



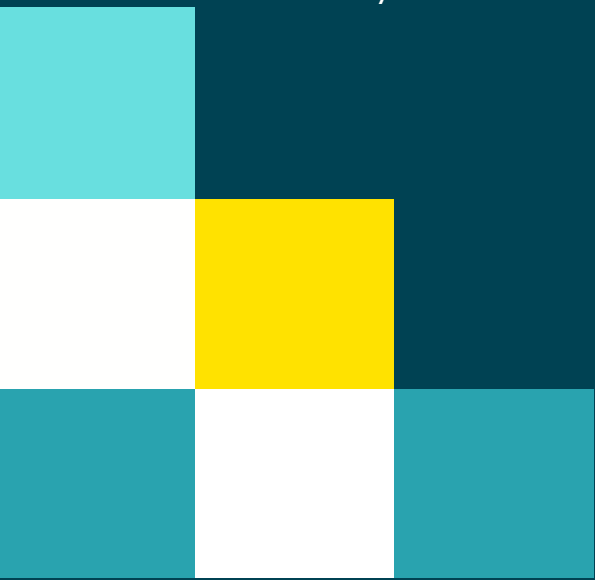
Wales Centre for Public Policy
Canolfan Polisi Cyhoeddus Cymru

Annex: International policy and practice report

Gender Equality Review (Phase One)

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July 2018



Our Mission

The Wales Centre for Public Policy was established in October 2017. Its mission to improve policy making and public services by supporting ministers and public services to access rigorous independent evidence about what works.

The Centre collaborates with leading researchers and other policy experts to synthesise and mobilise existing evidence and identify gaps where there is a need to generate new knowledge.

The Centre is independent of government but works closely with policy makers and practitioners to develop fresh thinking about how to address strategic challenges in health and social care, education, housing, the economy and other devolved responsibilities. It:

- Supports Welsh Government Ministers to identify, access and use authoritative evidence and independent expertise that can help inform and improve policy;
- Works with public services to access, generate, evaluate and apply evidence about what works in addressing key economic and societal challenges; and
- Draws on its work with Ministers and public services, to advance understanding of how evidence can inform and improve policy making and public services and contribute to theories of policy making and implementation.

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Introduction

This Annex provides additional information for the international review of policy and practice, 'Putting equality at the heart of decision-making' (Parken, 2018), referred to throughout as 'the report'. The international report forms part of Phase One of the Gender Equality Review (Chwarae Teg, 2018).

The Annex provides a full glossary to the report, further information on the composition of gender equality indices, parental leave policies in the European Union, gender pay gap policies in the UK and web links to additional resources.

Glossary

Gender - throughout the report gender refers to one axis of social and economic stratification and not to biology. The social processes of gendering are constructed and carried through an oppositional binary, whereby differently valued attributes, skills and behaviours are ascribed to men and women. Gender is an active process in which we are impelled to perform the 'signs' of masculinity and femininity, which vary over time and context, to be intelligible to ourselves and to others (West and Zimmerman, 1987).

If we consider that gender, like class, is a social dimension of inequality, then an egalitarian society must seek to address imbalances in social, economic and political power between men and women in their personal and public lives. This exceeds an individualised conception of protected characteristics (*Equality Act*, 2010) to consider the outcome of institutional systems and practices that produce advantage and disadvantage through the gendering of organisations, society, economy and culture.

Gender equality - equality for women and men - acknowledging that the social processes of gendering have negative impacts on women and men. Equality is a contested concept within feminisms. Using Rees' (1998) typology of approaches to equality; liberal feminism has interpreted gender equality as meaning treating women the same as men (equal treatment/ anti-discrimination). Socialist and some radical feminisms have questioned whether women should have to replicate or be 'brought up to masculine norms' (positive action) and argue that the systems and processes that carry androcentric norms should be challenged, leading to the revaluing of the behaviours/roles assigned to women (gender mainstreaming).

Latterly, post-modernist feminisms, Queer and Trans theories have argued that on the way to creating a level playing field, the gender binary should be challenged, disrupted, and the fluidity of gender identities recognised (Butler, 1990).

There is a specific Swedish word for gender equality - Jämställdhet. This refers to the even distribution of influence, terms and power between the sexes, and therefore, means, equality of outcome. Jämlikhet or equality, means valuing all people equally.

