences and remove barriers.

Welsh Government has a Diversity and Inclusion Action Plan (2017-2020) and we have reviewed the summary of actions against this plan.¹⁷⁸ The plan is overseen by the Diversity and Inclusion Steering group, which is chaired by the Board Equality Champion. This group (which includes the leaders of staff networks as well as senior civil service diversity champions) meets quarterly and following each meeting a member of the group publishes a blog to communicate to WG staff about the issues discussed in the meeting.

It is our view that the Plan is currently too weak in its approach and doesn't include enough specific measures or clear timeframes by which improvements will be made. This is not to suggest that the actions included are not worthwhile and effective in and of themselves. For example as mentioned above reverse mentoring is an excellent example of an approach which has the potential to really drive different thinking.

On diversity data the action plan says *"we will also work to ensure that better information is available on the diversity of the workforce by encouraging employees to share their diversity data. We will use this data to put in place policies which meet the needs to people with protected characteristics"*.¹⁷⁹ We think this needs to go further, and understand that there is sometimes resistance to sharing data at a departmental and other levels. This data is crucial for departments and teams to understand their own diversity (or otherwise) and especially important for recruiting managers when they think about how to attract, recruit, retain and progress diverse employees through the organisation.

On the gender pay gap the summary of actions includes commitment to *"gather information to better understand the gender pay gap between men and women and take action to address any inequalities identified"* but does not go on to detail how this will be completed. The plan does commit to targets to improve the percentage of employees with protected characteristics by 2020, including at Senior Civil Service level and although it is not clear what these are from the plan, we understand that the Board has set targets of: 50% female civil servants by 2020; 5.8% disabled staff by 2020 and 2.5% Black Asian Minority Ethnic (BAME) staff by 2020. The civil service as a whole is also monitoring disabled and BAME new entrants to the senior civil service – the WG targets are 3.4% BAME and 8% disabled staff by 2020.

There may be additional detailed action supporting this plan, however greater openness and transparency, and willingness to be scrutinised will also be essential to effecting further change.

In Phase One we found that there was low take up of Shared Parental leave, despite the potential for this to support greater retention and progression of women in Welsh Government. The Diversity and Inclusion action plan does make reference to *"ensure staff*

¹⁷⁸ Welsh Government (2018) *Diversity and inclusion action plan 2017 to 2020: summary of actions*
<https://gov.wales/diversity-and-inclusion-action-plan-2017-2020-summary-actions>

¹⁷⁹ Ibid

taking parental leave are supported and feel valued” and likewise there is a commitment to *“take positive action to encourage recruitment from BAME and disabled people”* however once again it is unclear what this will entail, and how success will be measured.¹⁸⁰

9.6. Innovation, creativity and risk

During the course of this Review we met many extremely committed civil servants, with a real and deep commitment to their work and to achieving positive change in Wales, and a willingness to think creatively. However, we were also struck by a clear view that currently Welsh Government/ the civil service does not operate in such a way as to facilitate or enable that creativity or innovation to embed, and that thinking differently or approaching issues in a new way is not rewarded or particularly encouraged. This is not to criticise or lay blame but rather to illustrate how much needs to change to become a more dynamic organisation.

While culture, strategy, technology and other management tools are important in generating effectiveness in the 21st century, creativity and innovation are what will drive organisational success. Therefore leaders must actively implement strategies that encourage creativity. Organisational creativity depends on how leaders encourage and manage diversity as well as developing an effective leadership structure that sustains the innovation process.¹⁸¹

As we have outlined in Chapter Four, moving from compliance to creativity may be difficult, but is possible and we are not alone in identifying this. The Bean Review of UK Economic statistics challenges the culture in which UK statistics operate, and challenged the Office for National Statistics and others to be more intellectually curious, open and self-critical in their approach, and not simply focus on churning out numbers.¹⁸² This is the challenge to ‘business as usual’ way of operating that we believe is necessary to achieve the vision Welsh Government has committed to.

9.7. Ministerial responsibilities

Throughout this Review we have been able to identify and demonstrate that political leadership has a significant impact, and that the current shift to a greater focus on equality of outcome is certainly as a result of political commitment to ‘shift the dial’. In this chapter we have outlined how Welsh Government needs to change the way it works to be able to deliver on that vision, however we are also firmly of the view that politicians, including Ministers need to be prepared to work differently as well.

