

Women's Policy Group NI

WPG NI Response to The Department of Education'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.

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. 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

The following WPG member organisations were involved in drafting this response:

- Women's Resource and Development Agency
- Women's Platform
- The Rainbow Project
- The Northern Ireland Women's Budget Group
- UNISON
- Women's Support Network

1.1 Endorsements

We would like to endorse the responses made to this consultation by the Northern Ireland Women's Budget Group.

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
- 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 the Department of Education'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 by the series of policies known collectively as austerity were made at the expense of women and their children⁶, with lone parents suffering more than most. Policy makers know that most single parents are women, 93% in Northern Ireland.

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>

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>

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/IFDebt/WomenAusterity/WBG.pdf>

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 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 the 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.

3.1 The importance of gender budgeting

⁷ 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/90441/Gender_Equality_Strategy.pdf)

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

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 crisis⁹¹⁰. We cannot afford to continue making decisions at the expense of women and risk further roll-backs on efforts to achieve gender equality and progress on other intersecting inequalities.

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 against gendered economic impacts and promote gender equality. Whilst political crises that affect budget processes are outside the control of Department officials, strategically embedding gender budgeting measures will create a firewall to prevent such disproportionate disadvantages in future.

Existing equality monitoring 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.

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/>

¹⁰ 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/>

Additionally, Section 75 screening and equality impact assessment typically takes place at the very end of the budget planning process or after the budget has been finalised. The OECD¹¹ 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.

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 5 and 6 of the EQIA consultation document? If so, what are they? Please provide details?

The data used by the Department of Education to inform this EQIA included the following:

- School Census October 2022;
- School Annual Enrolments 2022/23;
- Registrar General Annual Report 2021;
- 2015 Young life and Times (YLT) Survey;
- Child’s Social Care Statistics for Northern Ireland 2021/22; 2011 Census;
- Racial Equality Indicator Report 2014-2019;
- National Childrens Bureau - Informing the Development of an Emotional Health and Wellbeing Framework;
- Annual Enrolments at Grant Aided Schools in Northern Ireland 2022/23;
- Post-Primary School Experiences of 16-21 year old people who are Lesbian, Gay, Bisexual and/or Transgender (LGB&T);
- CARA Friend ‘Still Shouting’ Report
- Chief Inspectors Report 2016-2018

The following data should have also been considered:

- Gender Equality Strategy Expert Panel Report¹²

¹¹ OECD (2023), OECD Best Practices for Gender Budgeting, *OECD Journal on Budgeting*, vol. 23/1, <https://doi.org/10.1787/9574ed6f-en>.

¹² Gender Equality Strategy Expert Advisory Panel Report (2020) Available at: <https://www.communities-ni.gov.uk/system/files/publications/communities/dfc-social-inclusion-strategy-gender-expert-advisory-panel-report.pdf>

- WPG NI COVID-19 Feminist Recovery Plan (2021)¹³
- WPG Primary Research Report: The Impact of COVID-19 on Women: Putting Women's Voices at the Core¹⁴
- The Consequences of the Cuts to Education for Children and Young People in Northern Ireland¹⁵
- Women's Regional Consortium Research on Women's Experiences of the Cost of Living Crisis in Northern Ireland¹⁶

The issue with a very limited dataset is that the evidence will give the impression that there are no impacts, while a wider dataset would show that there may be several. It is absolutely essential that when it comes to consulting datasets, a wide net must be cast. The Department must make a conscious effort to find the data most likely to identify the information that will be relevant to the various Section 75 groups.

In addition, the Department has made a choice to interpret the data that they have chosen to examine in a very limited way, leading to an analysis that lacks depth and misses impacts on some Section 75 groups. It has also characterised some impacts as "minor" without providing any explanations for why this may be the case.

2. Are there any adverse impacts in relation to any of the Section 75 equality groups that have not been identified in section 6 of the EQIA Consultation document? If so, what are they?

Yes.

As mentioned in response to Question 1, the narrow focus of this analysis misses the many ways in which some of the financial decisions will impact on children and cause particularly severe impacts for children from marginalised backgrounds. It also fails to consider the fact that decisions that impact children will also impact their families, as some of the cuts considered could mean a further reliance on family resources to pay for meals, for example.

