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Exchange of good practices on gender equality

Implementation of gender mainstreaming

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Gender mainstreaming in the United Kingdom

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1. Legislative and policy context

Gender is one dimension of the broader equalities framework in the UK. The introduction of the Gender Equality Duty (GED) in 2007 represented a significant change to gender equality legislation since the passing of the equal pay and anti-discrimination Acts in the 1970s. The GED effectively made gender mainstreaming legally enforceable, by requiring the public authorities to build gender equality into all of their activities. It builds on over a decade and a half of work on gender mainstreaming and gender budgeting in the UK. The introduction of a Duty on public bodies represented a substantial shift an emphasis towards a proactive approach to gender equality.

The Equality Act, 2010, further developed the government's approach to equality by implementing a simplified, integrated and cross-cutting legislative framework in relation to anti-discrimination and the promotion of equality, positive action in recruitment and promotion and a public sector Equality Duty. The implementation of the Act has resulted in guidance material and the development, by the Equality and Human Rights Commission (EHRC), of Codes of Practice on employment, services and equal pay. On 5 April 2011 the new public sector Equality Duty came into force. It replaced the Race Duty, Disability Duty and Gender Duty and extended the law to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment.

The Equality Duty came into force in April 2011 and applies to England, Scotland and in Wales. Separate provisions exist for Northern Ireland, under Section 75 of the Northern Ireland Act, which place similar equality duties on public bodies. The general Equality Duty out in section 149 of the Equality Act covers unlawful discrimination, harassment and victimisation and provides for equality of opportunity between different groups. It requires public bodies to consider and implement policies and provisions to meet the needs of all individuals, in relation to policy, service provision and relation to employees. Schedule 19 of the Act lists the public authorities that are included in the Duty, including local authorities, health, transport and education bodies, the police, the armed forces and central government departments.

In Equality Duty has been important in requiring a gender perspective to be integrated into the development of policy, planning and service delivery.

2. Specific activities on gender mainstreaming

Gender mainstreaming has been one approach to addressing gender equality and has been developed in a variety of different contexts. As a requirement under the Structural Funds there are many good examples across the UK of methods put in place to integrate gender into policy and service delivery. For example, the experience of managing Structural Funds operations in Scotland is a useful example of the

implementation of gender mainstreaming. This led to wide ranging projects from infrastructure to business development integrating gender into policy, planning cycle and service delivery. Gender mainstreaming methodologies and practices have been developed by specific local authorities and government departments. Perhaps the most developed has been the work carried out by the Department for International Development (DFID), where some very structured and well-developed tools have been put in place on gender mainstreaming and gender budgeting for overseas development programmes of aid. Gender mainstreaming strategies have been put in place in a wide diversity of organisations from the National Health Service, under the Gender Equality Duty; the police service; through to the Royal Institute of Town Planners, which has developed a gender mainstreaming strategy and toolkit for planners.

3. Policy debate/transferability

There are some very useful areas of policy learning from both Sweden and Belgium. Many in the UK have been inspired by and have pointed to the systematic approach to gender mainstreaming adopted in Sweden and particularly to the early lead that Sweden took in the provision of disaggregated data by gender. It is clear that the allocation of a specific budget for gender mainstreaming projects and the focus given to gender mainstreaming by government departments has been crucial in raising awareness and building capacity. This appears to be one area that could be further developed in the UK in the light of some lack of understanding of gender mainstreaming, how it can be implemented in practice and how it can have a lasting impact on gender equality. However, Sweden has been working on gender mainstreaming since the mid-1990s which does suggest that it is important to have a sustained approach over time to this. The backdrop of a strong legislative basis to gender equality and a budget for projects, underpinning gender mainstreaming, appears to be an essential pre-requisite for implementation and ensuring there is a real impact.

The lessons from Belgium are that taking a strategic approach to gender equality by ensuring that all proposed federal policies have strategic objectives for gender equality, appears to have had a positive impact regarding Ministerial buy-in and integration of gender into the federal public service. A very positive development has been the development of a 'gender test' as part of the legal and regulatory assessment of new projects, which is carried out through a prior evaluation of the impact on women and men. Similarly, the introduction of a gender budgeting process, through the introduction of a gender note, is a very positive development that could be replicated in other countries. In the UK the very positive programme of gender budgeting under the Labour Government and backed by the-then Chancellor of the Exchequer, did not materialise into a systematic programme of gender budgeting across the public authorities. The Belgian approach is a very useful one that could be implemented in the UK. The system of integrating gender into public tendering and the granting of subsidies has already been introduced under the Gender Equality Duty, and more recently in under the Equality Duty introduced in 2011.

Crucial to gender mainstreaming, in an equality landscape across Europe that takes and integrated approach, is how gender can be a 'lens' through which other inequalities, for example, around race, disability or age, can be understood and acted upon. It will be interesting to hear from the seminar how this has been approached in Sweden in the light of the formation of the Equality Ombudsman.

One of the key constraints in the current economic recession is that gender equality considerations receive less attention, while budgetary cut backs to local authorities and government departments increase this risk further. It is very evident that resources are needed to build the capacity for gender mainstreaming to be a normal part of the functions of all public authorities, as has been achieved to an extent in Sweden. This investment in resources for projects, training, tools and awareness is not cost-neutral and needs to be seen as an investment that will reap net benefits in the long term.

3.1. Recent developments

The Government's *Equality Strategy: Building a Fairer Britain* (2010) sets out a new approach to equality based on "one that moves away from treating people as groups or 'equality strands' and instead recognises that we are a nation of 62 million individuals". This has led to some specific changes in the legislation and a changed equality landscape, resulting from the election of a new Coalition Government in 2010. A key objective of the Government's *Plan for Growth* is to achieve sustainable growth and reduce the burdens faced by businesses. As a result of this objective several of the provisions under the Equality Act 2010 have not been implemented, including the provisions on dual discrimination and certain liabilities on employers.

Draft regulations have been drawn up as part of a policy review of the Equality Duty with the aim to reduce bureaucracy and to give public authorities greater autonomy in implementing equality. In addition, the Government made a decision to not implement the gender pay 'audit' procedures required under the Act, instead introducing a voluntary approach to the publication of workforce gender pay data. The draft regulations for specific duties for England (and non-devolved bodies in Scotland and Wales) have been revised and have not yet been implemented.

In addition, the programme of cuts in public expenditure is also likely to impact on the equality landscape, with reduced resources to promote and develop equality impact assessment procedures. Although there has been some analysis of the economic impacts on women of the economic recession in the UK, many groups and organisations have pointed to the impact that austerity measures will have on women and other disadvantaged groups.

When the UK established a single Equality Body (EHRC) and a single integrated framework on equality under the Equality Act 2010 there were concerns that gender equality would not be given the degree of emphasis that existed in the past. While a focus on gender does not mean neglecting other aspects of equality, it is essential that it is approached in a specific way because it affects everyone, men and women. While discrimination and inequality on the grounds of race, disability, or sexual orientation involves tackling how minority groups are disadvantaged or discriminated against, a focus on gender recognises that inequalities between women and men that result from inequality, unfairness or stereotyping affects everyone. Because gender mainstreaming concerns everyone, everyone gains. The social and economic costs of neglecting a gender analysis are that there are wasted resources in education and training, higher levels of ill-health, economic costs to businesses where women's skills are not valued and their potential and talents unrecognised.

Gender mainstreaming ensures that policy makers, planners and service providers address how systems, policies and programmes have a real impact on women's and men's lives. These are issues that are central to organisational effectiveness, responsible spending and budgeting and effective service delivery.