Gender Equity - Recently the Welsh Government's *Relationships and Sexuality Education Review Panel* reintroduced the term *gender equity* (Fraser, 1997) but defined this as 'the different needs and interests that people require to ensure and achieve gender equality' (Renold et.al, 2018:30). Phase 2 of the GER offers an opportunity to debate the meaning and approach to gender equality/equity that Wales wants to adopt.

Gender Mainstreaming (GM) - the mechanism by which by taking gender into account at the formulation of policy and through each stage of the policy process, policy is made to promote equality. This transversal approach, should problematise the assumptions in the policy field that maintain androcentric norms, leading to the creation of new policy intent and means of delivery that undermine the reproduction of gender inequalities. GM provides principles and tools to institutionalise the approach, which are discussed throughout the report.

The 'Mainstreaming Equality' Duty - s120 Government of Wales Act (1998), states that '*the Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people*'. Known as the 'mainstreaming equality duty', the *Government of Wales Act 2006*, s77, shifted responsibility to Welsh Ministers who must report annually on the Welsh Government's progress.

Intersectionality - Given the Welsh legislative context, and in accordance with the Charter of Fundamental Rights of the European Union (2000/C 364/01), gender equality cannot be considered in isolation from the other social dimensions of inequality with which it is always interlocked (socio-economic class, sexuality, ethnicity, age, disability, religion or belief etc.) or the wider context of individual and societal well-being.

There are a number of methodologies to guide an intersectional approach to policy-making: Gender Based Analysis (Hankivisky, 2013), Gender+ (Lombardo, Meier and Verloo, 2017) and policy auditing/multi-strand (Hancock 2007, Parken and Young 2007, Parken 2010). The approach should ensure better understanding of the

inequalities and situations of service users, leading to better service design and outcomes.

Public Sector Equality Duties (PSED) - The General Duty (s149, *Equality Act* 2010), states that listed public authorities must: eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct, advance equality of opportunity between people who share a relevant protected characteristic and those who do not and foster good relations between people who share a protected characteristic and those who do not.

Specific Equality Duties - devolved and different in Wales, Scotland and England, these are the stepping stones by which the general duty is met; setting out actions in respect of engagement, objective-setting, data collection and monitoring, employment and pay analysis etc.

Since the Welsh ‘mainstreaming duty’ does not confer additional positive rights and formal challenge can only be made through judicial review, it is the PSED that informs policy-making in day-to-day practice.

‘Visioning’ - a gender mainstreaming ‘tool’, which based upon evidence of inequalities within a policy frame, applies a gender perspective to reimagine the ways things could be, and formulate new policy.

Well-being - variable and contested meanings, ranging from individual feelings of happiness and contentment, to the socio-economic, cultural and environmental well-being of communities, groups, and/or the well-being of the overall environment, economy, society and culture within countries. In Wales, indicators and actions are directed by the *Well-being of Future Generations Act* 2015.

Gender Equality Indices

There are ten gender equality indices of varying type compiled by governments and inter-governmental agencies. The United Nations Development Programme has separate indices for education, economic participation, political participation and the inequality adjusted human development index (EIGE, 2017: 11). The Organisation for Economic Development and Co-operation (OECD) provides an index on social institutions and gender equality that examines discriminatory family codes and restrictions on civil liberties. The relative strengths and weaknesses of these indices is considered in Plantenga et.al (2009).

The international review report focuses on countries that consistently perform well according to the World Economic Forum (WEF) *Global Gender Gap Reports* and European Institute for Gender Equality (EIGE) *Gender Equality Index*.¹

Since 2009, the *European Institute for Gender Equality* (EIGE), the European Commission's technical agency for supporting the implementation of gender mainstreaming, has been tasked to update best practice guides on the use of gender mainstreaming principles and tools, many of which are on-line and interactive. EIGE also produces the *Gender Equality Index*.

The EIGE index covers the countries of the European Union and therefore the equality acquis to which Member States are committed. The WEF report covers 144 countries including Iceland and Norway, which are not members of the EU. These two countries, and Sweden and Finland, feature most consistently in the top 5 places of rankings. Detailed information on modelling, multi-variate analysis techniques and weighting mechanisms is described in each report.

EIGE also produces good practice guides, which are arranged by topic (gender training, work/life balance/ political representation/ entrepreneurship, media, women and poverty etc.) and cover examples ranging from medical care for women and girls who have suffered Female Genital Mutilation, the collection of crime and justice data on violence against women and girls, gender perspectives in research and teaching, addressing the isolation of migrant women, promoting participation in ICT, and enabling women to access full time employment.