Given that schemes such as the School Holiday Food Grant are means tested, they are not used by all children, but by children who come from low income households. While those children may themselves be split roughly equally in terms of gender, the impact on their parents must be

¹³ Women's Policy Group (2021) WPG COVID-19 Feminist Recovery Plan: Relaunch - One Year On. Available at: <https://wrda.net/wp-content/uploads/2021/07/WPG-COVID-19-Feminist-Recovery-Plan-Relaunch-One-Year-On.pdf>

¹⁴ Women's Policy Group (2021) 'Primary Research Report: The Impact of COVID-19 on Women: Putting Women's Voices at the Core.' Available at: <https://wrda.net/wp-content/uploads/2021/07/WPG-Feminist-Recovery-Plan-Research-Report-Womens-Voices-at-the-Core.pdf>

¹⁵ The Consequences of the Cuts to Education for Children and Young People in Northern Ireland (2023) Available at: <https://www.stran.ac.uk/wp-content/uploads/2023/06/The-Consequences-of-the-Cuts-to-Education-for-Children-and-Young-People-in-Northern-Ireland-Final.pdf>

¹⁶

considered, particularly as households headed by women, especially lone parent families, are more likely to qualify for this scheme and schemes like the Extended Schools Programme.

Evidence indicates that, in Northern Ireland, women head 93% of lone parent households¹⁷, and that the family type at the highest risk of relative poverty in Northern Ireland was single parents, at 34%¹⁸. Women often bear the brunt of poverty in the home; managing household budgets to shield their children from its worst effects. This means that women end up acting as the ‘shock absorbers’ of poverty, going without food, clothes or warmth in order to meet the needs of other family members when money is tight¹⁹.

Recent research on the impact of the cost of living crisis, carried out by the Women’s Regional Consortium,²⁰ has also shown that the cost of food is having a particular impact on families in Northern Ireland at the moment, and since food is often the only “negotiable” that can be reduced when under financial constraints, women in these circumstances often go hungry so that their child can eat. The evidence is abundant; when access to food for children in school settings or through DE schemes is reduced, their parents and especially their mothers are directly impacted.

The choice taken to consider only children and not their caregivers is particularly confusing because later in the Consultation document, in the analysis of the impacts on people with multiple identities, the Department acknowledges both that socio-economic status plays a significant role in educational attainment, and that children who fall into one or several Section 75 characteristics are more likely to come from backgrounds that lead to a higher level of need. This is absolutely accurate, but given this acknowledgement, it is vital that the Department extend the logic and recognise that, since family background will impact the child, budgetary choices that impact on a child will often impact their family too - from increased financial stress to an increased need for emotional support or a longer transition for newcomer children who have to adjust to schooling in a new language.

In addition, where adverse impacts have been identified, for example on the grounds of sexual orientation, they have sometimes been classified as “minor negative impacts” without explanation or justification as to why. LGBTQI+ young people are more likely to feel the impact of a loss of counselling services or schemes such as Healthy Happy Minds because of the

¹⁷ [Census 2021 main statistics demography tables – household relationships | Northern Ireland Statistics and Research Agency \(nisra.gov.uk\)](https://www.nisra.gov.uk/census-2021-main-statistics-demography-tables-household-relationships)

¹⁸ Households Below Average Income: Northern Ireland 2019/20, DfC & NISRA
<https://www.communities-ni.gov.uk/system/files/publications/communities/hbai-2019-20.pdf>

¹⁹ A Female Face, Fabian Society Blog by Mary-Ann Stephenson, Women’s Budget Group, February 2019
<https://fabians.org.uk/a-female-face/>

²⁰ Women’s Regional Consortium (2023) Women’s Experiences of the Cost of Living Crisis in Northern Ireland. Available here:
<https://www.womensregionalconsortiumni.org.uk/wp-content/uploads/2023/06/Womens-Experiences-of-the-Cost-of-Living-Crisis-in-NI-2.pdf>

continued prevalence of bullying around these issues, and may rely fully on school-based support because their own home environment may not be fully supportive of their identity. This is a very significant impact and not a minor impact.

While we are aware that the Period Products Scheme is part of TEO's budget, and not DE's, we are mindful of a proposed 40% cut to the Free Period Products Scheme. While we are grateful that the Scheme will be rolled out in some form, this still represents a cut and will impact more on women and girls, as well as on non-binary people and trans boys, covering two different Section 75 demographics.

