Wales Centre for Public Policy
Canolfan Polisi Cyhoeddus Cymru

The Welsh Government's use of policy tools for mainstreaming equalities

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Wales Centre for Public Policy

June 2021

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Summary

- The report draws upon and synthesises Welsh Government publications, along with relevant grey and academic literature. This was supplemented with data collected from four elite interviews, with actors who had practitioner experience, or knowledge of mainstreaming equalities within the Welsh Government.

- The Welsh Government has not provided a clear vision for equality in Wales, or clarity over how to apply equalities mainstreaming principles in practice.

- Lack of an overarching mainstreaming strategy has resulted in pockets of good practice without a clear strategic direction, and little clarity on how to apply mainstreaming principles in practice. This includes the Strategic Equality Plans, which have not provided a clear operationalisation of mainstreaming.

- The effectiveness of the Welsh Government's Equality Team is constrained by a number of barriers, including a lack of collective ownership over equalities issues, an apparent overreliance on the team resulting in the sense that it may be overstretched, have insufficient resources, and lack clarity over its role and remit.

- The Welsh Government has yet to adopt a full equalities budgeting approach, although it has taken some steps to include an equalities perspective within its budgeting process. Two prominent examples are the Budget Advisory Group for Equality, and the Strategic Integrated Impact Assessment, although there are concerns regarding the extent to which these tools have had a significant impact on budget decisions.

- There is a general sense that the Welsh Government's engagement with equalities groups has improved, and the disproportionate effect of the COVID-19 pandemic on specific groups has reinforced the importance of consultation during policy development.

- Mainstreaming equality necessitates a major shift from the status quo in terms of both perspective and practice; use of communicative tools can be improved to achieve this. The Welsh Government should therefore communicate a clear, consistent vision for mainstreaming equality across government, particularly within the legislative framework around equalities, and key strategic documents, including the Strategic Equality Plans.

Introduction

From the onset of devolution, the Welsh Government has had a statutory duty to mainstream equality of opportunity in all of its activities. Following two decades of variation in prominence on the Governmental agenda, the mainstreaming of equality within the Welsh Government has experienced a renewed interest in recent years. In 2018, then First Minister Carwyn Jones committed to making the Welsh Government a feminist government, which served as the catalyst for the Gender Equality Review, and led to a flurry of work around embedding gender equality within Welsh Government decision making. In 2019, the Welsh Government announced that it would be enacting Sections 1 and 3 of the Equality Act 2010, known as the 'socio-economic duty'. This places a statutory duty on public bodies, when making strategic decisions, to have due regard to the need to reduce inequalities of outcome resulting from socio economic disadvantage. The disproportionate impact of the COVID-19 pandemic on certain groups has further reinforced the need to embed equality within Welsh Government decision making.

In light of renewed interest, this report examines the policy tools Welsh Government has used to mainstream equality of opportunity, the effectiveness of these tools, and factors that influence their effectiveness. The definition of policy tools used was developed by Jacob et al. (2008) who distinguish between communicative, organisational, and procedural tools.

The study was conducted from January – March 2021, and combined desk-based research, drawing on Welsh Government publications, a search of online academic databases and grey literature, with primary evidence from four elite interviews conducted remotely during February 2021.

List of Interviewees

Identifier	Position/Role
Interview A	Welsh Government Informant
Interview B	Academic
Interview C	Academic
Interview D	Academic

Policy Background and Literature Review

What is Mainstreaming?

Mainstreaming is a process of policy and organisational change intended to embed a cross-cutting issue into decision-making and policy across government. The traditional response of government to policy problems has been specialisation, and fragmentation (Bouckaert et al., 2010). However, many contemporary problems are complex, spanning established administrative and sectoral boundaries, placing increased demand on government and policymaking processes (Head and Alford, 2015). This has rendered compartmentalised, functionally specified, complex systems of governance unable to adequately address these challenges.

Governments around the world have adopted mainstreaming as a response. The concept of mainstreaming is arguably most associated with gender mainstreaming. Gupta (2010: 74) notes that this has been "en vogue" since the UN Fourth Conference on Women in Beijing in 1995, with the Beijing Declaration suggesting that "governments and other actors should promote an active and visible policy of mainstreaming, a gender perspective into all policies and programmes" (Beijing Declaration, 1995). The definition of gender mainstreaming is contested, and a full examination of this discussion can be found elsewhere (Daly, 2005). The Council of Europe provide an often-cited definition of gender mainstreaming:

> **"the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated at all levels and at all stages, by the actors normally involved in policy-making"** (Council of Europe, 1998: 13)

Mainstreaming has also been adopted in other policy areas, most notably environmental policy (also referred to as Environmental Policy Integration); climate change adaptation and mitigation; and sustainable development (Nunan et al., 2012). Dalal-Clayton and Bass (2009: 20) define environmental mainstreaming as "the informed inclusion of relevant environmental concerns into the decisions of institutions" that make and implement policy. Broadly speaking, the concept of mainstreaming remains similar across policy areas, referring to the incorporation of a cross-cutting policy issue into decision-making, and policy, across government (Yamin, 2005). This can be understood as consisting of multiple dimensions.

First, mainstreaming requires the development and presence of a shared understanding and vision of a cross-cutting policy issue across government. Cross-cutting, or 'wicked', policy issues are ambiguous, and hard to define. Effectively embedding them within policy therefore requires the actors and organisations involved to have some degree of shared understanding around the nature of a problem, and its potential solutions. This is referred to by some as a policy image or policy frame (Mazey, 2000). Evidence points to the ability of government to construct an overarching policy frame that can define, and operationalise, a cross-cutting policy issue, in a way that facilitates a collective understanding and response across government, as a key determinant of successful mainstreaming.

This vision must then be embedded within the decision-making processes of government officials. Ideally, this would involve a proactive approach, with decision making across policy areas based on the "logic of addressing a complex problem" (Cejudo and Michel, 2017: 158). This is commonly identified to as 'greening' and 'gendering' policymaking in the context of environmental and gender mainstreaming respectively.

A further, and in many cases overlooked, aspect of mainstreaming is the presence of supportive organisational structures (Nunan et al., 2012). Mainstreaming requires establishing new, or adjusting existing governance structures and institutions, to allow government to more effectively address a cross-cutting issue. In this regard, mainstreaming involves well-functioning mechanisms for coordination and coherence between policy areas across government.

What are Policy Tools?

Policy tools are the methods, resources, and structures available and utilised by government to implement policy, and achieve policy objectives (Howlett, 2019).

Jacob et al. (2008) differentiates between three types of tool used for mainstreaming: communicative, organisational, and procedural. Originally developed in the context of environmental mainstreaming, this provides a useful framework through which to study mainstreaming of equalities.

Communicative tools aim to influence policymakers' cognition and behaviour. They do not necessitate or mandate changes to existing structures, adding to institutional structures rather than replacing them. From a practical standpoint, such changes are often seen as easiest to introduce, as they do not require any significant changes to

either organisational structures, or established routines. However, there is some concern regarding the extent to which they can enact substantive change in policymaking processes, and are often criticised as operating on a more rhetorical that practical level.

Communicative tools covered in this report are:

- Constitutional provisions; and
- National plans or strategies.

Organisational tools change the organisational and institutional structure of government. They have the potential to strengthen certain elements of government, create new, or exploit existing networks, and create new actors or bodies with responsibility for a cross-cutting policy issue. However, they may also amount to 'window dressing', making institutional adjustments, whilst policymaking processes continue unchanged.

Organisational tools covered in this report are:

- Committees;
- Dedicated bodies or teams to support mainstreaming; and
- Departmental champions and leads.

Procedural tools "alter the core procedures for decision-making" (Jacob et al. 2008: 28), incorporating a cross-cutting issue into established decision-making routines.

Procedural tools covered in this report are:

- Policy appraisal and assessment;
- Budgeting; and
- Consultation and engagement.

What are the characteristics of Welsh policymaking?

In order to understand the Welsh Government's use of these tools to mainstream equality, it is important to first understand the context of it, in terms of devolved policymaking in Wales.

Given the limited form of executive devolution outlined in the Government of Wales Act 1998, the Welsh Government has faced a number of constraints. For example, until 2011, the National Assembly for Wales (now the Welsh Parliament) lacked full

law making powers, and had little control over taxation until 2019. The Welsh Government, introduced de facto in 2001 and formally established following the Government of Wales Act 2006, faced similar challenges. The pre-devolution Welsh Office lacked a strong policy tradition, functioning largely as an operational arm of government, rather than a substantive policymaking body. This often led to a reliance on 'soft' (communicative) policy instruments, such as guidance and encouragement. Greer and Jarman (2008: 184) noted that when given the choice, the Welsh Government "typically opt for the carrots they have over the sticks they could use". These limitations also resulted in a tendency to govern through high-level strategies and declarations, in many cases without the necessary capacity, or resources, to implement them (Connell, 2019). In the context of these constraints, it has been argued that a distinctive model of Welsh policymaking has emerged. This is based upon a strong tradition of partnership working, increased participation in policymaking and greater engagement with civil society, and a system intended to facilitate joint working across policy sectors.

Key Characteristics

- **Policy Capacity**

The Welsh Government is generally described as lacking sufficient policy capacity, which is the ability of government to make informed choices about policy; to set, and implement strategic direction; to evaluate policy alternatives; and to make use of knowledge, and evidence, within policymaking (Wu, et al., 2015). This is due in part to the lack of a policy tradition within the Welsh Office, combined with the fact that Wales has, historically, had few sources of policy alternatives originating outside of the civil service (Bishop and Flynn, 2005). This has meant that the process of increasing policy responsibility being devolved to the Welsh Government has coincided with the Government itself developing its own capacity, in both policy formulation, and implementation. It has also been impacted by budget cuts, in the context of austerity, leading to cuts in the number of civil service staff

- **Analytical Capacity**

Previous research has also identified a lack of analytical capacity as a constraining factor on the Welsh Government. This is the ability of officials within government, and government as a whole, to produce relevant data and information on a policy issue (Howlett, 2015).