Parental leave policies in the EU

This additional information supplements the report's summary of parental leave policies in the EU. It is an excerpt, taken from the annual review of leave policies produced by the International Network on Leave Policies and Research (Blum et.al, 2017), which is compiled from country reports, hence the variation in writing styles.² The report synthesises information on the amount of leave provided, leave reserved for fathers, wage replacement rates and flexibility of use.

¹ <https://www.weforum.org/reports/the-global-gender-gap-report-2017> and <http://eige.europa.eu/rdc/eige-publications/gender-equality-index-2017-measuring-gender-equality-european-union-2005-2015-report>

² http://www.leavenetwork.org/lp_and_r_reports/

Sweden

Amount: Parents are eligible to 240 days each and days may be transferred between them (except for the days reserved for each parent).

Payment and funding: For parents eligible for wage-related benefit, 195 days of leave are paid at 77.6 per cent of earnings, up to an earnings ceiling of SEK447,783 [€45,852] per year, SEK250 [€25.60] a day for 240 days; the remaining 45 days are paid at a flat-rate payment of SEK180 [€18] a day. Parents not eligible to wage-related leave receive a flat rate of SEK. All parental leave benefit, income related and flat rate, provides pension credits.

Flexibility in use: 195 days per parent are wage-based. For children born 2016 or later, 90 days of these days are reserved for each parent and cannot be transferred (often called mother's quota and father's quota). The remaining 105 wage-based days for each parent can be transferred to the other by signing a consent form.

Iceland

Amount: Three months after birth. These are in addition to the months earmarked for each parent (three each) and can be divided between the parents as they like.

Payment and funding: Eighty per cent of average total earnings for a twelve months period ending six months before birth, up to a ceiling of ISK500.000 [€4,257] per month.

Flexibility in use: Total of nine months leave (covering maternity, paternity and joint rights) can be used until 24 months after the birth. Parents can choose to take leave on a full time or part-time basis. It is also possible to take leave in one continuous period or as several blocks of time (i.e. leave can be 'uninterrupted' or 'interrupted'). This has to be negotiated with the employer. Parents can be on leave together, partly or the whole period.

Norway

Amount: 46 or 56 weeks depending on payment level, plus a further three weeks before birth, i.e. a total of 49/59 weeks. Of the post-natal period, ten weeks are for mothers and ten weeks are for fathers (*fedrekvoten* or 'father's quota'). The remaining 26 or 36 weeks is a family entitlement and may be taken by either mother or father.

Payment and funding: Parental money may either be taken for 49 weeks at 100 per cent of earnings or for 59 weeks at 80 per cent of earnings, up to a ceiling of six times the basic national insurance benefit payment (i.e. NOK92,576 [€9,735] per month (regulated on 1 May each year). Most employees are included in collective agreements where the employers pay the difference between wages and the cap. As of 1 January 2017, non-employed women receive a flat-rate payment of NOK61,120 [€6,427] per child per month. Funded from general taxation.

Flexibility in use: For the family entitlement part of leave, it is possible to choose a longer period of leave (36 weeks) paid at 80 per cent of earnings, or a shorter (26 weeks) paid at 100 per cent. After the first six weeks, it is possible to postpone parts of the parental money period, as long as it is taken during the first three years after birth.

Finland

Amount: 158 working days, to be taken after the end of Maternity leave. This is a family entitlement. The parents can share the leave between themselves as they wish but cannot be on leave at the same time.

Payment and funding: Earnings-related benefit. Benefit is paid at 70 per cent of annual earnings between €1,425 and €37,113, with a lower percentage for earnings above this level. Those whose annual earnings are less than €1,425 before the birth get the minimum flat-rate allowance. Mothers and fathers are permitted to work while on Parental leave but receive only the minimum flat-rate allowance for the days they work. Working on Sundays does not affect the benefit. Funding as for Maternity leave. Pension as for Maternity leave.

Flexibility in use: Each parent can take leave in two parts, of at least 12 days duration. Leave can be taken part time, at 40-60 per cent of full-time hours and at least for two months at a time, but only if both parents take part-time leave and take care of the child themselves.

Germany

Amount: Up to three years after childbirth for each parent, of which 24 months can be taken up to the child's eighth birthday. This is an individual entitlement and non-transferable. It provides parents with employment protection rights during this period.