¹⁸⁰ Ibid

¹⁸¹ Agbor, E. (2008) *Creativity and Innovation*, Journal of Strategic Leadership, Regent University

¹⁸² Bean, C. (2016) *Independent review of UK economic statistics: final report*

<https://www.gov.uk/government/publications/independent-review-of-uk-economic-statistics-final-report>

If the recommendations in this chapter are implemented then this will mark a significant shift in the way Welsh Government operates. That can only be successful if Ministers and the way they interact with their officials also changes. Much of what we have outlined here moves away from very traditional hierarchical structures, and encourages creativity and different ways of working. If we want to increase diversity and the numbers of women in positions of power and influence across Welsh Government then we must also accept that different ways of working flexibly, based not on 'presenteeism' but on achieving outcomes, are needed. This may require consideration of how aspects of government business are currently conducted, and whether there are more efficient and effective approaches that would meet Ministers' needs, while also allowing a dynamic, more flexible civil service to emerge. This will also require better use of technology by both officials and Ministers, and a willingness to question and challenge 'the way things have always been done'.

9.8. Delivering and sustaining change

As we said in Phase One, "*making Wales a world leader for gender equality will not be an easy task but it's a welcome ambition. To deliver this vision, driving culture change both within government and in wider society will be necessary*". We recognise that as a large, and unique organisation and employer in Wales, many of the recommendations in this report will require significant changes that will not happen easily or overnight. We also recognise that there have previously been attempts to implement gender mainstreaming, or to lead other large change processes across Welsh Government. However, we believe that Welsh Government already has in place the building blocks that would enable it to deliver this lasting change, and put it at the forefront of modern dynamic civil service, befitting of government of a small ambitious nation like ours.

In thinking about recommendations for Welsh Government to make changes that will best enable it to deliver on the ambition of the gender equality vision, we were acutely aware of the context we are working in. We asked ourselves, and those we engaged with throughout this work; what are the fixed things that cannot change (and why); what are the opportunities and how do we best exploit them; and what does best practice look like.

We believe that an understanding of how to deliver these changes does exist in parts of Welsh Government but that it needs to be mainstreamed. There are many approaches, styles and methodologies for achieving lasting change in an organisation, and we do not profess to offer an expert view on which will be the most effective. We believe there is expertise and resource within Welsh Government to introduce, oversee and embed such change and only offer this approach as a way of demonstrating some of the steps Welsh Government may need to take, and indeed recognising the progress that has already been made. We have illustrated how the process of implementing this review might be followed using the John Kotter eight stage change model.¹⁸³

¹⁸³ <https://www.kotterinc.com/8-steps-process-for-leading-change/> Accessed June 2019



It is our view that Welsh Government has already made significant steps towards achieving its vision for gender equality in Wales, and we outline as a starter for ten the further action that could be taken to sustain and embed this across the organisation.

- **CREATE** a sense of urgency: Welsh Government have created a sense of urgency by responding to the external environment and global pressure to ensure lasting impact of the #MeToo and #TimesUp movement, as well as the unique circumstances in Wales by initiating this Review in 2018 and continuing to commit to it through a change of political leadership.
- **BUILD** a guiding coalition: Welsh Government have already started to bring together an effective coalition of people to guide and communicate the importance of this work, the new vision for gender equality and commitment to do things differently. All those who have engaged with this Review have done so in good faith, and with a willingness to think about different ways of working. Welsh Government should continue to build this guiding coalition to ensure that it is able to respond to the challenges we set out, and over time implement changes that will enable real change.
- **FORM** a strategic vision and initiative: Welsh Government has already adopted a radical strategic vision for gender equality and principles for a feminist government. The work of this Review outlines the practical initiatives that can be taken forward to make that vision a reality.
- **ENLIST** a volunteer army: In addition to those Welsh Government officials who have engaged with the work of the Review to date, throughout the work of this Review

stakeholders from across a range of policy areas have come together as part of the Expert Advisory Group, and key stakeholders as part of the Steering Group, policy audit process or Nordic exchange. All these individuals and stakeholders are invested (to a greater or lesser extent) in this process of change. They can be champions and supporters, they can scrutinise and hold to account, all have a role in the success of this review in achieving its ambitions

- **ENABLE** action by removing barriers: In this next phase of implementation there is a need to remove further inefficient process and hierarchies to provide the freedom necessary to work across silos and generate real impact. This will require implementation of the recommendations we make here, but also further self-scrutiny of Welsh Government's strategies, approaches and ways of working.
- **GENERATE** short-term wins: Many of the short-term wins are identified in this report, as well as the Roadmap, which should be read alongside. As these are implemented successfully they should be recognised and celebrated, communicated across government to track progress and energise people onto further action.
- **SUSTAIN** acceleration: After these first short term successes, and the initial public scrutiny of implementation of this review, government will need to resist the natural tendency to lose momentum (often moving onto the next current pressure or need), and press harder for further implementation and change. The initial successes, well communicated and understood across the organisation will increase credibility in the ability to successfully implement change. These should help press for further improvements to systems, structures and policies.
- **INSTITUTE** change: In the longer term to really institute change, and make Wales a world leader for gender equality, Welsh Government will need to articulate the connections between the new behaviours it has embedded and the success of the organisation (and its stakeholders) in achieving gender equality. Crucial is the requirement to continue pressing these changes until they are strong enough to replace old habits. This may take many years.

