

Women's **Policy Group NI**

WPG NI Response to the Department for Communities' Spending Plans for 2023–2024 Equality Impact Assessment

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1. Introduction:

The Women's Policy Group (WPG) is a group of policy experts and practitioners who advocate collectively for women and girls by promoting gender equality through an intersectional feminist lens. We challenge systemic injustice and discrimination affecting women and girls by informing society and influencing policy and law. Our work is informed by women and girls' lived experiences and rooted in international human rights law.

The WPG is made up of women from trade unions, grassroots women's organisations, women's networks, feminist campaigning organisations, LGBTQ+ organisations, migrant groups, support service providers, NGOs, human rights and equality organisations and individuals. Over the years this important network has ensured there is good communication between politicians, policy makers and women's organisations on the ground. The WPG is endorsed as a coalition of expert voices that advocates for women in Northern Ireland on a policy level.

If you have any questions or queries about this response, or would like to discuss this evidence further with the WPG, please contact Elaine Crory, Women's Sector Lobbyist at elaine.croy@wrda.net

Please note that this response also includes evidence from other WPG work, compiled by a range of WPG members, and not all member organisations have specific policy positions on all the areas covered in this response.

2. Past Consultations Responses, Evidence Submissions and Briefings:

The WPG has published a wide range of evidence including various evidence submissions, public consultation responses and specific briefings on issues relating to the gendered impacts of budgets. For example, the following documents have been produced by the WPG and member organisations in recent years which highlight these specific impacts.

- WPG NI COVID-19 Feminist Recovery Plan (2021)¹
- WPG Letter to Secretary of State regarding budget cuts (2023)²

¹ WPG NI COVID-19 Feminist Recovery Plan (2021) Available at: <https://wrda.net/wp-content/uploads/2021/07/WPG-COVID-19-Feminist-Recovery-Plan-Relaunch-One-Year-On.pdf>

² WPG Letter to Secretary of State regarding budget cuts (2023) Available at: <https://wrda.net/wp-content/uploads/2023/05/WPG-letter-to-SoS-re-budget-cuts.pdf>

- WPG Response to DfE 10X Performance Management Framework (2022)³
- WPG Letter to Executive Ministers regarding Welfare Mitigations and Spending Cuts (2021)⁴
- WPG Briefing on Capital Investment and Investment Strategy Northern Ireland (2021)⁵
- Women's Budget Group response to Consultation on draft Programme for Government Outcomes Framework 2021
- Women's Budget Group response to Consultation on 2021-2022 Draft Budget

3. General Comments on Department for Communities' Spending Plans for 2023-2024 Equality Impact Assessment

We are acutely aware that the budget presented here, and the proposed cuts, come from a situation not of the Department's making. We are aware that this is a challenging time and that no Ministers are in place to make decisions on what is a very constrained budget imposed by the Secretary of State. With all of this said, there are serious repercussions for the people the WPG represent - primarily women in all their variance - as a consequence of these choices, and as such it is incumbent on us to highlight these.

Gender Inequality is a reality in our society and progress to address this is slow. This is at least partially because of a deeply embedded and deeply conservative approach to budgeting and policy making that insists upon a gender neutral approach. This approach again and again makes choices that disproportionately harms women but fails to recognise the gendered nature of these choices because men are also impacted - failing to recognise that the disproportionate nature of the harm is not a coincidence, not an accident, but due to a failure to take into account the reality of the gendered economy and society we live in. For example, almost all savings made by the series of policies known collectively as austerity were made at the expense of

³ WPG Response to DfE 10X Performance Management Framework (2022) Available at: <https://wrda.net/wp-content/uploads/2022/10/WPG-Response-to-DfE-10X-Performance-Management-Framework.pdf>

⁴ WPG Letter to Executive Ministers regarding Welfare Mitigations and Spending Cuts (2021) Available at: <https://wrda.net/wp-content/uploads/2021/08/WPG-Letter-to-Executive-Ministers-Welfare-Reform-Mitigations-August-2021-1.pdf>

⁵ WPG Briefing on Capital Investment and Investment Strategy Northern Ireland (2021) Available at: <https://wrda.net/wp-content/uploads/2021/02/WPG-FRP-Briefing-on-ISNI.pdf>

women and their children⁶, with lone parents suffering more than most. Policy makers know that most single parents are women, 93% in Northern Ireland.