Payment and funding: An income-related benefit is paid if a parent takes full-time or part-time leave. Parents can choose between (or successively combine) two types of leave benefit payments: (a) *Basiselterngeld* and (b) *ElterngeldPlus*.

(a) *Basiselterngeld*: replaces a proportion of former income, if parents take leave to care for their child/ren, paid for a period of 12 (+2) months after the child is born.

'Partner months' (*Partnermonate*): two bonus months are paid if both parents take at least two months of leave. Income replacement rate: paid at a level of 65 per cent of last years' net earnings with a minimum of €300 per month and a maximum of €1,800 per month.

Flexibility in use: Parents can choose to work part-time (up to 30 hours).

Maternity leave benefits paid during the eight weeks of obligatory Maternity leave following childbirth are deducted, effectively reducing the actual *Basiselterngeld* benefit.

(b) *ElterngeldPlus*: replaces a proportion of the loss in income, if parents reduce their working hours to care for their child/ren. Duration: paid for a period of 24 (+four) months and may be used in the first two years after childbirth. Partnership bonus (*Partnerschaftsbonus*): four bonus months are paid if both parents work at least in four subsequent months in part-time with 25 to 30 hours a week. Income replacement rate: paid at a level of 65 per cent of last years' net earnings for lost earnings due to part-time, at most 50 per cent of *Elterngeld* payments, i.e. between a range of €150 and €900.

Parental leave entitlements are individual entitlements and both parents can receive their Parental leave benefits at the same time. Parents who are not working before birth are eligible to receive the minimum rate of €300 per month. Parents who are long-term unemployed are not eligible for additional payments with parental benefits, as it is now credited against social assistance payments.

Portugal

Amount: (*before and after birth*) 120 or 150 calendar days, depending on payment level (see 'payment and funding' below). It is obligatory for the mother to take 42 calendar days (six weeks) following the birth; the remaining period may be divided between parents by mutual agreement. An extra 30 days ('sharing bonus') is available if both parents share the leave".

Payment and funding: 120 days at 100 per cent of earnings or 150 days at 80 per cent of earnings, with no ceiling on payments, if parents do not meet the gender sharing criteria; or 150 days at 100 per cent of earnings or 180 days at 83 per cent of earnings, with no ceiling on payments, if parents meet the gender sharing criteria. If parents decide to divide the 30 days of the fifth month of initial Parental leave, in order to stay at home simultaneously (each for a maximum of 15 days), payment remains at 80 per cent of earnings for each parent (see flexibility in use, point four). Monthly payment corresponds to an average of all gross earnings during the first six months within the last eight months immediately prior to leave.

Flexibility in use: Initial Parental leave may be taken in the following ways:

- 1) the mother (or the father, after the mother's obligatory period) may take all 120 days at 100 per cent of earnings or all 150 days at 80 per cent of earnings, i.e. there is no sharing of leave;
- 2) parents may divide between themselves 150 days at 100 per cent of earnings on condition the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or *vice versa*);
- 3) parents may divide between themselves 180 days at 83 per cent of earnings on condition the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone (without the mother, or *vice versa*);

Table 1. Gender pay gap duties

UK and devolved nations gender pay gap duties

	Key features	Eligibility	Impact
UK	<p>Duty to report mean and median pay gap; workforce quartiles by gender; proportion of men and women receiving bonuses, and gender bonus gap</p> <p>Reports posted on government website</p> <p>Enforcement by EHRC (Section 34 compliance)</p>	Regulations cover all private and third sector organisations in UK, and public-sector organisations in England with 250 employees or more	Estimated 90%+ compliance but some reports filed wrongly
Wales	Duty to have a gender pay differences equality objective or evidence why not needed. Annual reporting of pay differences in combination with job, grade, working pattern and contract type (to reveal pay gap drivers in employment structures). Publish with annual equality report, review and refresh action plan annually.	Public sector only	Overall compliance not known. WAVE case study employers embedded long-term change to workforce planning ³

³ See <https://www.cardiff.ac.uk/research/explore/research-units/women-adding-value-to-the-economy-wave>

Scotland	Organisations with 20+ employees publish pay gap every two years. Statement on equal pay policy and basic occupational characteristics for men and women, people who are disabled and those who are not, and people from ethnic minorities and those who are not, every four years.	Public sector only	Overall compliance not known.
Northern Ireland	A separate duty applies under s75 Northern Ireland Act 1998, which requires equality impact assessment of public sector employers' job evaluation schemes, which are considered to be public documents	Public sector only	Overall compliance not known.