9.1 0 Conclusion

Through our interviews with staff across Welsh Government, and the analysis we have been able to undertake of policies and processes it is clear that Welsh Government is committed to the principle of improving equality, diversity and inclusion within the workplace. The analysis in this Review should not be read as a criticism of Welsh Government, because only by being prepared to open itself to scrutiny is it able to change, and it should be commended for that.

We heard positive reports of a significant shift over the last two years to really place equality at the heart of what government is doing, and that strong messaging from the First

Minister, Deputy Minister and Chief Whip and previous Leader of the House and Chief Whip as well as the Permanent Secretary all helped to place equality at the heart of Welsh Government thinking, as well as some significant changes to the way in which staff work.

There is still further to go, and this is not without challenge. Changing entrenched gender divisions and inequalities is no small task and discrimination and abuse will not simply disappear quickly or easily, or at the behest of one Welsh Government policy or action. But we cannot let this be an excuse for not trying, and having made a really strong commitment to change, adopted a radical new vision, this is the right time to push further forward.

There are some significant challenges, which cannot be underestimated. On the whole, civil servants are likely to be white, middle class, and well educated. It is a significant risk that too many staff are not sufficiently connected to, or understanding of the everyday experiences of many women, ethnic minorities and individuals with other protected characteristics. This is not to criticise any individual staff or teams, who we found on the whole aware and sympathetic to this problem. However, many also felt powerless to effect change, and there should be more effort to ensure officials are able to get out of government more, and bring experts by experience in, to inform our policy and decision-making.

We recognise that this is not just a problem for Welsh Government, many of the issues identified here are likely to be features of other large workforces, which only goes to strengthen the requirement for Welsh Government to show leadership. There is still a concern, and a gap, that only those with existing 'interest' in equalities will read, take interest in, and act upon the findings in reviews such as this one. While this Review of Gender Equality cannot correct all the 'wrongs' and inequalities in our society, it is crucial that those organisations and employers with significant power and influence show leadership to ensure people start to change, and that we all begin to accept that equality matters to us all.

9.9. Recommendations

42. There needs to be a significant change to the normal way of working in Welsh Government that will require leadership from the very top and Ministers and officials working closely together. Oversight of the implementation of the recommendations outlined in this review should be supported by continuation of external scrutiny- including members from the steering group and/ or expert advisory group.
43. Commitment to sustained effort to communicate the vision (inside and out of Government) and the principles of a feminist government across Welsh Government including working with stakeholders to do so.
44. Develop a more strategic approach to equality, diversity and inclusion across the organisation that makes use of management information, and understanding of the experiences of current staff, and works with staff networks

45. Review what steps can be taken to ensure SCS are able to access the same flexibility in working practices as the rest of Welsh Government employee bands to encourage greater numbers of more diverse candidates are encouraged into senior roles.
46. Work with HR senior leaders to ensure policies and procedures (such as flexible working requests, shared parental leave) are implemented consistency and senior leaders in the civil service should role model these behaviours to ensure all staff and teams are able to benefit from more agile working.
47. Roll out of Smart Working (as piloted in the Merthyr Tydfil office) is monitored and reviewed to ensure all staff are able to access
48. Review recruitment practices to ensure fairness and transparency in pay, terms and conditions and equality of outcome. Particular focus should be given to any differences between internal and external recruitment, and reviewing recruitment processes through an intersectional lens so that the diversity of the workforces is improved
49. Building on the review of Let's Talk, senior leaders should continue to monitor and review performance management across the organisation to see if improvements can be made which would drive up performance, creativity and innovation, and remove barriers to retention and progression of effective staff.
50. Review the approach to workforce planning across Welsh Government, to ensure that the civil service is able to respond to Ministerial priorities.

10. Conclusion

In commissioning this Review Welsh Government have shown commitment to bold ambitions for equality, articulated clearly in the new vision for gender equality. Making this vision a reality will not be a small or quick task. This report makes recommendations for large-scale organisational change that will require ongoing vision and leadership beyond this Assembly term. This should not lead to inaction. We are at the start of an important journey to tackle the structural inequality that continues to blight our society and it's important the steps are taken as soon as possible to begin the necessary process of change.

