



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

## Background

Mainstreaming is a process of policy and organisational change, intended to embed a cross-cutting issue into decision-making and policy across government. The Welsh Government has a statutory duty to mainstream equality in all its activities, and has a range of policy tools at its disposal to achieve this. Policy tools are the methods, resources, and structures available to, and utilised by government, to implement policy, and achieve policy objectives. The Welsh Government also has a number of characteristics that are, in principle, complementary to the mainstreaming of equalities, particularly its small size, position within dense networks of public, private, and third sector actors and organisations, and a relatively low degree of institutional fragmentation and complexity.

## Aim

To examine the policy tools Welsh Government has used to mainstream equality of opportunity, the perceived effectiveness of these tools, and factors that influenced their effectiveness.

## Methods

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 (Table 1).

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

For the purpose of the study, policy tools are defined using the typology of Jacob et al. (2008) who distinguish between communicative (influencing policymakers behaviour), organisational (changing institutional structure), and procedural (changing decision making procedures).

## Findings

### Communicative tools

Communicative tools aim to influence policymakers cognition and behaviour. They provide direction for policymakers to work towards a shared vision for equality. The two main communicative tools used to mainstream equality in Wales are constitutional and legal provisions, and whole-of-government strategies.

The use of communicative tools by the Welsh Government has not provided a clear vision for equality in Wales, or clarity over how to apply equalities mainstreaming principles in practice.

### **Constitutional and Legal Provisions**

There is a strong legal framework within Wales that should, in theory, work to promote a consistent vision of equality, and support mainstreaming efforts.

Constitutional and statutory provisions do not provide a consistent definition of equality, and their implementation has been hindered by poor enforcement mechanisms, and limited awareness outside of specialist actors and groups.

Statutory duties, even when consistently aligned, and clearly communicated, may not be exacting enough to meet their desired goals.

The longer-standing statutory duties, such as the 'mainstreaming duty' within the Government of Wales Act 2006, have received decreased attention as newer duties appear to be taking precedence.



### **Strategies, Plans, and Objectives**

Equality was identified as a cross-cutting objective within strategic plans during the early years of the Assembly. However, lack of an overarching mainstreaming strategy resulted in pockets of good practice without a clear strategic direction, and little clarity on how to apply mainstreaming principles in practice.

The primary strategic document used to support mainstreaming equality across the Welsh Government is the Strategic Equality Plan, along with the Equality Objectives. However, they have not provided a well-defined operationalisation of mainstreaming, or guidance on how a government working to mainstream equality within its activities should work and act.

While steps have been taken to, for example, increase representation of women and people from minority ethnic backgrounds, the opportunity has not been taken to develop more ambitious Equality Objectives.

### **Organisational Tools**

Mainstreaming requires the presence of supportive organisational and institutional structures to ensure cross-cutting working, referred to as organisational tools. The three main organisational tools used by the Welsh Government to mainstream equality are: inter-ministerial committees; dedicated equality teams; and equality champions and leads.

Wales exhibits a number of characteristics that should help promote cross-cutting work, and has implemented various organisational tools to try and achieve this, such as committees, teams and units, and equality champions and leads.

### **Committees**

The Welsh Government has established committees to support the mainstreaming of equalities. However, there have been difficulties with this approach.

During the first three Assemblies, the Standing Committee on Equality of Opportunity was responsible for overseeing the mainstreaming of equality. Its effectiveness was constrained by several factors, including lack of clarity over its role, and limited capacity.

Changes in the structure and remit of committees has significantly altered their role in mainstreaming equality.

## Teams and Units

The Equality Team is the primary source of support and advice regarding equalities, and plays a key role in mainstreaming equality across government.

There are identifiable constraints that limit the effectiveness of the Equality Team including: a lack of collective ownership over equalities issues; an apparent overreliance on the team, resulting in the sense that it may be overstretched; insufficient resources; and a lack of clarity over its role and remit.

## Equality Champions and Leads

Equality Leads constitute a key part of the Welsh Government's organisation infrastructure, working to promote equality within their respective departments.

A number of barriers preventing them from functioning optimally are identified - including time constraints and their part-time role; the level of equalities expertise and awareness within departments; and difficulty taking a proactive role in policy development.

The Economy, Skills, and Natural Resources Group offers an interesting model, with its own dedicated equalities unit. However, replicating this across government seems unlikely.

## Procedural Tools

Procedural tools aim to embed a cross-cutting issue into decision-making procedures. The three procedural tools covered in this report are policy appraisal and assessment; budgeting; and consultation and engagement.

## Policy Appraisal and Assessment

The use of Equality Impact Assessments is a statutory requirement, although they have not been embedded to the degree that they could have been. They have been criticised as an

overly bureaucratic 'tick-box' exercise, primarily focusing on compliance with statutory duties.

There are practical barriers to the effective use of Equality Impact Assessments, including time-constraints preventing officials from conducting robust assessments, and the availability of appropriate data and evidence.

There is potential, and possibly appetite, to prioritise the use of Equality Impact Assessments in Welsh Government. In particular, there is increased awareness of the potential for them to improve policy, in light of the COVID-19 pandemic.

## Budgeting

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.

Drawing on experience in Scotland, the Welsh Government has established a Budget Advisory Group for Equality. However, its work has been affected by ambiguity around its role, capacity, resources, and membership, which has resulted in difficulties shaping final budget proposals.

The Welsh Government has introduced the use of Strategic Integrated Impact Assessment in its budgeting process. However, there are concerns that equality is diluted within the wider assessment process, with the process often seen as an add-on, rather than a core element of budget processes.

## Consultation and Engagement

Mainstreaming is more likely to be successful if it is informed by consultation and engagement with equalities groups. In principle, the Welsh Government is well positioned to facilitate this, and has established formal processes and structures to promote it.

There have been consistent concerns around the privileging of certain civil society organisations within consultation processes. However, it is acknowledged that government

have to perform a balancing act between the practicalities of consultation and the degree to which it can effectively and meaningfully engage a wide range of stakeholders during policy development.

There is a degree of uncertainty surrounding how consultation feeds into decision making and policy. Particularly, around how evidence is interpreted, valued, and utilised.

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.

## 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. While it 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.

### 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 Objectives are a positive step, although there is scope to be more ambitious than 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

- While the role of committees has declined following changes to the 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 a number of 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.

## Find out more

For the full report see Smith, F. (2021). **The Welsh Government's use of policy tools for mainstreaming equalities**. Cardiff: Wales Centre for Public Policy

## About the Wales Centre for Public Policy

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