The Gender Equality Strategy Expert Panel report⁷ highlights the harm that results from decades of gender-neutral policy making:

“A gender-neutral policy-making approach exists in Northern Ireland and has prevented progress on tackling gender-based violence and misogyny. The issue of gender neutrality acts as a significant barrier to women’s equality and major reforms are needed in order to make progress in this area.”

The CEDAW committee shares these concerns, stressing that a purely formal approach cannot achieve gender equality, equality and requires that women are given an equal start and empowered by an enabling environment to achieve good outcomes:

“It is not enough to guarantee women treatment that is identical to that of men. Rather, biological as well as socially and culturally constructed differences between women and men must be taken into account.”⁸

The choice to take a position of gender neutrality as well as the choice not to carry out an intersectional analysis on the data found is especially disappointing from the Department for Communities, which has responsibility for all Social Inclusion strategies including the Gender Equality Strategy. As such it has commissioned the Expert Panel Report quoted above, and worked closely with the Co-Design Group for that Strategy for over two years. Several member organisations of the WPG and the WPG itself was represented on that group, and throughout the process we reiterated repeatedly the need for gender disaggregated data, for a gender-sensitive approach to interpreting data, and for intersectional approaches.

⁶ Women’s Budget Group, The Impact of Austerity on Women in the UK, available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Development/IEDebt/WomenAusterity/WBG.pdf>

⁷ [1] Gender Equality Strategy, Expert Advisory Panel Report, December 2020

[Gender Equality Strategy \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/gender-equality-strategy)

⁸ General Recommendations Adopted by the Committee on the Elimination of Discrimination against Women, Thirtieth session (2004), General Recommendation No 25
https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_3733_E.pdf

The fact that this has not been adopted in the approach to an EQIA, of all things, at this most critical time for the livelihoods and survival chances for women and for those whose identities mean that they face multiple intersecting barriers. These can vary from their rural location, their disability, their sexual orientation, their gender identity and the fact that they have dependents. These kinds of policy decisions and budgetary measures need to be understood as things that impact on the whole lives of people - not one part of their identity at a time, but the whole person, all at once. With that kind of an approach, policy and budget choices can, and should, raise warning flags that then, in turn, should halt proposals that will enormously impact some people, at enormous personal cost.

The purpose of an EQIA is not to encourage us to throw up our hands and despair at yet more gender inequality brought about by Government policy or economic choices, it is to ask Departments to identify differential impacts and to address them - in fact it asks Departments to identify opportunities to encourage equality of opportunity. In practice, it rarely happens.

This not only fails to assist in the work of achieving gender equality, it actively entrenches inequality. It directly contributes to a situation where women are poorer throughout their lives, have fewer opportunities in work and in society, and consistently have the barriers they face reinforced by government.

It is important to acknowledge that the current budget process is particularly abnormal, and we understand that the budget allocations delivered by the Secretary of State are not only highly restrictive but put undue pressure on officials to make decisions they should not have to make. The abnormality of this budget cycle also means that planning procedures that occur during a typical budget process have not taken place. Without the fulfilment of these procedures, the equality screening and impact assessment consultation comes too late in the process and is inadequate for full consideration of the impact of these spending decisions on women.