Wales has strong foundations on which to build. We should be proud of these foundations and of the clear desire to do things differently. The recommendations in this report, along with the Roadmap and other supporting papers, include short-term changes to improve current tools and longer-term action for organisational change focused around an equalities mainstreaming approach. This approach will embed an intersectional, equalities lens at the heart of Welsh Government's work.

This will require a shift in how Welsh Government works, and will only be successful through culture change.

We've made ambitious recommendations in this review, but with the right commitment, capacity and leadership we are confident that it can be achieved and that Wales can realise the ambition of being a world leader for gender equality.

Recommendations

Vision and Leadership

1. To ensure success there is a need for leadership and demonstrable commitment at the highest level from all Ministers and Senior Civil Servants.
2. Now that there is a vision in place, Phase One Recommendation Five should be accepted and implemented, which called for a shared statement from the entire Cabinet setting out how they are advancing gender equality and individual statements by Ministers on an annual basis on how their portfolio is advancing equality of outcome.¹⁸⁴ This should be connected to annual equality reporting requirements that are already in place.
3. Welsh Government should find creative and innovative ways to engage government staff, sponsored bodies and agencies and the wider public. This should be done directly and through stakeholders, to ensure that there is widespread understanding and support for the new vision, including how it aligns with existing agendas such as WFG Act and human rights.

¹⁸⁴ Chwarae Teg (2018) *Rapid Review of Gender Equality 2018*

4. Senior Officials and Welsh Ministers should ensure that they use their positions of influence to challenge policy and practice that falls short of the new vision, including through Permanent Secretary Challenge sessions (across Government), Ministerial Advice notes and other methods
5. Welsh Government should build on progress that has already been made and the evidence-base provided by the Gender Equality Review, to work with experts and develop a Welsh equalities mainstreaming approach, based on an equity model. The implementation of this approach should be structured, focused on organisational change and accompanied by a clear timetable.

Strengthening our legislative framework

Process alignment¹⁸⁵

6. It will be necessary to select a date, and decide upon a point in time at which Welsh Government and public bodies might align the processes for engaging/ involving, objective setting and planning delivery against their well-being and equality objectives.
7. Ensure that Public Services Boards, Regional Partnership Boards, and Regional Learning and Skills Partnerships demonstrate how their work has promoted equality, and encourage City Deals such as the Cardiff Capital Region to do so (even through they fall under UK Government for reporting). If bringing any of these into the scope of equality duties is problematic, using softer mechanisms such as Ministerial remit letters or internal audit mechanisms may be appropriate.
8. Welsh Government and Public bodies should:
 - Incorporate objectives and strategic plans for well-being, equality and VAWDASV into corporate plans . This would situate aims and objectives within the core business and may increase awareness of the connection between well-being and equality with staff working in different policy areas.
 - Undertake joint engagement and involvement activities to inform equality and well-being duties to demonstrate the inter-relationships between equality, well-being and VAWDASV and identify common issues and solutions.
 - Set mutually reinforcing well-being, SSWB, VAWDASV and equality objectives
 - Integrate equality research into well-being assessments to draw out structural dimensions of inequality, which is necessary to successfully implement both WSED and WFG duties. This may require changes to statutory guidance related to the assessment of local well-being.
 - Carry out equality impact assessments on well-being statements and plans, to ensure that they are focused on equality of outcome.

¹⁸⁵ Ibid

9. FGC and EHRC should:
 - Publish joint advisory guidance to help public bodies to consider the inter-relationships between well-being and equality, the shared aims, and benefits alignment can bring.
 - Publish a combined engagement and involvement framework using the principles of the WSED and WFG Act to support public bodies to foster better links between staff working on equalities and well-being and deliver joint engagement work.
 - Work with other regulators and inspectorates to improve information sharing to identify bodies that may need further encouragement to fulfil their well-being and equality duties in a meaningful way
 - Issue joint non-statutory guidance on the practical application of the combined operation of the “More Equal Wales” well-being goal, the PSED and socio-economic duty.
10. Regulators and inspectorates must have a bigger role in assessing how equality and well-being is being promoted through policy delivery, as well as checking for compliance with the duties. Aligning assessment, engagement and reporting requirements could support this.
11. Refreshed WSED should require that annual reports and action plans are published on a central, searchable website, which will support better monitoring and scrutiny.