- **Budgetary Constraints**

The vast majority of the Welsh Government's budget comes from a block grant from the UK Government, determined by decisions taken about spending elsewhere. However, while the Welsh Government has limited control over the amount of money it has at its disposal, it has gained limited control over taxation, and can exercise discretion over how this money is spent. It therefore has the opportunity to prioritise certain issues that may previously have been under resourced.

- **Policy Networks**

Welsh Government operates within a small country, with a relatively small number of governing institutions, and is positioned among a dense network of close-knit policy communities. This close proximity between citizens and decision makers should make it easier to work with, and bring together, actors and organisations from the public, private, and third sectors (Keating et al., 2009).

- **Institutional Complexity**

Another key factor is the relative institutional complexity within Wales. In theory, it should be easier to facilitate cross-government working in Wales. This is due to the fairly small civil service structure, and the suggestion that Wales has not been subject to the same degree of institutional fragmentation as the UK Government. This relates to the argument that small-scale governance may allow for government to organise around, and work towards, system-wide objective more effectively than government operating at a larger scale, with increased institutional complexity (Ostrom, 2012). De Vries (2000: 198) similarly suggests that "a flexible, participatory, and problem-solving approach to the enforcement of public sector values can only be realised within small, cohesive government".

Policy Tools 1: Communicative Tools

This section covers the Welsh Government's use of communicative tools to mainstream equality, specifically the use of: constitutional and legal provisions; and whole-of-government strategies, plans, and objectives.

Constitutional and Legal Provisions

Constitutional and legal provisions require that the activity of government, and the wider public sector, is, to varying degrees, consistent with the principle of promoting a cross-cutting policy issue. They provide a potentially powerful tool for the mainstreaming of equalities, empowering pro-equalities actors, and placing consideration of equality at the forefront of policymaking and wider government action.

Thus, providing an overarching binding legal framework for equalities, that provides guidance and leadership for policymaking, supports implementation, and may further influence reform efforts throughout government, and the wider public sector (Widmer, 2018).

Despite their potential, there are clearly identifiable limits to the effectiveness of constitutional and legal provisions as tools for mainstreaming in practice. Such provisions often vary considerably in content and prescription, with significant questions raised over their enforceability. As such, they may contribute somewhat to the communication of a shared vision for equalities, but fall short of enacting substantive change within government. Runhaar et al. (2020) note this critique, suggesting that formal requirement and legal provisions may be more appropriate for producing high level outputs, rather than leading to improved policy outcomes. The disconnect between high level constitutional commitment to mainstreaming, and its practical implementation, can be seen. Hankivsky (2013), for example, states that the main obstacle to gender mainstreaming implementation is lack of accountability, with little recourse for ensuring implementation. Even in cases where a legislative framework was established, the extent to which consideration of equality was embedded across government, and policymaking, was limited.

Constitutional and Legal Provisions in Wales

The constitutional groundwork for the mainstreaming of equalities in Wales has its origins in the Government of Wales Act 1998. Section 120 stated that:

> **"The Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle of equality of opportunity for all people".**

The Assembly was required to produce "a statement of arrangements made in pursuance" of the statutory duty, and an assessment of their effectiveness in promoting

equality of opportunity, at the end of each financial year. This duty was unique within devolution legislation, adopting an all-encompassing vision of equality of opportunity for all people (Lambert, 1999).

This duty cemented equality within the new Assembly, both raising awareness of equalities in a previously uninterested and uninformed civil service, and reprioritising equalities within government (Rees, 2002). Chaney (2005: 22) later reiterated that this duty signified equality of opportunity being addressed at the Welsh level of government for the first time. This commitment was restated in the Government of Wales Act 2006, and the statutory duty was shifted on to Welsh Government ministers.

Regarding the impact of this statutory requirement on the mainstreaming of equalities within the Welsh Government, evidence gathered from interviews conducted for this report painted a somewhat mixed picture, suggesting that despite the duty formally representing institutionalised recognition and promotion of equality, the practical impact was constrained by a number of factors.

Equality and mainstreaming equality are both complex concepts with multiple interpretations. Such conceptual ambiguity presents practical difficulties in implementation of the 'mainstreaming duty'. There were concerns that the duty was not widely recognised or understood outside of specialist actors and groups, and that equalities mainstreaming was not gaining sufficient traction outside of dedicated equalities groups and actors:

> **"Beyond specialists within civil society who are interested in equalities matters, there has not been that awareness. Whereas if there had been more, I think, critical scrutiny and publicity, then again, that might have seen greater progress at an earlier stage"** (Interview D).

This ambiguity was further evident within government, leading to variations between policy areas in understanding and implementation:

> **"There was a kind of measure of understanding. But obviously, in terms of the Civil Service, then that was a challenge for them, because it was a different way of doing things"** (Interview A).

Furthermore, reflecting the concerns of Hanvinsky (2013) and Runhaar et al. (2020), the extent to which the statutory duty is practically enforceable was also questioned:

> **"The enforcement mechanism was judicial review, which is expensive and precarious, and is a high hurdle. And if you're a third**

sector equalities organisation, you haven't got the budget, you're not going to risk the lawyers' fees and possibly the award of costs against you to challenge government. So, I think it's got a very flawed enforcement mechanism, the equalities duty within the devolution statute" (Interview D).

The Equality Act 2010 added to the legislative framework surrounding the equalities agenda in Wales. It replaced previously separate equalities legislation on race, gender, and disability, and existing regulation on religion and belief, sexual orientation, and age. The Act recognised nine protected characteristics: race, disability, sex, age, religion or belief, sexual orientation, gender re-assignment, pregnancy and maternity, and marriage or civil partnership. Coming into effect on 5 April 2011, Section 149 of the Equality Act 2010 outlined a single equality duty for the public sector in England, Scotland, and Wales, known as the Public Sector Equality Duty (PSED). It required public bodies, when carrying out their activities, to have due regard to the need to eliminate discrimination and harassment, advance equality of opportunity, and foster good relations between people who share a relevant protected characteristic and people who do not. Section 153(2) of the Equality Act 2010 gave Welsh Ministers the authority to impose specific duties, intended to help public authorities meet the general PSED. The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, also known as the Welsh Specific Equality Duties, came into force on 6 April 2011. These duties require public bodies within Wales, including the Welsh Government operating as a single entity, to, among other requirements: set equality objectives, publish and review Strategic Equality Plans, ensure engagement with protected groups, assess the impact of new policies, through the use of Equality Impact Assessments. In 2019, the Welsh Government announced that it would be enacting Sections 1 and 3 of the Equality Act 2010, known as the 'socio-economic duty'. Coming into effect on 31st March 2021, it placed a statutory duty on public bodies, when making strategic decisions, to have due regard to the need to reduce inequalities of outcome, resulting from socio-economic disadvantage.

While the introduction of the Equality Act 2010, and the Welsh Specific Equality Duties, can be seen as positive in a broader sense, there remains some uncertainty around their effectiveness in communicating the complexity of equality mainstreaming to a more general audience:

> **"I think the Welsh Equalities Regulations, under the Equality Act 2010, are a step forward, they are more bespoke to issues and situations within Wales. But again, they are an anorak's preserve, in a way, in that the awareness of these is very low, outside of specialist circles"** (Interview D).

A further point of consideration is the wider legal framework within which the mainstreaming of equalities is situated, especially in light of the enactment of socio-economic duty. There are three interrelated aspects here that will be addressed. The first is the inconsistency of the current legal framework surrounding equalities. There is a wider legislative framework within Wales that should, in theory, be compatible with and work to promote a consistent vision of equality within Wales, and work to support mainstreaming. This wider framework consists of, in addition to the mainstreaming duty, the Equality Act 2010 and Wales Specific Equality Duties, the Violence Against Women, Domestic Abuse and Sexual Violence Act, and the Well-being of Future Generations (Wales) Act. This was covered extensively in a report from the Well-being and Equality Working Group (Parken, 2019), and the recent Gender Equality Review (Chwarae Teg, 2019), both of which stated that the current legislative frame does not provide a consistent vision for equality within Wales, and that this has a detrimental effect on mainstreaming efforts.

The second issue concerns the extent to which this framework can be improved or aligned, in order to have a substantive impact on mainstreaming equality, and policy outcomes. Statutory duties, even when clearly specified and understood among policymakers, may not be exacting enough to meet their desired goals. This relies on the content and vision of the respective duties themselves. This was expressed clearly by an interviewee when asked about the possibility of aligning the existing legislation, to improve mainstreaming efforts:

> **"I don't think that aligning the legislation, or regulations, or the steps under the regulations that you need to take to fulfil statutory requirements, it's not the same thing as setting out a vision and then using those stepping stones to get where you want to go. I think there's an increasing awareness that we've got lots of great legislation and regulations, but you can fulfil those processes without actually making any difference"** (Interview B).

The third issue concerns the idea of policy layering (Howlett et al., 2018), and the process by which longer-standing policies, in this case statutory provisions, are overshadowed by newer ones, and the subsequent impact that this has on attempts to mainstream equalities. This is discussed by Parken (2018: 35) who notes that the mainstreaming duty within the Government of Wales Act 2006 "has been supplanted by the processes that support the general and specific equality duties under the Equality Act 2010".

Variation in the degree to which attention is paid to mainstreaming equalities was also noted in interviews. Given the novelty and potential of the original statutory duty, mainstreaming was comparatively high on the government's agenda during the early

years of devolution, it was suggested that this lessened somewhat over the following years. As one interviewee stated:

> **"It was a buzzword up to about 2007, partly, I think, due to political sponsorship, and key individuals who stepped down from the National Assembly, the change in institutional configuration, the broadening of the Equalities Committee's remit – they all accounted for perhaps a lack of reach across government … I think also, just the busyness of the policy agenda as the institution, the Assembly, now the Parliament, became responsible for more and more policy areas, you could make an argument that equalities were slightly crowded out during the 2007 to 2017 period. There was a definite loss of momentum"** (Interview D).