Gender Budgeting requires government departments to analyse the different impact of a budget on people of different genders, starting as early in the budget cycle as possible. The aim of gender budgeting is to ensure that the distribution of resources creates more gender equal outcomes. Over time, gender analysis should become embedded at all stages of the budget process. Women's intersecting identities are also included in this analysis and policy-makers are expected to promote these areas of equality as well. There is widespread political support for gender budgeting in Northern Ireland and a growing evidence base that it can help create a more equal society. In the current budget crisis women will experience particular disadvantages due to the pre-existing socio-economic conditions. For example, there is strong evidence that women have suffered disproportionately from over a decade of Westminster austerity measures, the pandemic, and the

cost-of-living crisis⁹. We cannot afford to continue making decisions at the expense of women and risk further degradations to gender equality and additional intersecting equalities as well.

Not only is there an immediate need for gender budgeting in our current crisis, but the benefits would help to improve the budgetary process. Gender budgeting is good budgeting; it encourages greater transparency of government processes, more in-depth assessments of how policies and budgets affect constituents and closer cooperation between governmental and non-governmental stakeholders. It encourages a more targeted approach to the spending of public money, which will improve policy outcomes. Implementing gender budgeting mechanisms would provide decision-makers with the tools to recognise and mitigate gendered economic impacts and promote gender equality. Whilst political crises that affect budget processes are outside the control of departmental officials, strategically embedding gender budgeting measures will create a firewall to prevent such disproportionate disadvantages in future.

We recognise that the current equality screening and impact assessment duties under Section 75 provide policy infrastructure that could be used to progress gender budgeting. The EQIA process allows space to identify budget impacts on women and opportunities to promote more gender equal outcomes. However, too often the analysis included in these documents focuses only on equal treatment or stops at the point of acknowledging pre-existing inequalities. For gender budgeting to be fully implemented, the next stage must be to reformulate budgets and budgetary policy with targeted measures to improve outcomes for women and girls. Additionally, Section 75 screening and impact assessment typically takes place at the very end of the budget planning process or after the budget has been finalised. The OECD¹⁰ highlights that best practice for gender budgeting is to embed it at all levels of policy- and budget-making: planning, formulation, approval, implementation, monitoring and reformulation. It is crucial that gender equality obligations are not a 'tick-box exercise,' but rather that gender equality is mainstreamed in every area of the budgetary process through gender analysis of data supported by experts from civil society.

⁹ MacDonald, E.M. (2018) The gendered impact of austerity: Cuts are widening the poverty gap between women and men. British Politics and Policy at LSE. <https://blogs.lse.ac.uk/politicsandpolicy/gendered-impacts-of-austerity-cuts/>

Charlton, E. (2023) This is Why Women are Bearing the Brunt of the Cost of Living Crisis According to Research. World Economic Forum. <https://www.weforum.org/agenda/2023/01/cost-of-living-crisis-women-gender-gap/>

¹⁰ OECD (2023), OECD Best Practices for Gender Budgeting, *OECD Journal on Budgeting*, vol. 23/1, <https://doi.org/10.1787/9574ed6f-en>.

4. Response to Consultation Questions

This section of our response will provide specific responses to each of the EQIA Consultation questions.

Questions

1. Are there any data, needs or issues in relation to any of the Section 75 equality categories that have not been identified in Section 6 of the EQIA consultation document? If so, what are they and can you provide details?

Inexplicably, the list of research considered¹¹ in the compiling of this EQIA contains the Expert Advisory Panel reports of all Social Inclusion strategies except one - the Gender Equality Expert Advisory Panel report¹², although this report is published on the Department's own website and was commissioned by the Department itself. Quite why this is is not explained or accounted for, and it is an unacceptable omission, one that goes a long way towards explaining the missing lens around understanding gendered impacts of policies. Given the oversight in considering these issues, we urge the Department to reconsider the recommendations and choices proposed in this document in this light.