Building the evidence-base linking equalities and well-being

12. WG has recently consulted on the national milestones under WFG (April 2019). Steps should be taken to ensure equality is included in these and there is also some read across to the SSWB framework.
13. A series of ‘think pieces’ that bring an equalities ‘lens’ to community cohesion, individual resilience, how equality and well-being could be promoted through inclusive and low-carbon economies, access to green spaces, sports and community activities etc.
14. A worked case study with Local Authority and/or national body to provide practical insights into aligning well-being, equality, VAWDASV and SSWB. Work on aligning well-being and equality is already taking place within the National Public Bodies Network and the North Wales Public Sector Equality Network, suggesting they would be good candidates for a case study. Depending on timing, the research remit could include assessing how ‘the socio-economic duty’ and well-being duty can work in concert.

Future Proofing:

15. In implementing the socio-economic duty, Welsh Minister’s should:
 - Draw upon the wider definition of social and economic disadvantage set out Scotland, and set out how socio-economic disadvantage interacts with poor well-being, and how people with certain protected characteristics can be more likely to be in low pay and find it difficult to escape poverty.

- List the strategic documents to which the duty must be applied in statutory guidance and set out a clear vision that aligns with existing visions for equality Ensures that consultation considers the intersection between low income, inequalities and poor well-being.
16. When reviewing the WSED, consideration must be given to how Welsh Government and public bodies can deliver on the ambition set out in the gender equality vision, as well as better meet the requirements of the PSED. This should include:
- How we tackle the most severe inequalities, as highlighted in *Is Wales Fairer?* and other reports and benchmarks such as our *State of the Nation 2018*.
 - How greater alignment between WSED and other duties can be further strengthened
 - How a new specific duty could require public bodies to take steps that are necessary and proportionate for the progressive realisation of equality, leading to coherent equality objective-setting across public bodies in Wales
 - How a new specific duty could require public bodies to apply the WFG Act ‘five ways of working’ to the setting of equality objectives, noting that short-term objectives will also be needed
 - A new ‘mainstreaming equality duty’ which requires public bodies to show how all the equality duties (General and Specific) have been mainstreamed by becoming integral to structures, behaviours and culture.
 - A new specific duty that strengthens the use of Equality Impact Assessments (EIAs) at the beginning and throughout policy development to challenge supposedly ‘gender-neutral’ policy-making, and to change their use as retrospective checking instruments.
 - A new specific duty that requires public bodies to publish their Well-being Statements or plans, strategic equality plans and annual reports, on a central searchable website.

Assessing Impact

Recommendations (short- medium term)

17. Make immediate changes to the current tool as set out in the supporting paper *Assessing Impact*.¹⁸⁶
18. Review and refresh training and job aids in relation to IIA to ensure it includes reference to statutory equalities requirements and that they are engaging and user friendly. The GBA+ job aids and training suite provide a strong example of good practice which could be replicated.
19. The Assembly Commission should review processes for induction and continuous development of those who scrutinise Welsh Government, including Assembly Members and Committee Support Staff, so that they are informed of the purpose

¹⁸⁶ Ibid

and application of the new IIA tool and build confidence and competence across Welsh Government, regulator and auditor functions and bodies to strengthen ability to challenge, and scrutinise with a gender and broader equalities lens- looking beyond compliance to quality, and equality of outcome.

20. Leadership and challenge from senior figures in government is essential to successful implementation of IIA. The role of Ministers and senior civil servants in championing the role of IIA and challenging both quality and compliance should be clarified and leaders within Welsh Government must ensure better use of equalities evidence as part of the impact assessment process. Policy officials should engage with Knowledge and Analytical Services (KAS) at an earlier stage in the process. To do so may require the up-skilling of policy officials to improve their evidence analysis skills.
21. Introduce a process for systematic auditing of a sample of IIAs from across Welsh Government departments to routinely assess for quality, compliance and progress towards the vision for gender equality. This would be best delivered through external scrutiny, so Welsh Government should work with Wales Audit Office to implement this change. Such review should not only report on compliance with IIA requirements but also on use of training and resources, and inclusion of IIA findings in ministerial advice.
22. Review the Ministerial Advice process to analyse how well the current practice of requiring impact assessment summaries is working, and consider a mandatory requirement for equalities analysis to be included.

Moving to an evidenced based mainstreaming model

23. Welsh Government should run a 'real-time' pilot of the policy model set out in this Chapter, and in more detail in the supporting paper, and consider how it could be embedded into Welsh Government as part of wider work to build the policy profession. Consideration will need to be given to time and resource pressures which are currently perceived as a barrier to evidence-led policy-making.
24. To build analytical capacity within Welsh Government, work to bolster the policy profession should include upskilling officials to analyse evidence through an equalities lens and re-value qualitative evidence. As a result, officials should be more informed users of research and evidence and better able to interrogate evidence and identify gaps.
25. KAS should create a set of questions or expectations that Ministers, public authority scrutiny mechanisms, and regulators can use as questions to integrate what is working/ what thinking there is about testing, reflection and change. The guidance should enable scrutineers to ask: 'What evidence have you used and how has it been applied'? 'What creates this inequality/poor well-being/ behaviour/ lack of participation'? 'How far has this issue changed'? 'What have you learned, and how would you do it differently'?