Strategies, Plans and Objectives

Comprehensive, whole-of-government strategies aim to align government activity in pursuit of a cross-cutting policy issue, ensuring that policy development and implementation across government is mutually supportive. In the context of gender mainstreaming, whole-of-government strategic frameworks are recommended by the Organisation for Economic Co-operation and Development (OECD) (2018) and European Institute for Gender Equality (EIGE) (2016). The adoption of comprehensive strategies has been examined extensively in the context of sustainable development, environmental mainstreaming, and the mainstreaming of climate change mitigation and adaptation.

Much like constitutional provisions, these strategies can vary considerably in scope, content, and prescription. However, most broadly share the same fundamental ideas. They aim to construct and communicate a clear vision of equality throughout government. This involves outlining key overarching principles, values, and policy objectives intended to steer and direct mainstreaming processes. This requires a clear articulation of what these overarching principles, values, and policy objectives mean in practice, and outlining the steps government must take to align its activity towards them.

The extent to which whole-of-government strategies can effectively embed cross-cutting policy issues across government has been disputed. Nordbeck and Steurer (2016) note two general failures of comprehensive, whole-of-government strategies. This is primarily in the context of sustainable development, although the lessons are applicable to most cross-cutting policy issues, and they provide a useful point of

reference for the development of strategies to mainstream equality. The first is a failure of substance, with strategies frequently failing to translate broad, often vague, visions into concise, multi-sectoral policy agendas. The second relates to the failure of many strategies to substantively affect governance and policymaking processes. Strategies all too often are not embedded within policy processes, provide little or no guidance on how government can work towards achieving mainstreaming objectives, and do not provide a clear operationalisation of what mainstreaming an issue into decision-making actually looks like. Consequently, major policy decisions often lack reference to any overarching strategy. Regarding the inability of strategies to affect day-to-day governance processes, Nordbeck and Steurer (2016) suggest that these shortcomings may be more than quick-fix issues, but constitute arguably the greatest challenge when formulating cross-government strategies. Given these considerations, there are steps government may take to ensure effective implementation of a whole-of-government strategy for mainstreaming equality.

It is vital that any comprehensive strategy helps communicate a clear, consistent vision for mainstreaming equality across government. This should be within the strategy itself, ideally anchored within key strategic documents. The OECD (2018) provide a number of recommendations in this regard. They state that government should communicate a vision for (gender) equality that portrays a specific result for change, that this vision has a clear focus, and that it is effectively communicated in simple terms to policymakers. Government should avoid adopting a narrow vision, and instead communicate an understanding of equality that comprehensively captures the nature of the problems being addressed. Similarly, Casado-Asensio and Steurer (2014), in acknowledging the aforementioned shortcomings of many comprehensive strategies, suggest that such strategies may be best utilised as "communication and capacity building" tools, raising awareness and shaping perceptions of complex problems. Candel (2017) also emphasises this, suggesting that whole-of-government strategies are more likely to be successful when they communicate a coherent set of overarching ideas around a policy issue that can be used to inform policymaking.

Moving beyond the communication of a long-term vision for equality, comprehensive strategies for mainstreaming should provide clear guidance, and objectives, that steer policymaking towards achieving this vision. This is further emphasised by the OECD (2018), suggesting that whole-of-government strategic plans must "define measurable goals and indicators linked to high level outcomes". Such objectives should be supported by clearly outlined responsibilities for implementation, timelines for completion, action plans, and established monitoring mechanisms.

Mainstreaming strategies should also provide an articulation of what a government to mainstream looks, acts, and works like. Adopting a mainstreaming approach to

equalities necessitates a significant shift from the status quo, in both perspectives and practices. In this sense strategies will, ideally, function as steering documents that guide government towards mainstreaming equality, outlining how government should function in pursuit of the aforementioned objective, and vision for equality.

Equalities Mainstreaming Strategies in Wales

A strategy paper 'The Approach to Equal Opportunities' was presented by Jane Hutt AM to the first meeting of the Assembly's standing committee on Equality of Opportunity in July 1999. This paper was pivotal in the promotion of equalities within Welsh Government, with Chaney (2009: 22) noting that it marked "a major symbolic declaration of the political (re-)prioritisation of the promotion of equalities". The paper set out plans for the Assembly's approach to mainstreaming equalities, stating that "the executive will need to take equality of opportunity factors into account in every policy decision", and that this would be "fundamental" in implementing the equalities agenda (National Assembly for Wales, 1999 cited in Chaney 2009: 22).

Equality of opportunity was subsequently included in a number of overarching strategies from 2000-2003. It was identified alongside sustainable development and tackling social disadvantage as one of three major cross-cutting themes within the Assembly's first strategic plan 'Better Wales' (National Assembly for Wales, 2000a). This plan emphasised the necessity of "the promotion of a culture in which diversity is valued and equality of opportunity is a reality" (ibid.: 4), noting that this would present a significant challenge to the Assembly in terms of policy development. Equality of opportunity, along with the two other cross-cutting themes, were included in 'Putting Wales First' (National Assembly for Wales, 2000b), the partnership agreement between Labour and the Liberal Democrats published in October 2000. Published in October 2001, 'Plan for Wales' (National Assembly for Wales, 2001) aimed to bring together the previous two strategies, 'Better Wales' and 'Putting Wales First', into a single strategy for Assembly Government activity (Quinn, 2002). This strategy restated the commitment to equal opportunities, and the overarching aim of "achieving equality in all we do" (National Assembly for Wales, 2001: 3). In September 2003, the Assembly Government introduced the strategic agenda, 'Wales: A Better Country' (Welsh Assembly Government, 2003), identifying equality as one of the key principles of government.

Despite the inclusion of equalities as an overarching objective within these strategic plans, concerns were raised about the extent to which this commitment led to substantive action, with a sense that progress was somewhat disappointing (Chaney, 2003). The Assembly's Fourth Annual Report on Equality, for example, identified a

considerable amount of positive work, without a clear strategic direction. This was raised as a particular area of concern in the 2004 'Mainstreaming Equality Review' (Equality of Opportunity Committee, 2004: 34) which recommended that "the Assembly Government develops an overarching equality strategy".

Despite a broad feeling that equality was important, and that government should be proactive in promoting equality within its activity, there was little clarity on how to apply mainstreaming principles in practice. In response to the critiques and recommendations within the 2004 Mainstreaming Review, the Welsh Assembly Government introduced a 'Mainstreaming Equality Strategy', approved by cabinet in May 2006.

The promotion of equality of opportunity was further highlighted in overarching government strategy. 'One Wales', the coalition agreement between Labour and Plaid Cymru, made reference to the need to promote equality within government activity, as did the 'One Wales Delivery Plan 2008-2011'. Following two rounds of consultation, initially between March-June 2008 and later October 2008- January 2009, Welsh Government published its first 'Single Equality Scheme' (WAG, 2009). This was seen as "a significant step forward" (ibid.: 5) in Welsh Government's efforts to mainstream equality in its activity. Departmental Action Plans were produced alongside the Scheme, and there was a revision of the Inclusive Policy Making process.

Currently, the primary strategic document used to support the mainstreaming of equality within the Welsh Government is the Strategic Equality Plan (SEP), and strategic equality objectives. Section 3 of the Wales Specific Duties requires public bodies to publish Equality Objectives, designed to better enable them to meet the general PSED within the Equality Act 2010. Additionally, Section 14 of the Wales Specific Duties requires public bodies to publish Strategic Equality Plans, detailing: the equality objectives that the public body has set out; the steps that will be taken to meet these objectives; and an expected time frame for meeting them. To date, three Strategic Equality Plans have been produced covering the periods: 2012-2016, 2016-2020, and 2020-2024.

The statutory requirement placed upon the Welsh Government to produce a Strategic Equality Plan, along with equality objectives and a roadmap by which these objectives will be met, should, in principle, work to mainstream equalities across government. Indeed, the Welsh Government has clearly stated that they are to play a key supporting role in equalities mainstreaming. For example, the first Plan, published in 2012, acknowledged that "the Welsh Government has a role to ensure that equality is mainstreamed and embedded across directorate areas" (Welsh Government, 2012: 7). The following Plan, published in 2016, also noted that "the

Equality Objectives set out in this Plan apply across government departments, ensuring that equality and inclusion are not compartmentalised but are the responsibility of all policymakers" (Welsh Government, 2016: 5).

One pattern that emerged from interviews, however, was concern regarding the appropriateness, and effectiveness, of the Welsh Governments Strategic Equality Plans with regards to the mainstreaming of equality:

> **"The Welsh Government's strategic plan, I think, has relegated mainstreaming, because it's addressed at responding to the public sector equality duties and the Welsh-specific equality duties"** (Interview B).

Concerns were also being raised regarding whether the equality objectives that the Welsh Government has set itself are ambitious enough:

> **"The Equality Act in 2010 and the Public Sector Equality Duty did mainstreaming a disservice, because it was: set your equality objectives, set a plan, and report. But what the Welsh Government has tended to do, and a lot of local authorities, is they haven't set themselves challenging objectives. They've, you know, decided to increase the representation of women and ethnic minorities at senior levels, they've tried to increase the diversity of apprenticeships, they've brought in some equality training, and then latterly the fashion for diversity training, and then after that the unconscious bias training"** (Interview B).

This point was also picked up during the Gender Equality Review, which suggested that a "renewed vision, language, and guiding principles are required along with clear, ambitious and specific goals" (Chwarae Teg, 2019; 14).

Interviewees also identified the potential for the Welsh Government to do more to fully explain what mainstreaming is, and what a government working to mainstream equality should look like, how it should behave and act (Interview D). Again, there is a suggestion of missed opportunity for the Strategic Equality plans to address this. The 2012-2016 plan (Welsh Government, 2012) whilst acknowledging the Welsh Government role in mainstreaming equality, does not clearly outline what this means. The subsequent plan provided more detail, stating that "mainstreaming aims to build equality considerations into plans right from the start of policymaking, rather than, leaving them to be a last-minute consideration after key decisions have been taken" (Welsh Government, 2016: 5) The current Strategic Equality Plan is similar in this regard, with mainstreaming only mentioned in relation to Long-Term Aim 4. This aims

to ensure that Wales is a world leader for gender equality, and that this will be supported by "adopting a mainstreaming approach" (Welsh Government, 2020a: 28), although no real guidance is given on what such an approach entails in practice.