By the same token and for the same reason, it is extremely disappointing that the Department says that there is no data regarding adverse impacts for people with dependents. The data exists if one looks at the data on women and employment gathered by the Gender Equality Expert Advisory Panel; for example:

*"Roughly 30% of all women aged 16-64 are considered economically inactive compared to 22% of men;... 34% (61,000 people) of these women are considered inactive due to family and home commitments. Conversely, looking after family and the home is the least common reason for male economic inactivity (8,000 people or 6%). The difference in inactivity rates between men and women can be entirely attributed to the difference in the number looking after the family/home."*¹³

*"When looking at types of employment for those with dependents, it becomes clear that this has a bigger impact on women than on men, as 76% of women with dependent children are considered "economically active", compared to 92% of men with dependent children."*¹⁴

¹¹ Audit of Inequalities 2022

<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-audit-of-inequalities-2012-2022.pdf>

¹² Gender Equality Expert Advisory Panel report, 2020,

<https://www.communities-ni.gov.uk/system/files/publications/communities/dfc-social-inclusion-strategy-gender-expert-advisory-panel-report.pdf>

¹³ Ibid. p. 44

¹⁴ Ibid. p.42

“Women with dependents work five hours less than women without dependent children, whereas men with dependents only work one hour less than men without dependent children. Women with dependent children work an average of 11 hours less per week than men with dependent children.”¹⁵

Again, in light of the oversight of this data, we urge reconsideration of this budget.

Finally, the lack of a Rural Needs Impact Assessment (RNIA) is noticeable throughout; many of the proposed decisions will have a particular impact on rural women, by virtue of the fact that rural women face particular barriers in returning to work, in accessing childcare, and rural poverty is often exacerbated by the lack of access to community supports more prevalent in large urban areas. Carrying out a RNIA alongside an EQIA should be considered required as they reinforce each other and help to provide the intersectional lens so badly needed when assessing the impacts of deep and sweeping cuts like those proposed.

2. Are there any adverse impacts in relation to any of the Section 75 equality groups that have not been identified in section 7 of the EQIA Consultation document? If so, what are they?

On a number of occasions in this document, the Department seems to misunderstand the gendered nature of certain phenomenon, which leads it to take a gender neutral approach, for example referring to adverse impacts on “men and women generally” without properly recognising that many of these will impact women far more - something that we know from the limited gender disaggregated data that we have.

One obvious example of this is the failure to recognise the gendered nature of “economic inactivity”. As per the evidence sourced in response to Question 1 in regards to this issue, women are more likely than men to be impacted by policies related to economic inactivity. Further, women are in this category most often because of caring responsibilities, and the failure to apply an intersectional lens means that this is not recognised, not connected with the issue of childcare, and indeed the Department has then mistakenly concluded that there is no data relating to people with dependents. This of course is not to suggest that men are never impacted by economic activity, by the fact that they have dependents, or by both. It does, however, provide evidence that women are impacted more often by these circumstances, and so this is an adverse impact deserving of intervention - the very purpose of an EQIA.

¹⁵ Ibid. p.47

Another example of this is the impact of cuts to the Supporting People Programme, a programme that, among other work, supports women fleeing domestic abuse - a gendered impact on the most vulnerable in society who can ill afford this loss. Similarly, it is unclear if financial support will be provided to women facing homelessness in a package promised to replace the Regina Coeli hostel that closed in Belfast in 2021.

Cuts to Discretionary Support Grants, particularly now as demand is so high, will also disproportionately impact women, who are more often on lower incomes and more likely to be in debt or to borrow. This is evidenced by statistics (Tables 1, 2 and 3 below) from the Department which were received in response to a Freedom of Information request by the Women's Support Network on 5 June 2023 and shared with us for the purposes of this response.

These tables show increasing numbers of female claimants over the last number of years with statistics for the last year¹⁶ (2022/23) showing that women make up 60% of claimants where an award of Discretionary Support is made and around 58% of claimants where no award is made. This would mean a greater adverse impact on women if the cuts to Discretionary Support proposed in this EQIA go ahead.