26. To build analytical capacity among external users of evidence consideration should be given to the value of training for the third sector, delivered in partnership with the WCVA.
27. Partnership working should be strengthened through:
- The creation of an equalities research forum that brings together the Welsh Government, universities, research councils, public sector, third sector and research funders.
 - Analyzing whether it is possible or desirable to create data 'read-across' from various indicator sets including the EHRC's Measurement Framework and National Indicators.
 - Closer working with the ONS, particularly the Centre for Equality and Inclusion
 - Closer relationships with third sector organisations and other external stakeholders through forums like the Third Sector Statistical Users Panel. Awareness of these forums must improve to widen participation.
28. The availability and accessibility of equalities evidence should be improved by:
- Revisiting previous evaluations of Welsh Government programmes to consider broad themes, including impact on equalities and well-being
 - Continuing with data linkage projects. All public bodies, including UK Government Departments should cooperate and provide access to databases to support this work.
 - Exploring the opportunity for joint PhDs with Welsh universities focused on equalities.
 - Making it clearer to external stakeholders that the Annual Well-being Report is part of a suite of evidence and improving online links between related releases.
 - Including further information in the next Future Trends report on how inequalities might be diminished or widened by changes in the economy, employment, public service provision and societal change, and how current inequalities may impact on Wales' ability to take advantage of opportunities in these areas
 - Creating a dedicated and engaging Welsh Government website for equality policies, monitoring information, equality evidence and infographics (Phase One Recommendation). This can be informed by other hubs for equalities evidence.
29. Consideration should be given to the creation of an equalities unit within KAS. This unit could support greater equalities analysis as part of regular releases, as well as provide expert advice and guidance to colleagues designing new surveys and research projects and take a pro-active role in reviewing existing equalities evidence and commissioning projects to plug identified gaps.

The Budget

Short-term

30. A strengthened IIA tool could be used for the budget as well as policy development to bring greater consistency to impact assessment across Welsh Government
31. Training should be developed and rolled out to officials within Treasury and in financial roles across Welsh Government departments to build equalities competence. As well as improving current impact assessment this will be an important foundation for equalities budgeting
32. Training should be developed for Ministers to build equalities competency and support them to ask challenging questions throughout the budget process
33. BAGE should be reviewed to consider, as a minimum, the following questions:
 - Is there clarity of purpose for BAGE? Is this understood across Welsh Government and by members of the group?
 - Is BAGE engaged with at the right time and at the right level?
 - Is there a need for better engagement with BAGE from departments, when they are impact assessing their indicative spending proposals? Should BAGE members be funded to ensure that they are able to support the budget process with evidence and analytical capacity
34. There should be a mandatory requirement for all submissions to Treasury, including draft budget proposals, to have a full IIA attached. This will require Directors, Deputy Directors and Finance Leads to provide leadership, ensuring that equality of outcome is considered in proposals.

Long-term

35. A Welsh approach to gender or equalities budgeting should be developed in partnership with experts and within the context of a wider equalities mainstreaming approach. This will need to align with the work underway to build the policy profession and embed the WFG Act.
36. The leadership role of the Treasury in developing and implementing gender budgeting should be defined and communicated widely within government and dedicated capacity for gender budgeting should be put in place within Treasury
37. Gender or equalities budgeting should be piloted and rolled-out as part of a wider equalities mainstreaming approach, which includes clarity of equality goals and/ or objectives. This will likely require training for officials, ministers and scrutiny bodies, job-aids and other resources to support implementation, more robust challenge functions within government and an improved BAGE to provide expert advice, analytical capacity and evidence.

Capacity, expertise and gender competence

38. The role of the Central Equalities Team should be clarified and consideration given to whether it is currently sufficiently resourced to perform this role. This should consider capacity, as well as expertise and equalities competence.
39. Equality Leads should be full-time positions with sufficient expertise at an appropriate level of seniority to challenge and inform core processes such as MAs and departmental budget discussions. There should be a clear job description setting out roles and responsibilities and their role must be clearly communicated to staff to ensure the skills and support made available have an impact on policy development.
40. Other departments should replicate the mode in ESNR, with equalities units and government business teams created. This will ease pressure on central units, such as the Equalities Team, and enable all departments to develop equalities capacity, with adequate knowledge of the specialist policy areas, e.g. Education and Public Services.
41. A programme of training should be developed to up-skill all policy officials and build gender and equalities competence.