Policy Tools 2: Organisational Tools

This section covers the Welsh Government's use of organisational tools to mainstream equality in Wales, specifically use of: inter-ministerial committees; dedicated teams and units; and equality leads and champions.

Committees

Effective mainstreaming requires that equality initiatives are coordinated across government. A common method of ensuring this coordination is to establish committees within government responsible for scrutiny, oversight, and engagement around equalities related issues. These aim to bring together political, administrative, and non-governmental actors to address cross-cutting issues. There have been number of suggestions made about how to maximise their effectiveness. First, is the necessity for high-level leadership and representation. The OECD (2018) suggest that it is necessary to ensure that committees are supported with the appropriate level of representation for the task required. Inter-ministerial committees on equality, for example, may provide cabinet level representation, and the high-level leadership necessary to influence wider policy, and agenda setting. Nunan et al. (2012) similarly suggest that the effectiveness of cross-governmental committees, at the departmental level, is heavily determined by the official or department responsible for chairing, with the strength of their respective mandate determining their standing across government. Committees must also have an appropriate level of capacity and authority to sufficiently scrutinise and steer mainstreaming efforts. This includes factors such as oversight and scrutiny powers, and ensuring they have sufficient resources to perform their functions.

While they have been created in many countries to support coordination of policies and mainstreaming efforts, the formation of a cross-sectoral committee does not guarantee effective oversight, scrutiny, and steering (Nunan et al., 2012). Schout and Jordan (2008) identify practical difficulties associated with committees, the most

prominent being the centralisation of coordinating tasks, often at ministerial or cabinet level. They argue that this runs the risk of overloading the organisational capacity of central government, drawing attention away from one commitment or goal, at the expense of another. This is particularly relevant in the Welsh context, given the progressive increase in policy responsibilities of the Welsh Government, and the inherent burden that this will place on ministers.

Equality Committees in Wales

A standing committee on Equality of Opportunity was established in 1999 tasked with promoting the equalities brief. It was one of two standing committees to cut across policy areas, the other being European issues (Rees, 2002). The Committee was chaired by a member of the Assembly Cabinet, with membership including representatives from all subject committees. Representatives from the Equal Opportunities Commission, the Commission for Racial Equality and Disability Wales, and the proposed Disability Rights Commission, each received standing invitations to attend meeting as advisors. The committee's role was to ensure that the Assembly had in place effective arrangements to promote the principle of equality of opportunity for all people in the exercise of its functions, and to consider how equality can be effectively mainstreamed into the work of the Assembly, and the Assembly Government. It was also responsible for monitoring the work of other Assembly committees, to ensure that they were complying with the statutory duty.

Examining the success of this committee reveals a mixed picture. There were initial concerns regarding the extent to which the committee could effectively monitor the mainstreaming of equalities throughout the Assembly. Williams (2001: 68), for example, noted that "the EO Committee faces a mammoth task in scrutinizing this agenda alone", highlighting an ongoing debate regarding its effectiveness. However, Chaney (2005) notes that during the early years of the Assembly, the committee developed into a significant cross-party forum for advancing the equalities agenda, and monitoring compliance with the mainstreaming duty. In the context of gender equality, it was demonstrated that it served as an important facilitator of links between elected representatives, and civil society actors and organisations (Chaney, 2009; Rees and Chaney, 2011). The Committee was also responsible for commissioning the 'Mainstreaming Review' in 2004, which represented the first significant, cross-party review of mainstreaming in government within the UK.

Despite such areas of success, the committee encountered problems. First, echoing Williams' (2001) concerns, effectiveness in monitoring compliance with the mainstreaming duty was limited, largely due to lack of clarity over role and capacity.

For example, analysis of the transcripts and documents between March 2006 – March 2008 found that almost half of committee meetings contained some discussion over constraints, or a lack of clarity, regarding the Assembly's power to promote equalities in other policy areas (Chaney, 2009).

The role played by the Equality of Opportunity committee during the first two Assemblies can be seen as a product of its time, with committees playing a central, quasi-executive, role in policymaking, during the early years of the Assembly. This changed somewhat following the Government of Wales Act 2006, and the formal separation between the executive and legislature:

> **"During the body corporate days, there was an element of shared responsibility and the committee was, in part, taking an executive function on equalities. And then, with the separation of powers, it moved to a more traditional scrutiny role of the Executive of Welsh Government, or the Welsh Assembly Government, as it was"** (Interview D).

This changed again at the beginning of the fourth Assembly, with changes made to the structure of the Assembly's committee system. Responsibility for equality of opportunity was now within the remit of the Communities Equality and Local Government Committee. Its remit containing legislative and policy matters including: Wales' culture, languages communities and heritage; local government; and equality of opportunity for all. This committee was dissolved following the fourth Assembly, with the Equality, Local Government, and Communities Committee established on 28 June 2016. Its remit consisting: local government; housing, community regeneration, cohesion and safety; tackling poverty; equality of opportunity and human rights.

The change in committee structure and remit can be seen as coinciding with a shift in priority for equality mainstreaming within committee activity. This is not necessarily surprising as, given the changes in government structure, committees play a much smaller role in policy development than previously. Further, as the remit of the Equality, Local Government and Communities Committee increases, it may be expected that the attention paid to mainstreaming equalities decreases.

This declining role of the Equality, Local Government Communities Committee in supporting the mainstreaming of equality, when compared to the previous Standing Committee, was also noted during interviews:

> **"We had, at that point, a standing committee on equality of opportunity. So, it had more powers, if you like, than the current committee, and it was effective in bringing in officials and saying,**

"What have you done, what have you done, what have you done?""
(Interview B).

A further issue highlighted in the interviews was the limited capacity of the Senedd, and the subsequent impact this had on the efforts of the original Standing Committee on Equality of Opportunity, and the current Equality, Local Government, and Communities Committee. When asked about this, one interviewee stated:

"From a political side and political leadership, 60 members is still woefully inadequate. And then, when you take Deputy Ministers and the Executive from that, you're left with 40 individuals. Then you've got the Presiding Officer and Deputy Presiding Officer. So, the number goes down. So, you're left with 38 people to occupy all the positions, in terms of scrutiny roles. And I think that was one of the contributory factors" (Interview D).

Mainstreaming Teams and Units

Dedicated bodies within government that are responsible for supporting the implementation of any cross-cutting mainstreaming initiative are another frequently utilised organisational tool. The creation of an equality body helps to ensure that government mainstreams equality across portfolios. They can function as either a distinct entity, or operate within an existing sector. While such bodies are often established as the primary drivers of mainstreaming initiatives, they should not be seen as holding exclusive competence over a cross-cutting mandate. Rather, they are most effective when they provide guidance and expertise across government in relation to embedding equality within their work. These bodies essentially function as boundary spanners, aiming to work across government, and the wider public sector, to effectively ensure that a cross-cutting issue is embedded within wider policymaking (Carey et al., 2017). They are seen as critical to the success of whole-of-government and joined-up working, and subsequently provide a key tool for supporting the implementation of mainstreaming initiatives across government.

Although playing a prominent role in supporting the mainstreaming of numerous cross-cutting policy issues in various jurisdictions, the extent to which they operate effectively is dependent on a number of factors. Squires and Wickham-Jones (2004) illustrated this in their analysis of the Women's Unit, and Women and Equality Unit, established within the UK government to facilitate gender mainstreaming. They found that, despite some success in policy areas where the work of the unit aligned with broader government priorities, "its contribution to the process of mainstreaming

gendered perspectives into all policymaking was much harder to discern" (ibid.: 81). This was attributed to three factors: lack of clarity over the role of the unit; institutional uncertainty regarding the position of the unit, in relation to the rest of government; and lack of support from, and engagement with, non-equality actors within government.

It has been possible to identify multiple factors that may influence the extent to which a dedicated equality unit can help facilitate the mainstreaming of equality. Dedicated bodies that support mainstreaming inherently work to bridge departmental boundaries; the exact role they play within policymaking can therefore be somewhat ambiguous (O'Flynn, 2011). This makes clarity around the role and remit of units vital. Roles and responsibility to implement gender mainstreaming should be clearly assigned across government, and central equality bodies must operate with a clear mandate. As noted, units and teams can take different forms, and may be tasked with performing multiple interrelated roles. Fleischer (2009) identified four key functions of cross-cutting bodies: administrative and implementation support; policy advice; co-ordination; and future-thinking. Similarly, the OECD (2018) suggest that 'mainstreaming units' can be responsible for oversight, advice, supporting implementation, and monitoring performance to varying degrees. Clarity over what a unit is, and is not, responsible for is, therefore, vital to ensure effective functioning. The strength of a unit's mandate is also an important factor, and ideally, equality bodies will have the necessary leverage to promote equality across government (Nunan et al., 2012).

A related factor, and in part a determinant of the clarity over a unit's role, is its location within government. As noted by Squires and Wickham-Jones (2004), this has a significant impact on the understanding of their remit, and on the sense of collective ownership around a 'wicked' policy issue. Institutional change via the introduction of a dedicated body to promote mainstreaming may, in some cases, lead to the creation of another 'silo', adding to institutional fragmentation, rather than bridging gaps between policy areas (Carey and Crammond, 2015). An example of this problem in the Welsh context can be seen in the Assembly's attempts to mainstream sustainable development (Bishop and Flynn, 2005). Following the introduction of the first sustainable development strategy, the Welsh Assembly introduced a 'Sustainable Development Unit' within the Environment Division of the Transport, Planning, and Environment Group. This Unit was tasked with facilitating the mainstreaming of sustainable development throughout Assembly decision making. There was, however, debate about the appropriate location for such a unit, and the extent to which this would impact on its ability to influence decision-making in other policy areas. This was based on concerns that, by creating a distinct unit within the Environmental Division, sustainable development was seen as an environmental

concern only, and therefore less relevant to non-environmental policy areas. It was later moved to the Strategic Policy Unit, with the rationale that placing the body responsible for overseeing and coordinating mainstreaming efforts within a unit with an inherently cross-cutting remit would be more effective.