Table 1

Gender	Gender by Financial Year, claim where award made					
	20/21		21/22		22/23	
Female	32402*	54.12%	46230	58.81%	61470	60.56%
Male	27468*	45.88%	32373	41.19%	40036	39.44%
Total	59870*		78603		101506	

Table 2

Gender	Gender by Financial Year, claim where nil award made					
	20/21		21/22		22/23	
Female	13922*	53.35%	20793	57.18%	22495	57.95%

¹⁶ ****The data provided for the 20/21 financial year includes only claims processed using Discretionary Support Computer System, clerical claims taken during this time in response to Covid-19 pandemic could not be included as gender information was not recorded.***

Male	12175*	46.65%	15570	42.82%	16326	42.05%
Total	26097*		36363		38821	

Table 3

Gender	Gender by Financial Year, overall claims					
	20/21		21/22		22/23	
Female	46324*	53.89%	67023	58.30%	83965	59.84%
Male	39643*	46.11%	47943	41.70%	56362	40.16%
Total	85967*		114966		140327	

The gendered nature of poverty is widely recognised by experts and by the Community and Voluntary sector as a whole. Therefore the failure to bring in new mitigations as called for by the Cliff Edge Coalition¹⁷ is another gendered impact. We are aware that this is not something that the Department had committed to as such, but the key recommendations, alone, provide evidence that the most urgent interventions that could prevent crisis and deepening poverty are targeted most often at women; resolving the five week wait for Universal Credit, mitigating the two-child tax credit limit, and providing support for private renters affected by the Local Housing Allowance.

3. Please state what action you think could be taken to reduce or eliminate any adverse impacts in allocation of the Department's budget.

We recommend that the Department for Communities approach the budgetary process with the focus on the ringfencing of parts of their work that protect the most vulnerable. Mindful that the portfolio of the Department is overwhelmingly on the social systems that bolster and scaffold our communities, it is absolutely essential to interrogate the impacts that choices made with regards to the provision of essential social security infrastructure will have on the humans and communities that it is designed to serve.

¹⁷ Law Centre NI, Cliff Edge Coalition Relaunch Event, 2023
<https://www.lawcentreni.org/news/cliff-edge-coalition-relaunch-event/>

Another important reminder is the principle of investing to save; social security measures are investments both in the people that receive them and in their dependents, but in the communities that people live in. In practice, people spend money received on benefits in ways that ultimately benefit the economy¹⁸, including in the local community in which they live.

In the context of the draft EQIA, it is essential to note that Northern Ireland is bound by the international human rights obligations of the UK, as State Party to all key human rights conventions, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Progressive realisation of rights is a key principle of the international human rights framework, in recognition that implementation is affected by many factors including resourcing; however, this incorporates a complementary principle that existing rights cannot be rolled back or weakened.¹⁹ This is vital in the context of budget cuts, as the impact may affect the ability of some rights holders to enjoy and exercise their rights, and therefore must be assessed with alternatives and relevant mitigating action considered. The relevant guidance to the UK in this regard is provided through recommendations from UN monitoring bodies for each of the nine core frameworks, which set out actions for the UK to strengthen realisation of rights for all.

The full set of recommendations for Northern Ireland and the UK from UN monitoring bodies is extensive, ranging from over 300 recommendations from the Universal Periodic Review in 2022²⁰ to forthcoming Concluding Observations on the UN Convention on the Rights of the Child, for which the UK was examined in May 2023.²¹ With regard to women and gender equality, it is relevant to note that the most recent Concluding Observations for the UK express concern that protections for women in Northern Ireland are falling behind those of women elsewhere in the UK, and a key recommendation is ‘to put protections in Northern Ireland on an equal footing with those in England, Scotland and Wales’.²² The CEDAW Concluding Observations also urge for full implementation of the recommendations of the

¹⁸ Joseph Rowntree Foundation, Strengthen Social Security for a Stronger Economy, 2020 <https://www.jrf.org.uk/report/strengthen-social-security-stronger-economy>

¹⁹ See [International Covenant on Economic, Social and Cultural Rights](#) for a discussion of both principles

²⁰ Human Rights Council (January 2023) [Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland](#)

²¹ UN Office of the High Commissioner on Human Rights press release 19 May 2023 ‘[Experts of the Committee on the Rights of the Child Note Progress in Addressing the Age of Marriage in the United Kingdom. Ask about High Poverty Rates among Families with Children with Disabilities and the Proposed Illegal Migration Bill](#)’

²² CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

Inquiry into abortion legislation in Northern Ireland²³ and implementation of the women, peace and security agenda.