Delivering change: Ways of working

42. There needs to be a significant change to the normal way of working in Welsh Government that will require leadership from the very top and Ministers and officials working closely together. Oversight of the implementation of the recommendations outlined in this review should be supported by continuation of external scrutiny- including members from the steering group and/ or expert advisory group.
43. Commitment to sustained effort to communicate the vision (inside and out of Government) and the principles of a feminist government across Welsh Government including working with stakeholders to do so.
44. Develop a more strategic approach to equality, diversity and inclusion across the organisation that makes use of management information, and understanding of the experiences of current staff, and works with staff networks
45. Review what steps can be taken to ensure SCS are able to access the same flexibility in working practices as the rest of Welsh Government employee bands to encourage greater numbers of more diverse candidates are encouraged into senior roles.
46. Working with HR senior leaders should ensure policies and procedures (such as flexible working requests, shared parental leave) are implemented consistency and senior leaders in the civil service should role model these behaviours to ensure all staff and teams are able to benefit from more agile working.
47. Roll out of Smart Working (as piloted in the Merthyr Tydfil office) is monitored and reviewed to ensure all staff are able to access
48. Review recruitment practices to ensure fairness and transparency in pay, terms and conditions and equality of outcome. Particular focus should be given to any differences between internal and external recruitment, and reviewing recruitment processes through an intersectional lens so that the diversity of the workforces is improved

49. Building on the review of Let's Talk, senior leaders should continue to monitor and review performance management across the organisation to see if improvements can be made which would drive up performance, creativity and innovation, and remove barriers to retention and progression of effective staff.
50. Review the approach to workforce planning across Welsh Government, to ensure that the civil service is able to respond to Ministerial priorities.

Annex 1

Gender Equality Review Consultation: Developing a Shared Vision, Language and Indicators for Gender equality (Summer 2018)

In February 2018 the First Minister set out his vision for a feminist Welsh Government and to make Wales a world leader in gender equality. To make this vision a reality he announced a Gender Equality Review (GER) which would look at what we currently do well, what we could improve and what we can learn from other governments around the world.

The first phase of this review took place between April and June 2018 and the report is available [here](#).

Phase One of the Review concluded that Wales lacks a shared vision for gender equality. Without this vision, action to address inequality can be fragmented and incoherent.

The Phase One report recommended that a shared vision and language for gender equality should be developed. This vision and language, as with all work undertaken as part of the Gender Equality Review, should be intersectional and inclusive, meaning it recognises the need to deliver equality for women from all backgrounds including disabled women, BAME women, refugee and asylum seeking women, LGBT+ women, older women and women from deprived areas.

It's vital that stakeholder's views inform the development of this vision and this consultation seeks to collect views on what a vision for gender equality should articulate and what measures would most effectively track progress.

The consultation will run until the **2nd November 2018**. The Gender Equality Review Steering Group will be considering early responses at the inaugural meeting on the 8th October, so stakeholders may wish to submit responses by the 21st September.

Stakeholders are welcome to submit written responses to PolicyandResearch@chwaraeteg.com if that is preferred to completing this survey.

Vision

As part of Phase Two we want to develop a statement that clearly defines what a gender equal Wales is, taking account of the different challenges and experiences of different groups of women.

There are many international examples which could be used to inform a Welsh vision for gender equality.

For example the [UN Sustainable Development Goal 5](#) which seeks to “Achieve gender equality and empower all women and girls”. This overarching goal is supported by a range of targets that include ending all forms of discrimination and violence against women, ensuring women’s full and effective participation and equal opportunities for leadership at all levels of decision-making and undertaking reforms to give women equal rights to economic resources.

Sweden, a country that is often used as a benchmark for gender equality policies articulates a [vision for gender equality](#) as “women and men are to have the same power to shape society and their own lives”. It again is supported by a number of sub-goals that relate to division of power and influence, economic equality, equality in education and equal distribution of unpaid work and care.

There are further examples from within the UK which could inform a Welsh vision. The [UK Government Department for International Development](#) vision for gender equality states that “...girls, women, men and boys across the globe will be equal, empowered and safe”. It again is underpinned by actions that include challenges and changing unequal power relations and protecting and empowering girls and women in conflict.

In Scotland, Engender set out the following in their *Gender Matters Roadmap* – “Secure social and economic equality for all groups of women in Scotland”. And in Wales the recent WEN Wales, Chwarae Teg, Welsh Women’s Aid and Women Connect First [manifesto](#) outlined a vision for “a Wales where every woman and girls is treated equally, lives free from violence and fear and is able to fully participate in the economy.”