Cuts to the Extended Schools Programme were also raised regularly in the Women's Regional Consortium's Cost of Living Research. Many women found themselves struggling for things to do with their children on a tight budget, activities that would previously have been covered by the Extended Schools Programme. Many reported feeling guilty and ashamed about not being able to afford extra-curricular activities for their children at school. Many extra-curricular activities used to be free - giving all children equitable access - but now many have been scrapped altogether or have to be paid for, which can be beyond the means of those on the lowest incomes. This is impacting on parents in terms of both finance (if they are going without to pay for these things) and in terms of their mental health (feeling guilty about the impacts on their children).

The following quotes, from the Womens' Regional Consortium research, illustrate these impacts:

"It's £60 for 10 swimming lessons. You don't get any help with those, you're lucky if you get free school meals."

"The kids are missing out on school trips and their education is being affected because we don't have the money."

"My wee man's football club through the school is very expensive. I just can't do it now. You're having to pay for all the after-schools clubs - you never used to have to pay for them but they're not free now."

"When the child comes home from school and hands you a letter and you're thinking please don't have something on it that asks for money! There was a note the other day asking for £9 for a cinema trip."

The cost of school uniforms is not mentioned in this consultation but it is a key concern, and has been highlighted in recent reports as a major issue. While we recognise that there has not been a cut to this grant as such, we understand that the level of the grant

will not be raised, and this is unsustainable. Already, the level of the grant in NI is below the rate in England and Wales and in Scotland, and also does not presently cover shoes. This issue was raised repeatedly in the Women's Regional Consortium research, for example:

"For my son who has size nine feet his school shoes cost me £110, there's no help with that. The PE kit is so expensive too."

"I had to use a credit card for the kids school uniform this year. I struggled to pay the kids school uniform worse this year than any time before."

"I have three kids and with uniforms, shoes, school bags and all the extras it cost me over £1,000 for the three of them and we get no help."

We want to reiterate this conclusion from the research on the impact of the cuts on young people in Northern Ireland, which highlights the danger of the cuts both in the short term and in the longer term; "On a local policy level, these cuts vastly undermine the aims and objectives underpinning A Fair Start which was driven by the will of our political leaders to address persistent educational underachievement and disadvantage in the education system and to ensure that every child has an equal opportunity to succeed and flourish. Furthermore, with regard to international rights standards, the cuts seriously denigrate children's rights as enshrined in the UNCRC which is the most widely ratified human rights treaty in history, ratified by the UK in 1991 (Unicef, 1990)."²¹

We urge the Department to re-examine the impacts they have identified as experiencing impacts and to consider wider impacts to family and home life that that which has been considered to date.

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

Given that the EQIA has not identified any meaningful mitigations, and given the fact that we do not have oversight of the entire Departmental budget, it is effectively impossible to make recommendations to reduce impacts. We would, however, recommend the ring-fencing of funding designed to reach the most marginalised in our society, and that includes young people who are in multiple section 75 categories. In the absence of having additional resources to allocate and ring-fence, we recommend the transfer of resources from grammar schools to secondary schools to ensure that children from the most deprived backgrounds are protected

²¹ The Consequences of the Cuts to Education for Children & Young People in Northern Ireland (2023) <https://www.stran.ac.uk/wp-content/uploads/2023/06/The-Consequences-of-the-Cuts-to-Education-for-Children-and-Young-People-in-Northern-Ireland-Final.pdf> p.52

from the worst impacts of the budget cuts to schools. This will strengthen equity across schools, in light of the pupil premium enjoyed by grammar schools, while minimising impacts as grammar schools also have a long history of parental contributions, which supplement budgets.

Some of the analysis offered in this section amounts to mere commentary and does not offer tangible mitigations for the relevant cuts. We also reject the Department's framing of some key issues such as the narrative around free school meals. Free school meals during term time does not mitigate the loss of holiday hunger schemes; hunger is not soothed by the promise of a lunch in a few weeks' time. Similarly, the existence of GPs and CAMHS services are not a substitute for Healthy Happy Minds, both because Healthy Happy Minds is intended to be preventative in nature, as opposed to be accessed only when problems occur, and because our current circumstances mean that they are not easily accessible; GP appointments are difficult to get in many places, and the waiting list for CAMHS is unacceptably long. In both of these cases, if the existing measures were sufficient there would not have been a need for these school-based schemes to be created in the first place. Clearly, however, there was such a need, and in the current cost of living crisis that need has surely increased.