Source: UK adapted from Milner 2018. Wales, Scotland and Northern Ireland from Parken and Ashworth 2018.

Additional Resources:

The European Institute for Gender Equality (EIGE) provides best practice guides for embedding equality in research institutions, employment, health, violence against women and girls, and gender mainstreaming principles and tools

<http://eige.europa.eu/gender-mainstreaming/methods-tools>

FEMM Committee Country and EU Strategy reports for the promotion of gender equality: <http://www.europarl.europa.eu/committees/en/femm/reports.html>

Nordic Countries – equality policy websites

Finland:

Policy: <https://www.gender-equality.webinfo.it/results/finland.htm>

<https://thl.fi/fi/web/gender-equality>

International gender equality prize: <http://genderequalityprize.fi/en/finland-gender-equality>

<https://www.theguardian.com/business/2018/mar/17/finland-happiness-worlds-happiest-country-equality>

Iceland

Policy <https://www.stjornarradid.is/library/03-Verkefni/Mannrettindi-og-jafnretti/Jafnretti/Parliamentary%20Resolution%20on%20a%20gender%20equality%20action%20programme%20for%20the%20period%202016-2019.pdf>

Centre for gender equality <http://www.jafnretti.is/jafnretti/default.aspx>

Gender Equality information and objectives:

http://www.jafnretti.is/D10/_Files/Gender_Equality_in_Iceland_2017.pdf

News Articles on Iceland's first place ranking in the WEF Global Gap Report 2017:

<https://www.weforum.org/agenda/2017/11/why-iceland-ranks-first-gender-equality/>

<https://www.theguardian.com/commentisfree/2018/jan/05/iceland-female-women-equal-pay-gender-equality>

New equal pay standard

<https://www.government.is/news/article/2018/01/04/New-Icelandic-law-on-Equal-Pay-Certification-entered-into-force-on-January-1-2018/>

Sweden

Government Policy: <https://www.government.se/government-policy/gender-equality/goals-and-visions/>

<https://sweden.se/society/gender-equality-in-sweden/>

<https://sweden.se/society/sweden-gender-equality/>

Gender Equality Council: <https://www.jamstalldhetsmyndigheten.se/en/support-coordination/gender-mainstreaming/>

Gender Equality Agencies: <https://www.government.se/articles/2018/01/the-new-swedish-gender-equality-agency-inaugurated-in-gothenburg/>

Norway

Government Policy: <http://www.gender.no/>

Sectoral Equality Programme:

<http://likestiltnorden2017.regjeringen.no/language/en/>

Research Council:

https://www.forskningsradet.no/en/Gender_issues/1195592877653

Equal pay video, experiment with young people:

<https://www.independent.co.uk/news/world/international-womens-day-norway-children-video-gender-pay-gap-boys-girls-finansforbundet-trade-union-a8245841.html>

Nordic Equality Data and Infographics

Denmark

<https://www.dst.dk/en/Statistik/emner/levevilkaar/ligestilling/ligestillingswebsite>

Finland: http://www.stat.fi/tup/tasaarvo/index_en.html

Iceland <https://www.statista.com/statistics/594582/total-population-by-gender-in-iceland/>

Norway <https://www.ssb.no/en/likekom/>

Sweden <https://sweden.se/society/sweden-gender-equality/>

<https://www.genus.se/en/actor/statistics-sweden-gender-equality/>

<https://www.scb.se/en/finding-statistics/statistics-by-subject-area/living-conditions/gender-statistics/gender-statistics/>

NORDIC Council of Ministers gender equality activities:

<http://www.nikk.no/en/facts/gender-equality-policy/Finland/#today>

<http://www.nikk.no/en/gender-equality-fund/>

Men and gender equality

Norway: <http://kjonnsforskning.no/en/2015/10/gender-equality-gives-men-better-lives>

http://www.gender.no/Policies_tools/1085

Sweden: https://apolitical.co/solution_article/sweden-has-a-new-gender-agency-its-focus-is-on-men/?utm_source=The+Apolitical+Platform&utm_campaign=bc81836709-EMAIL_CAMPAIGN_2018_05_29_02_26&utm_medium=email&utm_term=0_a11f6796a2-bc81836709-185496993

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World Economic Forum (2017) **The Global Gender Pay Gap Report**, Geneva: World Economic Forum pp.560

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