It’s generally agreed and is advised by the [OECD](#), that a vision must be short and compelling, focused on the medium and long-term goal of gender equality and relevant to people’s lives.

1. What will Wales look like when gender equality has been achieved?

2. Do you agree that a vision for gender equality in Wales should meet the following tests:
 - a. Tangible
 - b. Measurable
 - c. Articulate a long-term goal supported with clear milestones

- d. Anchored into overarching government policy
- e. Connected to people's lives

3. Are there other tests you think a vision for gender equality should meet?

4. Do you see benefits to a vision for gender equality in Wales aligning with international language and standards such as CEDAW, the Istanbul Convention or Sustainable Development Goals?

5. How should a new vision for gender equality in Wales be communicated?

Language

People's lives continue to be affected by gender, by which we mean the broader social process of attributing differently valued roles, skills, attributes and behaviours to men and women.

While there are instances in which sex-based discrimination persists, such as access to health services, looking purely through a biological lens cannot explain the full extent of the disadvantage that women experience in terms of access to employment or representation in public life. Nor can it explain the continued stigma that men experience when looking to work flexibly or access shared parental leave to share caring responsibilities.

It's therefore proposed that the following definition of gender equality is adopted by the Welsh Government and others in pursuit of a gender equal Wales:

Gender equality means equality of outcome for men and women, acknowledging that the social processes of gendering can have negative impacts on women and men, which lead to inequality and disadvantage.

6. Do you agree with the proposed definition of gender equality to be used in developing and delivering a vision for gender equality in Wales?

7. If not, please explain why

Indicators

As outline above, it's the view of the Phase Two team that a vision for gender equality in Wales must be measurable. It's therefore important to ensure that we have the right indicators in place.

In recent years, focus has shifted to the National Well-being Indicators, developed under the Well-being of Future Generations Act. These indicators are being used to measure progress on a number of Welsh Government policies, including the new Economic Action Plan.

The Phase One report outlined some potential challenges with this approach.

There is also a current Welsh Government [consultation](#) to develop National Milestones, to assist Ministers in measuring whether progress is being made towards the achievement of the well-being goals. While there are no plans to significantly change the National Indicators this consultation will be used to make small changes where there is a justifiable case to do so.

8. Do you think the current National Indicators could provide an adequate measure of progress in relation to gender equality?

9. If not, please explain why, noting what you think is missing and how this could be addressed

10. Do you think that a new, dedicated set of indicators would be necessary to effectively measure progress towards a gender equal Wales?

11. Which indicators would you suggest be included in such a set? Please note where possible whether the necessary data-set is already available at the Welsh level

12. Do you think that Welsh indicators for gender equality should be aligned with international standards and indicators where possible?

Defining a feminist government

The Gender Equality Review has been commissioned to help deliver the vision of a feminist Welsh Government. Phase One recommended that Phase Two include a definition for what a feminist Welsh Government looks like.

The views of stakeholders are important in shaping this definition, which can build on international guidance and example of gender mainstreaming.

13. What does a feminist government mean to you?

14. What principles for policy and decision-making should a feminist government maintain?

15. What is the role of a feminist Welsh Government in delivering a gender equal Wales and how can it drive culture change?

16. What are the key areas for action in order to become a feminist government?

Delivering a gender equal Wales

Once a vision has been finalised, Phase Two of the review will explore what action is required to make that vision a reality. This builds on the stakeholder engagement undertaken in Phase One. The goal is to create a roadmap for gender equality in Wales. The development of this roadmap will be informed by further consultation and engagement.

Based on engagement with stakeholders in Phase One and examples of similar documents from other countries we are proposing that the Roadmap be based around the following policy areas:

1. Education and Skills
2. Economy
3. Employment
4. Childcare
5. Care – Unpaid and Paid
6. Violence, Harassment and Abuse
7. Poverty
8. Housing
9. Representation
10. Health
11. Media and Arts

NB: this list has focused on policy areas where the WG has some competence to legislate, regulate or affect change. We will consider including reserved issues where there is evidence that WG can affect change.

17. Do you think there are additional policy areas that should be considered when developing a roadmap for gender equality in Wales? Please provide some brief evidence as to why additional policy areas should be included.

18. Is anything else that you would like to feed in at this point? Please email additional reports that you think would be useful for the Phase Two team to PolicyandResearch@chwaraeteg.com

19. Would you like to be kept informed of developments related to the Gender Equality Review including future consultation and engagement activity?
If Yes, please detail your name, email address and phone number



www.chwaraeteg.com



02920 462 745



policyandresearch@chwaraeteg.com

**Chwarae
Teg** 