

# **Women's** **Policy Group NI**

## WPG NI Response to the Department of Health's 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.crory@wrda.net](mailto:elaine.crory@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)<sup>1</sup>

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<sup>1</sup> 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>

- WPG Letter to Secretary of State regarding budget cuts (2023)<sup>2</sup>
- WPG Response to DfE 10X Performance Management Framework (2022)<sup>3</sup>
- WPG Letter to Executive Ministers regarding Welfare Mitigations and Spending Cuts (2021)<sup>4</sup>
- WPG Briefing on Capital Investment and Investment Strategy Northern Ireland (2021)<sup>5</sup>
- 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 the Department of Health's 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

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<sup>2</sup> 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>

<sup>3</sup> 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>

<sup>4</sup> 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>

<sup>5</sup> 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>

by the series of policies known collectively as austerity were made at the expense of women and their children<sup>6</sup>, 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 report<sup>7</sup> 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.”<sup>8</sup>*

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.

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<sup>6</sup> 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>

<sup>7</sup> [1] Gender Equality Strategy, Expert Advisory Panel Report, December 2020

[Gender Equality Strategy \(communities-ni.gov.uk\)](https://communities-ni.gov.uk/government/uploads/system/uploads/attachment_data/file/614441/Gender_Equality_Strategy.pdf)

<sup>8</sup> 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](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_3733_E.pdf)

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 crisis<sup>9</sup>. 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

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<sup>9</sup> 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/>

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 OECD<sup>10</sup> 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.

#### **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 adverse impacts in relation to any of the Section 75 equality groups that have not been identified in section 5 of the EQIA Consultation document? If so, what are they? Please provide details.

Yes, there are a number of adverse impacts not noted in the consultation document.

The sources listed in this document includes several reports from organisations in the LGBTQI+ sector regarding the health of LGBTQI+ communities, including on trans health. Despite the inclusion of these valuable sources, many issues prevalent in the community, including issues that have had Government commitments in the past, are simply not mentioned, so it is unclear if there will be any funding available to meet these commitments. Examples of this include the fact that the New Decade

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

New Approach commitment to three funded rounds of IVF<sup>11</sup> has not yet been fulfilled, and there is no indication from this document that it will be. In addition, transgender healthcare waiting lists have been stagnant for years, and there is no indication that any funding will be available to move this forward.

In addition, reducing or ceasing core grants will definitely have an impact on the LGBTQI+ community as it does on other Section 75 groups. It is therefore unclear why the EQIA then concludes that there is no impact on this group.

The EQIA indicates that the only adverse impact on women is the fact that a pay offer will not be made to healthcare workers, approximately 80% of whom are women. While this certainly has an adverse impact on women, there are many more impacts on women not addressed in this document.

Again, cessation of core grants to organisations like Women's Aid, whose services save lives when women and children are fleeing domestic abuse and violence, is an obvious negative impact on women.

Further, there is no evidence that funding has been allocated for the commissioning of abortion services, almost four years after decriminalisation and in contradiction to the human rights obligations of the government.

While the EQIA indicates that funding is available for mental health, it is not clear whether much of this will contribute to work badly needed and outstanding with regards to perinatal mental health. This includes the Mother and Baby Unit (MBU) inpatient facility, which is still in the very early planning stages and will need investment in the very near future. In the meantime, women and their infants suffer for its absence.

Cuts to domiciliary care packages and adjustments to help people who may be elderly or frail but do not need hospitalisation to stay in their home will obviously impact people on age and disability status. However this will also have disproportionate impacts on women who tend to be the carers for people in this category. In addition, women make up the vast majority of the staff most likely to lose their jobs should these packages be cut.

**2. Please state what action you think could be taken to reduce or eliminate any adverse impacts in allocation of the Department's draft Budget?**

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<sup>11</sup> New Decade, New Approach;  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/856998/2020-01-08\\_a\\_new\\_decade\\_a\\_new\\_approach.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/856998/2020-01-08_a_new_decade_a_new_approach.pdf) p.7

We urge the Department to consider the ringfencing of budgets to protect the most vulnerable. An intersectional and thorough analysis of the budget would assist enormously in understanding what areas these are and which areas may need to be ringfenced. The absence of such an analysis, which would account for the many ways that some individuals and communities will feel the impacts of this budget in multiple ways, is an oversight. In addition to this, a Rural Needs Impact Assessment would be valuable to understand the particular impacts these policies will have in rural communities and ought to sit alongside any EQIA before decisions are made.

This may lead to a reassessment of the best ways to deal with a smaller budget. It will also save money in the long run, for example facilitating elderly people to remain in their own home means they are not in hospitals using scarce resources. Most importantly, this is the purpose of carrying out an EQIA, as they are intended not just to identify adverse outcomes, but for those impacts to be mitigated.

Ultimately some of the cuts made here will cost more money than they will save as well as causing untold suffering and even death in the short term, for instance the failure to meet the commitment to train an additional nine hundred nursing and midwifery places for students in New Decade New Approach<sup>12</sup>, combined with the failure to secure pay increases for nurses, will have a negative effect on job retention and make it difficult to keep essential services running. This kind of loss accumulates; its impacts felt not just within one financial year but for many years into the future.

This document lists no potential mitigations and no attempts appear to have been made to avoid these impacts being felt by the most vulnerable people and by women - if they have, they are not evidenced in the text. Absent a line by line reading of the budget, it is difficult to say where else savings may have been made, but it is the position of the Women's Policy Group that an intersectional analysis would highlight the multiple harms these cuts will inflict on the most vulnerable and that this evidence demands mitigation.

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

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<sup>12</sup> New Decade, New Approach;  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/856998/2020-01-08\\_a\\_new\\_decade\\_a\\_new\\_approach.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/856998/2020-01-08_a_new_decade_a_new_approach.pdf) p.6



weakened.<sup>13</sup> 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 2022<sup>14</sup> to forthcoming Concluding Observations on the UN Convention on the Rights of the Child, for which the UK was examined in May 2023.<sup>15</sup> 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’.<sup>16</sup> The CEDAW Concluding Observations also urge for full implementation of the recommendations of the Inquiry into abortion legislation in Northern Ireland<sup>17</sup> 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.

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

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<sup>13</sup> See [International Covenant on Economic, Social and Cultural Rights](#) for a discussion of both principles

<sup>14</sup> Human Rights Council (January 2023) [Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland](#)

<sup>15</sup> 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](#)’

<sup>16</sup> CEDAW Committee (March 2019) [Concluding Observations on the 8<sup>th</sup> periodic report of the UK](#)

<sup>17</sup> CEDAW Committee (February 2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

As stated above we are acutely aware that these difficult decisions are made against a backdrop not of DoH'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, and does not take an intersectional approach to these impacts, which leads to impacts not being identified where they should be. 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 2 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 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.

We are aware that the Department of Health is, in many ways, the most pivotal of all Departments in Northern Ireland, and attracts the largest budget. With that in mind, it is vital that the Department commit to protecting the most badly impacted by its choices, even in the most difficult time.

*ENDS*

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

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