Finally, dedicated bodies within government require sufficient resources in relation to their role. The OECD (2018) note that a common barrier to effective mainstreaming is a dearth of time, staff, training, and budget, among other factors, preventing them from effectively executing their mandate.

Mainstreaming Teams and Units in Wales

The early years of the Assembly saw the creation of a central Equality Policy Unit tasked with: disseminating advice and best practice throughout government; maintaining dialogue with organisations representing equalities groups; and supporting the work of the Equal Opportunities Committee (NAfW, 2000). Similar to the Equality of Opportunity Committee, the effectiveness of the Equality Policy Unit (EPU) was constrained by a number of factors. Concerns were raised over the extent to which the Unit would effect substantive change within government. Williams (2001: 72), for example, questioned the willingness of government officials "to challenge the hand that feeds them". Questions were also asked about the extent to which the work of the Equality Policy Unit linked to that of other departments, with suggestions that more work needed to be done to join-up the Equality Policy Unit with the rest of Government (Chaney, 2003). While emphasising the importance of central equality units, the 2004 Mainstreaming Review was critical of the effectiveness of the EPU, particularly around staffing, remit, and links with the rest of government. The unit was continuously hindered by staffing shortages and high turnover rates, as identified by the Equality of Opportunity Committee in both 2003 and 2004. Amid concerns that these issues were likely to continue, the review recommended that efforts be made to ensure that the EPU was fully staffed, that staff had equalities expertise, and that they were supported with appropriate equalities training. There was a lack of clarity over the exact role of the Equality Policy Unit, with recommendations that Government clarify its purpose, who it reported, and who it provided advice to.

This was highlighted further during interviews, with uncertainty over the remit of the Unit, and a lack of 'ownership' of equality issues across government, creating the perception that equality was not necessarily an issue that non-equality policy areas were required to consider within their work:

> **"There was at that time a dedicated unit, the Equalities Policy Unit and I think there was an attitude on the part of some civil servants,**

some departments, that that was their role, to do equalities, and they could just carry on as before. Somebody was there doing equalities for them on their behalf in the EPU, and it wasn't perhaps something they had to do in their work" (Interview D).

There was a suggestion that the location, and stature, of the Equality Policy Unit limited its effectiveness, and resulted in equality issues losing out to more salient policy issues:

"I think, also, the seniority of the Equalities Unit in Welsh Government, it didn't have the necessary seniority. And it got trumped by other policy priorities and more senior individuals. So, it had to be subordinate because of that lack of seniority. So, I don't think it had the clout" (Interview D).

The central Equality Team is currently the primary source of support and advice for the implementation of the equalities' agenda, working to assist both officials working in equalities roles and government officials more generally. The Equality Team is responsible for promoting and mainstreaming equality across the Welsh Government, and supporting the implementation of the Welsh provisions within the Equality Act 2010, and the Welsh Specific Equality Duties.

Regarding the effectiveness of the Equality Team there are two, interrelated, points of interest. First, successive iterations of a dedicated body to support mainstreaming within the Welsh Government have faced broadly similar constraints. Second, the current climate Welsh Government operates in presents a significant barrier towards alleviating these constraints.

Regarding the former, there are identifiable constraints that may limit the effectiveness of the Equality Team. The first concerns the degree of collective ownership of equalities across Welsh Government, and the subsequent impact that this has on bodies intended to facilitate, and support mainstreaming. As noted, establishing a dedicated body to promote the mainstreaming of a cross-cutting issue may lead to the creation of another organisational 'silo'. This is not necessarily the case in Wales, as the Equality Team does work and engage with other policy areas. However, findings do suggest that failure to see equality as a common responsibility across government has served to constrain the work of the Equality Team. This can be primarily attributed to the assumption that equality will be addressed elsewhere in government. This was noted by one interviewee who stated:

"I can't tell you how many great officials I've worked with in the last fifteen years who've tried so hard within that division to get the other

divisions to do this work, but I'm afraid equality, a bit like sustainability, is still seen as somebody else's business" (Interview B).

There is scope for more to be done to clarify the role and remit of the Equality Team. This was emphasised particularly in the recent Gender Equality Review, which recommended that its role "be clarified and consideration given to whether it is currently sufficiently resourced to perform this role" (Chwarae Teg, 2019: 81). It found that while many actors within government saw the Equality Team as their primary source for equalities related advice, this may be leading to an over-reliance. They noted a "broad consensus that the Equalities Team is overstretched" (Chwarae Teg, 2019: 79), with this becoming increasingly evident "as equalities has become a more prominent priority for Ministers" (ibid.)

While an apparent over-reliance on the Equality Team does go some way towards evidencing a broad acknowledgement across government of its effectiveness, such overreliance may not be ideal for effective mainstreaming. This was noted during interviews, with one interviewee suggesting that:

"somewhere there needs to be a team dedicated more to this cross-government working, rather than responding to ministerial queries and reporting against various bits of regulation" (Interview B).

A further constraint identified was the impact of external events, and the wider political context on Welsh Government activity, particularly the COVID-19 pandemic, the effect of Brexit, and the faced by austerity and limited budgets:

"COVID has just had such a huge impact on everyone in the Welsh Government, but particularly, I think, the equalities team" (Interview B).

This was reiterated during interviews, with one interviewee stating that:

"Well, we've got the challenge of coronavirus and the pandemic over the last year, but we've also got the challenge of austerity for the last 10 years, and the fact that we've had to- you know, there's been a voluntary redundancy scheme, we've had a real impact on public services and public bodies" (Interview A).

It was suggested that this context placed limitations on the extent to which the Welsh Government could, realistically, address these challenges:

> **"I think it is difficult to create new posts at the moment, of any description, because of budgetary constraints. And also, so many of our staff had to move- Our officials had to move into COVID-related response teams over the past year, and we had a whole load of preparation for Brexit as well. So, it's been a real challenge to introduce and implement new developments and new professional and official public servant opportunities as well"** (Interview A).

That is not to say however, that dedicated bodies cannot, and do not, play a crucial role in equalities mainstreaming. Interviewees demonstrated a broad consensus around the necessity of such bodies and structures to mainstream equalities across the Welsh Government:

> **"There has to be a focal point within the administration where these experts who understand mainstreaming are able to hold individuals, departments, teams, to account"** (Interview C).

This highlights the importance of clarifying the role of the Equality Team, increasing its funding and resources, increasing its power to hold other departments to account. However, a factor that cannot be avoided, is that many of these suggestions are resource and capacity dependent:

> **"There is no way of getting around this. You have to invest in it. It is not going to magically happen. There has to be, I think, in addition to that high-level buy-in, that internal focal point that can work to push these agendas forward. If they are being taken seriously. That is a political decision about whether actually you do want to advance these agendas or not"** (Interview C).

Equality Champions and Leads

Another method of facilitating cross-sectoral working in support of mainstreaming is the use of designated 'champions', or 'leads'. These are officials, or groups of officials, placed within individual departments, who are responsible for the promotion of a cross-cutting policy issue (Gore, 2014).

Schout and Jordan (2008) identify a number of roles that dedicated officials can play in promoting cross-cutting issues across government. This may be officials located within departments that draw attention to and transfer information regarding policy developments that may have a negative impact on a cross-cutting issue (e.g. equality). Such officials may also have the authority to veto any policy proposals that would potentially have a negative impact on equality. Champions or leads can also be responsible for providing advice on activities related to a cross-cutting issue. For example, assisting their respective departments in the use of impact assessments. Finally, they may function as 'ambassadors', responsible for advocating for, and raising awareness of, a cross-cutting issue within their respective departments. This work may also be done as part of a cross-sectoral network, encouraging, and structuring dialogue between departments.

The use of dedicated equality champions can be an effective means of shaping and influencing policy across government. They may be particularly effective at raising awareness of a cross-cutting issue, providing advice, disseminating best practice, and lobbying within their departments. There is some doubt, however, over the influence they can exert on both the policy direction of their respective departments, and the extent to which a cross-cutting policy issue is embedded within day-to-day decision making. Jacob and Volkery (2004) note that a reason for this may be the limited discretion and scope afforded to dissenting voices by established routines and practices, thereby restricting the consideration of alternative policy options. Mainstreaming equality requires a significant shift away from established practices, and equality leads or champions may not be sufficiently empowered, or equipped, to facilitate this change.

Related to this, Schout et al. (2010) argue that such roles are often given to junior staff as an addition to their primary responsibility. Such staff or officials may not have the necessary authority to intervene in decision making, and their work is often side-lined from major policy decisions of their respective departments. They may be wary of jeopardising their own standing or status, particularly when their role requires the advancing of proposals or viewpoint that potentially contradict, or undermine, the policy objectives of their respective department.

Equality Champions and Leads in Wales

Equality champions and leads have been a key part of the Welsh Government organisational infrastructure to mainstream equality. This began at the onset of the devolution process, with each subject committee representative on the Standing Committee on Equality of Opportunity acting as an equality champion within their

respective subject area (Rees, 2002). The use of equality champions was also included in the 2004 Mainstreaming Review, with a recommendation that Assembly Divisions should establish mechanisms within their own work to champion equality. One potential model for this was identifying one person, with some level of seniority, with responsibility for equality issues within a Division.

Currently, the majority of departments contain Equality Leads - officials who, in addition to their primary role, work on promoting equalities within their respective departments. In this capacity, they play a key role in mainstreaming equality, and their work has been highlighted as leading to an increasing consideration of equalities within departmental decision making, and policy (Chwarae Teg, 2019; Senedd, 2020). Evidence also suggests that they function well as a network, facilitating cross-portfolio work on equality, as one interview stated:

> **"They meet every month to discuss issues and share best practice. They provide advice and guidance to their departments on completing equality impact assessments. And Equality Leads, they are there to challenge and question, ensure that there is consideration in day-to-day functions in policy development"** (Interview A).