The likely impact of proposed cuts, across Departments, is to reduce realisation of rights set out in CEDAW, in particular in relation to women's economic independence and safety from violence and domestic abuse. This will further widen the gap between Northern Ireland and other devolved administrations in the UK, serving to deepen disadvantage of women and girls in Northern Ireland.

Overall the Department needs to work to improve its understanding of gender inequality, fully value the work done by experts on this very issue on its behalf, and gather properly gender disaggregated data. We also urge that the Department take approaches, such as Gender Budgeting, that would alleviate this situation and avoid the need for critique of completed budgets.

4. Are there any other comments you would like to make in regard to this pro forma or the consultation process generally?

As stated above we are acutely aware that these difficult decisions are made against a backdrop not of the Department's making and we are aware that these are not choices that are freely made, as such.

With that said, the purpose of EQIAs in general is that the Department is obliged to consider impacts on protected groups. These Section 75 groups are listed in the first place because they are the groups most likely to be adversely impacted by taking an approach that does not include outliers. The purpose is not merely to identify disproportionate impacts but to actively mitigate against them and ideally to seek opportunities to promote equality for these groups. Over time and in practice, we recognise that this is not always the approach taken by government departments, who are obliged to take part in this process but do not always do so effectively. As such, many EQIAs list no adverse impacts when data gathered and experience lived by individuals and the organisations that represent them indicate the opposite. To its credit, this EQIA identifies multiple adverse impacts, although not all that we anticipate, but it does not take an intersectional approach to these impacts. The next part of the duty is to seek to mitigate these, and this is where this process fails.

In addition, EQIAs are only as useful as the information contained within them. To accurately answer question 3 above we would need a line by line breakdown of the Department's budget so that we could indicate where savings could be made in

²³ CEDAW Committee (February 2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

places other than the proposed choices. In addition, this process should feed into meaningful engagement, the choices proposed here must not be a *fait accompli* but presented in the context of other options; costed and explained. Otherwise it is nearly impossible for civil society or affected individuals to be in a position to defend spend and suggest meaningful alternatives.

Adding to the challenges in responding to this consultation is the absence of a Rural Needs Impact Assessment (RNIA) which would provide a richer picture of the potential impacts of this budget. Alongside an intersectional approach, a RNIA would provide a fuller picture of the layering of impacts for some parts of society. The advantages of an intersectional approach is that it recognises the fundamental truth that no person is merely one thing, and that if a budget or policy disproportionately harms women, disabled people, people living in rural communities, and people with dependents, then it will vastly disproportionately impact women with disabilities and dependents who live in rural communities. This enormous impact should prioritise action to mitigate as many of those impacts as possible.

Further, the timescale for responses to these EQIAs is insufficient. Approaching a sector that is already working on a shoestring, standing in the gaps created by more than a decade of austerity and facing further cuts, and requesting a meaningful response in a short window of time is thoroughly unhelpful.

Finally, the Department for Communities is a key part of the social security system, and a bridge between the Government and Community and Voluntary sector - and, indeed, the people it serves. In this position, we urge the Department to take seriously the disproportionate impacts that these cuts will have on the most vulnerable in society, and the impact that cuts to core services will have on the Community and Voluntary sector; the part of our society that always steps into the gap and serves the most vulnerable when crisis arises. If there ever was a time of crisis for these vulnerable people, this is it. The Department has an opportunity to do all that it can to preserve these communities, and this EQIA can be the first step in doing so.

ENDS

For any questions or queries relating to this submission, please contact:

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