This document also does not mention the impact of the cuts to capital spend, and on the children who continue to learn in schools with substandard infrastructure. The scale of the work currently required is unclear also, and the impact of this should also be included in this EQIA.

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.²²

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

²² See [International Covenant on Economic, Social and Cultural Rights](#) for a discussion of both principles

2022²³ to forthcoming Concluding Observations on the UN Convention on the Rights of the Child, for which the UK was examined in May 2023.²⁴ 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’.²⁵

The CEDAW Concluding Observations also urge for full implementation of the recommendations of the Inquiry into abortion legislation in Northern Ireland²⁶ and implementation of the women, peace and security agenda. The Committee on the Rights of the Child, meanwhile, has recommended that the Northern Ireland budget is scrapped, due to the severe impact on children and young people.²⁷

The likely impact of the proposed budget cuts will be a reduction in the realisation of rights set out in CEDAW, in particular in relation to the ability of women and girls to have access to adequate health and social protection systems²⁸. This is also a basic entitlement in the International Covenant on Economic, Social and Cultural Rights (ICESCR)²⁹, which defines destitution as a violation of the inalienable human rights of every individual.

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. It should be noted that the UK will be examined under both ICESCR and CEDAW over the next 18 months, and that the need to address and mitigate the increasing poverty, inequality and destitution following austerity and welfare reform has been highlighted across UN human rights treaty bodies in recommendations to the UK from previous examinations.

The conclusion of the academic paper on these cuts is clear, the budget as it stands should be withdrawn and reexamined because the proposed cuts will devastate children and young people who most need access to the services that will be lost: “The authors conclude that the cuts executed will have a devastating impact on those children most vulnerable and furthest

²³ Human Rights Council (January 2023) [Report of the Working Group on the Universal Periodic Review: United Kingdom of Great Britain and Northern Ireland](#)

²⁴ 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](#)’

²⁵ CEDAW Committee (March 2019) [Concluding Observations on the 8th periodic report of the UK](#)

²⁶ CEDAW Committee (February 2018) [Inquiry into abortion legislation in Northern Ireland under Article 8 of the Optional Protocol to CEDAW](#)

²⁷ 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](#)’

²⁸ CEDAW [Article 11](#)

²⁹ [International Covenant on Economic, Social and Cultural Rights](#) 1976

from opportunity in NI. Collectively, we are calling for the current NI budget to be withdrawn, for funding to be maintained at 2022/23 levels, with additional funding allocated to take account of the impact of inflation on the operation of departments.”³⁰

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

As stated above we are acutely aware that these difficult decisions are made against a backdrop not of DE’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 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 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

³⁰ The Consequences of the Cuts to Education for Children and Young People in Northern Ireland (2023): Available at: <https://www.stran.ac.uk/wp-content/uploads/2023/06/The-Consequences-of-the-Cuts-to-Education-for-Children-and-Young-People-in-Northern-Ireland-Final.pdf>

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 recognise that the Department of Education has allowed more time to respond than some other government Departments, however, and we are grateful for this.

We are aware that the Department of Education is, in many ways, one the most pivotal of all Departments in Northern Ireland in terms of setting the groundwork for the long-term development of individuals and of society as a whole, and accordingly it attracts one of the largest budgets. With that in mind, it is vital that the Department commit to protecting the most badly impacted by its choices, even in the difficult times that we currently face.

5. Concluding Remarks

The current situation faced by Departmental officials is a very challenging one. We are aware that the choices faced are all unpalatable, and that no matter what is chosen people will suffer. With that said, in this consultation we have proposed methods that, if adapted by Departments across the board, could make the process of EQIAs more effective and could make decisions less challenging; these are gender budgeting and ring-fencing of certain types of funding to protect the most vulnerable.

These approaches, used from the very start of the budgeting process, would make certain difficult choices more understandable, and would allow an expansion of perspective; instead of looking at the money to be saved or spent first, the impact would be the first thing considered. In addition, gender budgeting as an approach would embed the kind of perspective that led to our criticisms in response to Question 2 above; it would immediately consider the impacts not just on a dependent child but on those people charged to look after them.

ENDS

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

- Elaine Crory, Women's Sector Lobbyist at WRDA: elaine.croory@wrda.net or
- Aoife Mallon, Women's Sector Lobbyist Policy Assistant at WRDA: aoife.mallon@wrda.net