Although constituting a significant part of the Welsh Government's organisational infrastructure for equalities, the Equality Leads face a number of challenges. First, reflecting the existing literature, the part-time nature of their role appears to limit their effectiveness. This was raised during interviews:

> **"There are Equality Leads, they are a key part across all departments. But often, as I said, you can have other responsibilities as well as the equalities, and that's where it can be side-lined"** (Interview A).

There were also suggestions that the involvement of Equality Leads on wider policymaking could be increased. As a result of the aforementioned time-constraints, capacity challenges, and lack of seniority within respective departments, the Equality Leads often struggle to take a proactive role in policy development in their respective departments.

This was echoed during interviews:

> **"Giving more leadership and power – it is about power – and priority to those Equality Leads"** (Interview A).

Another factor concerns the level of equalities expertise and experience of those responsible for promoting it. This was highlighted in the Gender Equality Review, which noted that "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" (Chwarae Teg, 2019: 77). Furthermore, many civil servants are generalists moving between policy areas, and may struggle to develop specialised equalities knowledge as a result. This need for embedded expertise within departments was also noted within interviews, with the suggestion that:

> **"You need that expertise. So, you need to be able to prioritise investing in that expertise and keeping that expertise to be able to push forward those different agendas. The thing is, there is no way around that. You can't bring somebody in who doesn't have that equalities background. You can't bring them in to provide that kind of support whilst they are still building capacity themselves"** (Interview C).

Further to these points, the Equality Leads face the same issue as wider Welsh Government, with many of the potential suggestions for improving their effectiveness seeming, realistically, difficult to implement in the current climate:

> **"This means that you're just going to have to convince the departmental leads particularly, not just the Equality Leads, but the Permanent Secretary and her senior team, that actually, you get better outcomes, better policy, better delivery, if you put equality at the forefront of policymaking. And that it's not an add-on, it actually does deliver better outcomes, better service and business outcomes"** (Interview A).

An interesting example of a substantive model of embedding equality across departments is that of the Economy, Skills, and Natural Resources Group:

> **"Economy, Skills and Natural Resources has a larger Equality Unit. And that seems to be having a better impact on implementation"** (Interview A).

This is staffed by dedicated officials with equalities expertise, and is generally regarded and facilitating a more proactive approach to equalities within Economy, Skills and Natural Resources. However, replicating this model does seem unlikely, in part due to financial and staffing factors. Establishing multiple new units with dedicated equalities staff inevitably requires resources and staff that may not be

available. Also, it is the legacy of a former quango's absorption into Welsh Government, rather that the result of an intentional decision to create such a unit.

Policy Tools 3: Procedural Tools

This section covers the Welsh Government's use of procedural tools to mainstream equality, specifically use of: policy appraisal and assessment; budgeting; and consultation and engagement.

Policy Appraisal and Assessment

The use of impact assessment tools to achieve mainstreaming objectives is commonplace, with their use documented at all levels of government from international organisations to local authorities. It should be noted that given the extent of their uptake, understanding and implementation of impact assessment vary considerably across jurisdictions. Fundamentally, impact assessment tools involve the prior evaluation, or assessment, of any proposed law, policy, or intervention in order to identify, in a preventative manner, the extent to which any decision may have positive, negative, or neutral consequences for a given policy issue. In principle, this provides decision makers with scope to consider the impact of their decisions on a given issue or target population, before they act. While not always adopted with mainstreaming in mind, this can provide a useful tool with which to work towards mainstreaming objectives, potentially embedding concerns about a cross-cutting policy issue into decision making across government.

There is broad consensus around their potential effectiveness. However, their use has been subject to some criticism. This includes facilitation of a technocratic approach to mainstreaming, concerned with bureaucratic rules and procedures, in place of substantive changes in decision making. In many cases, impact assessment procedures are criticised for functioning as a justification of earlier decisions, rather than acting as a robust tool for informing policy development (Sauer, 2018). This runs parallel to the general principle that impact assessments should be conducted as early as possible in decision-making and policy processes.

The effectiveness of any given tool is largely context specific, and the use of impact assessments is no different. Therefore, there are no one-size-fits-all prescriptions regarding their use. There are, however, suggestions as to how best to conduct them, and ensure their institutionalisation within government decision-making, plus general guidance on constraints in design and implementation. Taking these

suggestions into account could, in theory, help to shift impact assessments away from a technocratic tool, towards something more transformative.

First is the presence of a political or normative framework that includes, and supports, the use of impact assessments. The OECD (2018) include this in their priority checklist for Gender Impact Assessment, suggesting that assessment processes must be fully embedded within policy development, and require support at the highest level of government. The EIGE (2016: 19) similarly suggest that for impact assessments to achieve their transformative potential, they require "unambiguous institutional backup", with this commitment remaining consistent throughout government.

Second concerns the evidence base, and institutional capacity, to perform impact assessments. Effective impact assessment is dependent on a substantive evidence base, from which to inform the assessment process. Ideally, this is in the form of disaggregated data, statistics, and information regarding a policy issue, or target population. A commonly identified constraint is the lack of appropriate data which prevents policymakers from developing a comprehensive picture of the current policy landscape, in this context inequalities, and the possible impact of any policy. Ideally, this would be supported by sufficient expertise and capacity within government to complete assessments in an effective manner.

Use in Policy Appraisal and Assessment in Wales

During the early years of devolution, the uptake of policy appraisal and assessment tools was limited Chaney (2005), although the Assembly Government did introduce the use of submission guidance. This required government officials to complete a form when preparing policy submissions, confirming that they had complied with the statutory duty to promote equality of opportunity. This was criticised, however, with suggestions that its adherence was sporadic, devolving into a 'tick-box exercise', and that compliance within the civil service was inconsistent (Chaney, 2003). Welsh Government also made use of a Policy Gateway Integration Toolkit. This was used to assess new policies for their impact on policy issues that cut across ministerial responsibilities, of which equality was a constituent part.

Following the 2006 Mainstreaming Strategy, which placed a greater emphasis on the development of specific mainstreaming tools, Welsh Government sought to introduce a cross-strand equality impact assessment tool, which means the simultaneous consideration of more than one aspect of equality. This assessment tool was introduced in 2008 as the Inclusive Policy Making Toolkit, with a Second Edition published in 2010 (Welsh Assembly Government, 2010). The Welsh Government's

version of Equality Impact Assessment, Inclusive Policy Making outlined a three-stage process of screening, detailed assessment, and review. Responsibility for undertaking this process was given to officials in each department, with a recommendation that they use the process on "all policies and practices at the very least to the screening stage" (ibid., 2010: 5).

The use of Equality Impact Assessments became a statutory requirement following the Public Sector Equality Duty within the Equality Act, and the subsequent Wales Specific Duties established in 2011. Section 8 of the Wales Specific Duties required equality impact assessments of both new policy and practice, and existing policy under review. Hankivsky et al. (2019) note that this is the only duty of its kind within Britain. Following recommendations made by the former Public Policy Institute for Wales (Wales Centre for Public Policy since 1st October 2017) (Grace, 2016), a new Integrated Impact Assessment tool was developed (National Assembly for Wales, 2018). This was intended to simplify the impact assessment process, and covers a range of impact assessment requirements, including environment, children's rights, and equalities. Within this broad remit, there is still a requirement that statutory assessments, such as Equality Impact Assessments, will be conducted.

Regarding their implementation and effectiveness, there is a general consensus among participants in the elite interviews, consistent with recent literature, that the Equality Impact Assessments have not been embedded to the degree that they could have been. There are a number of factors that contribute to this. There is a broad agreement that the use of Equality Impact Assessments, and the Integrated Impact Assessments, were frequently seen as tick-box, bureaucratic tools within Welsh Government. Grace (2016: 6) identified this within a review of impact assessments use within the Welsh Government, noting that they were often associated with a "compliance culture", and that their value was not widely recognised across government. Chwarae Teg (2019: 38) raised similar concerns, stating that "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".

During the elite interviews, it was suggested that equality impact assessments may be seen primarily as a means of compliance with the statutory duties within the Equality Act, rather than an opportunity to fully understand, and address, the potential impact of a decision on equality, with one interviewee stating:

> **"I do worry that impact assessments have become seen as the way of meeting obligations under the duties"** (Interview B).

The potential for equality impact assessments to play a more substantive role in Welsh Government policy processes was further emphasised:

> **"It's not a tick box, it's not just filling obligations under the Act. It's actually showing that, if we want to have a more equal Wales, which is one of the goals under the Wellbeing of Future Generations, and it's also a goal of our recovery from the pandemic. If we want a more confident, more equal, better skills and a more resilient Wales, then we need to be very clear that Equality Impact Assessments are a guide to that, in terms of delivery"** (Interview A).

In addition to their characterisation as bureaucratic tools, findings indicate practical aspects to the use of Equality Impact Assessments that may hinder implementation. First, there were concerns about the time constraints, and the effect that this has on the ability of Welsh Government officials to conduct robust assessments:

> **"One of the aspects that works against effective equalities impact assessments is the timescales that policymakers often have to work to, which is, by the very nature of the institution, hugely political. They are very short time spans sometimes, which then makes it very difficult to get perhaps a full impact assessment done"** (Interview D).

This also point towards a second, more general critique of the use of Impact Assessments, which is their association with more comprehensively rational models of policymaking, that may not bear much resemblance to real-life decision making. Good practice broadly recommends that Impact Assessments be conducted "in the very early stage of policymaking" (EIGE, 2016: 6). This is not always the case, both within the Welsh Government, and wider implementation:

> **"The way they are often used, part of the way through the decision making process, you are already going to be limited … in their transformative potential"** (Interview C).

A third factor was the level of data available to Welsh Government officials to conduct Equality Impact Assessments, and the respective level of analytical capacity within Wales. Previous research has identified such lack of analytical capacity as a major constraint on policy, both in small countries more broadly, and specifically in Wales (Rabey, 2015). This limited analytical capacity, and subsequent dearth of appropriate data around equalities, was also highlighted during the Gender Equality Review (Chwarae Teg, 2019).

In addition to restating previous recommendations to work on developing analytical capacity within Wales, interviewees also discussed a variety of steps that could be taken to improve the availability of equalities related data:

> **"There have to be requirements to collect data and they have to be reasonable requirements to collect data as well. Reasonable as in reasonable for those who are charged with collecting the data. There have to be accountability mechanisms to make sure that data is collected when it is supposed to be"** (Interview C).

In addition to the collection of data, the way in which data is valued, and used, was also noted, particularly an apparent overreliance on quantitative data:

> **"The real limitation is when this quantitative data is taken as the gold standard and the qualitative data is not incorporated in that"** (Interview C).

In addition to the capacity of the Welsh Government to collect and use data, a further constraint identified during interviews, in this regard, was the quality of data that is currently available. One interview discussed this, specifically in relation to the Office for National Statistics, and the availability of Wales-specific data:

> **"The Office for National Statistics is still a frustrating factor in many regards. Its statutory remit is England and Wales, as if devolution had never happened, and it's not always very good at providing Wales-only statistics. I think the political scope for shaping the work of the Office for National Statistics from a Welsh perspective is limited, because it's very much the creature of Westminster … I don't really see a good reason why we should carry on with this flawed pre-devolution model of the ONS in 2021, when we've got a full-blown Parliament and we have our own specific data-gathering and data analysis needs"** (Interview D).

There does seem to have been an increase in awareness, and understanding, of the potential for Equality Impact Assessments to have a significant, transformative effect. Particularly in the context of post-COVID-19 recovery, as a means of identifying and addressing the disproportionate impact of the pandemic on specific groups:

> **"Very interesting, actually, as a whole test of the way we've managed the coronavirus … I think there has been considerable effort over the last year to mainstream Equality Impact Assessments, which is what's happening, into everyday decision-making ... I think that officials have learnt a lot from this actually, in terms of the**

meaning and the purpose and the outcomes of Equality Impact Assessments over the past year" (Interview A).

Budgeting

Embedding consideration of a cross-cutting policy issue within budgetary processes is a firmly established mechanism for mainstreaming. In theory this involves both expenditure and revenue aspects of budgetary process. Although, in practice, the focus is primarily on embedding equality consideration within expenditure. For example, Quinn (2017), in a review of gender budgeting within Europe, found that the majority of gender budgeting indicatives have focused on the expenditure side of the budget. Some countries have proved exceptions to this trend. Sweden and Austria have commissioned work on the gender impact of revenue policy, although this practice is not widespread.

Equalities Budgeting in Wales

While not implementing a full equalities budgeting approach, the Welsh Government have taken identifiable, however small, steps towards embedding equalities within its budgeting processes.

The first example is the Budget Advisory Group for Equality (BAGE), established to assist the Welsh Government in its efforts to embed equality into budgetary processes (O'Hagan et al., 2018). The group's official remit is to: provide assistance and support to improve equality considerations within budgets; map, and improve, equalities and socio-economic evidence; assist in analysis and understanding of equalities evidence; contribute to increasing commitment, and awareness of, mainstreaming equality and poverty considerations within budgetary processes; and assist in continued review of budget assessments. The establishment of the Budget Advisory Group for Equality can be seen as a welcome step, although its effectiveness in helping to embed equality within budgetary processes has been somewhat limited. Chwarae Teg (2018), in Phase One of the Gender Equality Review, identified limitations including: failure to meet regularly, and no formalised work programme or objectives. There were also concerns around a lack of capacity and resources, with inconsistent membership contributing to a lack of expertise within the group. There were also repeated calls from both the Finance Committee and Equalities Committee for increased information regarding the role of the Budget Advisory Group for Equality, and for improvements to its level of engagement with

budgetary processes. Chwarae Teg (2019), in Phase Two of the Gender Equality Review, further emphasised these issues, stating that it was difficult to measure the extent to which the BAGE's work shaped final budgeting proposals.

The second example of the Welsh Government working to embed equality within budgeting processes is the introduction of the Strategic Integrated Impact Assessment (SIIA). This aims to analyse spending decisions taken as part of the annual budget through a number of lenses, in order to understand their potential impact. It includes equality, although as part of a wider processes evaluating the impact of the budget on: children's rights; the Welsh language; climate change; rural proofing; health; biodiversity; and economic development. This has led to concerns that equality has become diluted within the SIIA process, and the SIIAs themselves are functioning as an add-on, rather than a core element of budgeting. The use of SIIAs was criticised within 'Assessing the impact of budget decisions' (National Assembly for Wales, 2019), where a lack of clarity was identified regarding the steps that could be taken to improve the SIIA, and whether the use of individual impact assessments would aid transparency.

Evidently, Wales falls considerably short of implementing substantive equalities budgeting, with interventions criticised as having limited effect. However, there is considerable scope for the Welsh Government to further develop its approach, with examples of good practice to draw on from other meso-level governments, and promising work being taken to embed gender equality within budgeting processes in Wales. Concerning the scope for Welsh Government to further develop its approach to budgeting for equalities, O'Hagan et al. (2019) comment that the existing policy opportunities within Wales provide the favourable conditions thought to enable effective budgeting. Particularly, they highlight Welsh Government's experience in using a variety of mechanisms related to budgeting, for example the SIIA, and the strong commitment to gender equality, and equalities more broadly, across Welsh Government.

Examples of gender budgeting are also prominent within sub-national governments. Decentralisation has provided opportunities for equality related budgeting initiatives, with suggestions that it may even be most effective within meso-level government, particularly in cases where significant spending authority is devolved to the sub-state level (Quinn, 2017). Two prominent examples being the cases of Scotland and Andalusia.

The Assembly's Finance Committee has highlighted the need to embed equality concerns within budgetary processes in successive reviews of the Draft Budget (National Assembly for Wales, 2020; Welsh Parliament, 2021). Additionally, following the Gender Equality Review, the Welsh Government are working towards taking a

gender budgeting approach as part of the two-year Personal Learning Account pilot (National Assembly for Wales, 2020). While these efforts are aimed primarily at addressing a single equality strand, Steccolini (2019) notes the potential for such an approach to inform budgeting across a range of equality areas, and for taking actions to identify, and address, other sources of inequality through budgeting. Welsh Government acknowledge the potential for this pilot to inform a wider equality budgeting approach, stating in the 'Advancing Gender Equality in Wales Plan' (Welsh Government, 2020b) that they would consider how the pilot can inform work around other protected characteristics.

Consultation

Another tool for the implementation of mainstreaming is engagement and consultation with civil society actors and organisations. Mainstreaming is more likely to be successful if it is informed, and advanced, by civil society engagement. The role of engagement and consultation is frequently emphasised by advocates of the participative-democratic model of mainstreaming (Nott, 2000). Simultaneously, the need for effective consultation is identified in more 'expert bureaucratic' approaches, although it plays less of a central role. Literature on whole-of-government strategies, committees, and central mainstreaming bodies, and other procedural tools such as Equality Impact Assessments, all emphasise the need for consultation with relevant stakeholders during decision making, and policy implementation.

The primary benefit of consultation is that, by expanding, and opening up decision making and policy processes, policy options can be considered in more critical ways, the voices of previously marginalised and under-represented groups can be amplified within government decision making, and mainstreaming initiatives can more accurately and effectively address the needs of the people they are intended to help. Fundamentally, this recognises that the 'lay' knowledge of target populations, and representatives of relevant groups, is valuable, rather than privileging expert knowledge of actors within government (Osborne, Bacchi, and MacKenzie, 2010). Debusscher and Van der Vleuten (2012: 335) argue that a lack of effective consultation is not only detrimental to the empowerment of marginalised voices or groups, but that "it is also harmful for the relevance of policies, because what shows up as a problem and solution for policymakers is limited by their institutional culture and predetermined goals".

There is some scepticism regarding the effectiveness of consultation, both in principle and in practice. Squires (2005), for example, suggests that the facilitation of formalised processes of consultation with organised groups may lead to the

essentialisation of group identities, and failing to gather an accurate representation of community views and needs. There are technical and practical considerations that must also be considered, particularly ensuring that consultations have a direct impact on policy, and enabling access to consultation processes. Governments should work to create a feedback loop between consultation and the policy process, ensuring that consultation exercises clearly feed into decision making, and policy outputs (OECD, 2018). This may also help to avoid the sense among civil society actors and organisations that, although they are repeatedly consulted, they are putting time, energy and resources into a process where they do not feel as though they are being heard.

Regarding the latter, concerns have also been raised about the openness, and representativeness, of consultation processes. Consultations are often exclusionary through poor design, failing to ensure the participation of a wide range of people or groups, and work to privilege the input of certain stakeholders. The OECD (2018: 54) recommend that governments develop channels to "promote representative consultation of stakeholders and benefits of proposed policies, programmes, and laws", while ensuring that this consultation is not limited to the same groups, or actors.

Consultation and Engagement in Wales

In principle, the Welsh Government is well positioned to implement and facilitate the participative-democratic element of mainstreaming. Partnership working and ideas around inclusive governance have been a key fixture of Welsh Governance discourse, and practice post-devolution (Cole and Stafford, 2015). Devolution provided a number of opportunities to embed structures and procedures within the Welsh institutions, to facilitate an inclusive and participatory approach to policy. As one interviewee noted:

> **"It was recognised by Welsh ministers that they needed a consultation mechanism. They needed to understand the voices, if you like, of different disadvantaged groups"** (Interview B).

There are channels in place intended to foster greater civil society participation in policymaking, notably - the Third Sector Partnership Council, the public petitions procedure, the Senedd Petitions Committee, and the Equality and Inclusion Funding Programme. In addition, the context in which Welsh Government operates, particularly Wales' small scale and Welsh Government's location within a network of actors and organisations, may assist and facilitate engagement with civil society equalities organisations.

Although there is some evidence suggesting that these structures and procedures allowed increased civil society equality organisation engagement with, and participation in, policy processes, early reviews identified a number of challenges. From the outset, there was a broad criticism, both inside and outside of government, suggesting that, despite the attempts to increase the system-openness of Welsh policymaking, limited capacity on the part of civil society proves detrimental to both wider inclusive policymaking, and mainstreaming efforts more specifically. Morgan and Rees (2001: 145) stated that "the Welsh governance system now enables much greater accessibility, at least to those with the organizational capacity to capitalize on the opportunities which are newly available". This was again noted by the Independent Commission Review of the Voluntary Sector, which asserted that parts of the voluntary and community sector, in particular equality groups, did not have the capacity and support to enable them to substantively engage with policymaking (ICRVS, 2004 cited in Chaney, 2006). The timing of consultations was also highlighted as an area for improvement, where the speed of consultations and policy formulation meant that only the "well-resourced and skilled" organisations could engage with government (Day, 2006).

The Mainstreaming Equality Review (Equality of Opportunity Committee, 2004) raised concerns about lack of clarity of consultation processes, accessibility, and the range of civil society stakeholder engagement within consultation processes. The review also suggested that more could be done to make consultation processes responsive to the specific needs, and requirements, of different minority groups. Furthermore, it was seen as vital that the Assembly engage as wide a range of people as possible, rather than "simply writing to the usual suspects" (ibid.: 58). Similar concerns were noted within the 'Policy Review Project Report' (Equality of Opportunity Committee, 2007), which was commissioned by the Assembly Government to assess how far equality had been embedded into Assembly Government policies. It found that many policies "did not always display a sufficient understanding of the need to consult with diverse audiences" (ibid.: unpaginated). This argument is also made by Royles (2007), who states that, as a result of the relative weakness of certain elements of Welsh civil society, government developed greater consultative relations with, and privileged, the input of certain civil society organisations. The 2007 review also identified a lack of cross-over, or clearly identifiable impact, from consultation exercises to published strategies. It stated that "the final documents often omitted to signpost how the equality decisions were supported by the consultation process" (Equality of Opportunity Committee, 2007: unpaginated.)

It can be argued that this focus on partnership working and engagement with non-governmental actors and groups is a distinctive, defining element of Welsh

governance, and subsequently constitutes a fundamental element of mainstreaming equality in Wales. Keating et al. (2009: 10) identified a 'Welsh way' of partnership working, which leverages Wales' small size, dense policy networks, a desire on the part of Welsh Government to foster collaborative working, and limited policy capacity. This was also noted during interviews:

> **"I would say that density of networks and partnership arrangements, again, is a distinctive aspect of Welsh governance, which perhaps might contrast with other contexts"** (Interview D).

Whether or not this 'Welsh way' has resulted in improved mainstreaming practices to date, however, is a different question. When examining the extent to which this model of governance (which should in principle be complementary to effective mainstreaming) has resulted in improved practices, there is a general sense that, although improvements have been made, more could still be done:

> **"The vision was there, but I don't think it was fully achieved … I think there have been major, major strides forward in the way in which policy consultations take place"** (Interview D).

Findings suggest that, despite these improvements, many of the barriers that prevented, or worked to complicate, greater inclusiveness within Welsh government policymaking, and effective engagement with equality organisations, are still present to some degree. Concerns around privileging of certain groups remain, although it was acknowledged that the balancing act between the practicality of consultation, and the ability of government to consult with and engage a wide range of stakeholders during policy development, is one that the Welsh Government will have to actively manage:

> **"It's a very difficult thing to realise. How do you create effective connections? You've got, according to WCVA figures, 33,000 odd third sector organisations. How do you create effective institutional arrangements to empower and give them a voice within policymaking without the whole structures and arrangements becoming overly-complex and bureaucratic?"** (Interview D).

As another interviewee noted:

> **"They wouldn't necessarily be able to function if it weren't for the Welsh Government. Obviously, what can happen as part of this, is you have a prioritisation, if you like, of certain organisations above others"** (Interview C).

A key factor here concerns the capacity of many civil society organisations, and the impact that this has on their ability to engage with Welsh Government policymaking processes. Many civil society groups in Wales, particularly those that deal with equalities, are grassroots, small organisations with limited time and capacity to engage directly with Welsh Government. The role of Welsh Government in supporting, and involving, these organisations within policymaking is therefore vital, if they are to embed the voices and opinions of these groups within decision making and policy:

> **"We need to be mindful that, as part of successful mainstreaming, we still need to make sure that there is engagement with those grassroots organisations and those experts by experience, right at the very early stages of sculpting that policy agenda. I do think it is possible. The thing is it will take investment. There is just no way around that"** (Interview C).

This emphasis on partnership working and consultation, combined with the limited resources and time constraints placed upon smaller groups, has led some to become somewhat disillusioned with the consultation process, citing 'consultation fatigue'. There is also a sense that, although spending a significant amount of their time responding to lots of policy consultations, they struggle to see where their input has an impact on government decisions. As one interview recalled:

> **"Certainly, over the years, there's been a lot of talk from equalities organisations about consultation fatigue, not just in terms of engagement and discussions, but responding to policy consultations … They can spend all their time responding to policy consultations, unfunded, and not doing the thing that they were set up to do in the first place"** (Interview B).

One method of addressing this is through clearly specifying how consultation feeds into decision making and policy. This involves clarity around how knowledge gathered from engagement is interpreted, and applied. As identified in previous research, there is a tendency, within the Welsh Government, although it is not unique to Wales, to prioritise quantitative data (Chwarae Teg, 2019). This was also alluded to in interviews:

> **"That engagement's working much better, and it's happening much earlier in the process. What happens with that information and how it's valued, weighted, and used, is often a bit of a mystery.** (Interview B).

Finally, much like the increased awareness of the role of Equality Impact Assessments, findings suggest that the use, and role of consultation and engagement, has also been highlighted during the COVID-19 pandemic:

"I think the publication of policy responses by Welsh Government has added transparency. I think that electronic means of sending in responses to policy consultations have improved the situation. I think, also, there is the work of the legislative branch and committee inquiries. I'm thinking about the two recent COVID inquiries. They show a vibrancy about third sector and civil society engagement in policymaking, which is really welcome, and really quite striking" (Interview D).

"And then all the organisations we fund, also informing and engaging with us. Our partners have a huge impact on this. During the pandemic, we've had much more engagement, virtually, with the Wales Race Forum, the Disability Equality Forum, Wales TUC Equality Committee. So, there are quite a lot of lessons to be learnt" (Interview A).

A clear example of the value of this consultation can be seen in the Welsh Governments decision to suspend Schedule 12 of the Coronavirus Act:

"We are just about to, for example, announce that we are suspending Schedule 12 of the Coronavirus Act, because that actually enabled local authorities to restrict care packages, because of the impact of coronavirus in terms of flexibility and financial arrangements … there is feedback that this has had an adverse impact on disabled people, there was consultation. So, this is going to be suspended" (Interview A).

Conclusions and Recommendations

The Welsh Government has a number of characteristics that are, in theory, compatible with the mainstreaming of equality. While this may be the case, the presence of these characteristics does not inherently mean that the implementation of policy tools to promote mainstreaming will be effective. Nor will they compensate for sub-optimal implementation, or alleviate constraints faced by the Welsh Government, when developing and implementing policy.

This report demonstrates that the Welsh Government has, over time, utilised policy tools to mainstream equality. However, their implementation has been far from straightforward, with effectiveness constrained by a variety of factors. Whilst is not the intention of this report to provide specific policy recommendations to alleviate these constraints, in combining the findings of the report with relevant academic and grey literature, a number of suggestions are presented that may be useful for future implementation.

Suggestions for future action

Communicative Tools

- The Welsh Government should work towards communicating a clear, consistent vision for mainstreaming equality across government. This may be anchored within the Strategic Equality Plan, and it should be consistent across key strategic documents.

- The Welsh Government should ensure that it works towards clear and consistent objectives, with clearly outlined remits and responsibilities for implementation, completion, and monitoring. In this context, the statutory Equality Objective are a positive step, although there is scope to be more ambitious in relation to the objective that government sets itself.

- Mainstreaming equality necessitates a major shift from the status quo, in terms of both perspective and practice. There is potential to more effectively communicate what a government working to mainstream equality looks like, how it behaves, and how it acts.

Organisational Tools

- Whilst the role of committees has declined following changes to committee structure in 2011, it is important that they provide the necessary high-level leadership, representation, and scrutiny in support of mainstreaming equality.

- Having a well-functioning, dedicated body within government to promote cross-cutting working, and support the mainstreaming of equalities, is critical. Ideally, this body will have a clear role and remit, sufficient resources, and the necessary leverage to effectively perform its mandate. Steps may be taken in this regard towards clarifying or adjusting the role and remit of the Equality Team, as there are concerns that it is under resourced, over-stretched, with a lack of collective ownership of equality, which results in it being seen as primarily responsible for promoting equality within government.

- Most departments contain embedded Equality Leads, the majority of whom are undertaking this role on a part time basis. Ideally, these officials will work to disseminate good practice, promote equalities within their respective departments, and work across government to encourage and structure inter-departmental dialogue. There is scope for the Welsh Government to consider how this can be best achieved within Wales, remaining aware that their effectiveness is limited by time constraints; the level of equalities expertise and awareness within departments; lack of seniority; and the difficulty in taking a proactive role in policy development.

Procedural Tools

- In order to be effective, Equality Impact Assessments should not be seen as a bureaucratic or 'tick-box' exercise. There are steps that can be taken to help ensure this including: staff training and awareness raising; using them as early as possible in decision making process; and ensuring that there is a sufficient level of data available to government officials.

- The Welsh Government is well positioned to consult and engage with equalities actors and groups, as part of the policymaking process. Steps should be taken to ensure that this process is accessible, not limited to the 'usual suspects', and that civil society groups with limited capacity are supported and engaged during consultation.

- Government should clearly outline how consultation work feeds into policy development, and how the data and evidence gathered during consultation is valued, and utilised, within its decision making.

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