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Sent: 28 February 2022 20:47

Subject: FAO International Development Committee: Equalities Impact Assessment

Dear Sarah,

I hope you are well.

I am passing this document, which is an equalities assessment undertaken by the FCDO, to your Committee because I believe it is of interest to your Committee's work. As the source of this document I ask that my details are redacted.

Many thanks in advance,

[REDACTED]

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Flag I Equalities Assessment

Department:	Foreign, Commonwealth and Development Office
Date:	25 March 2021

Note on this document:

Given the importance of equalities to decision-making relating to ODA, the FCDO has undertaken this light touch analysis. This is without prejudice to the question of whether or not there is a legal obligation to do so³. This analysis has been carried out by reference to the International Development Act 2002 (as amended by the International Development (Gender Equality) Act 2014) to have regard to gender inequality in the provision of development assistance and the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 (see background at the end of this assessment). Consideration of the contribution that UK Aid can have on equality related issues applies to all ODA.

The impact of the global Covid-19 pandemic on the UK economy means that the UK government has taken the decision to temporarily reduce Official Development Assistance, from 0.7 to a target of spending 0.5% of Gross National Income on ODA. The UK will remain a world leading donor and based on current GNI forecasts spend over £10 billion of ODA in 2021. The aid budget will continue to serve the primary aim of reducing poverty in developing countries and follow the rules set by the OECD's Development Assistance Committee.

ODA budgets have been allocated based on the priorities of the Integrated Review and seven core priorities of the ODA Strategic Framework set out on 26 November 2020. These focus the UK's aid budget on the overarching pursuit of poverty reduction and remain closely aligned to the Sustainable Development Goals. Allocations have also taken into account considerations of need, including levels of poverty in the countries where FCDO works. The UK recognises that addressing the needs of the extreme poor and most excluded is central to the UK's effectiveness in its diplomacy and development work, in protecting human rights and contributing to fairer and more prosperous societies.

However, given the change in funding, the business planning and resource allocation round for 2021/22 has required plans and budgets to be prepared to achieve strategic objectives with significant reductions. Given the scale and pace of these reductions, FCDO departments were asked to set out the risks associated, including any potential impact on equalities.

Light touch qualitative analysis (a review of 42 country plans), sectoral analysis of thematic trends, and further quantitative analysis of draft business plans has identified possible impacts of ODA reductions. The quantitative analysis reviewed for all protected characteristics as far as practical. Fuller assessment of impacts and the action that can be taken if there is disproportionate impact will be possible in coming months.

³ In a judgment (Turani) handed down on 15 March 2021 Court of Appeal decided that PSED s149(b) and (c) **does not** apply to people outside the United Kingdom.

Section 1: Eliminating prohibited conduct

FCDO's 'do no harm policy' sets out how ODA work should not have any unintended consequences that increase discrimination and social inequality or increase any human rights risks. At this stage, it is not possible to give in depth analysis of the risk of direct or indirect discrimination as a result of ODA reduction and business planning. "Equality and Inclusion Principles" circulated prior to business planning did ask teams to consider best practice.

Qualitative analysis of 42 draft country plans show there will likely be a significant reduction in the number and size of targeted programme activities aimed at reaching those furthest behind – including women, girls and people with disabilities. These tend to be funded activities that seek to address specific barriers faced by marginalised groups that prevent them from benefiting from our investments on an equal basis to others (for example ensuring people with disabilities can access services). Without targeted initiatives, development gains may not benefit the "hardest to reach".

Section 2: Advancing equality of opportunity

Initial quantitative analysis suggests that programmes which have been marked as having a significant or principal focus on gender equality are not disproportionately likely to be discontinued. Across all the protected characteristics, programmes with descriptions that mention them are not substantially more or less likely to be continued than other programmes. However, given that around half the ODA programmes mentioned in business plans are likely to continue with amendments, changes made *within* programmes will be critical in determining whether work relating to people with protected characteristics is preserved or not.

There are a number of sectoral issues to be aware of:

The proposed scale of reductions to specific gender interventions, including Violence Against Women and Girls (VAWG) and Sexual and Reproductive Health and Rights (SRHR) will impact girls' education and wider efforts to advance gender equality. This includes likely reductions of 75% for VAWG bilateral programming (from £23.7m to £6m), 70% for SRHR bilateral, and 80% SRHR central programming. Reductions to VAWG, SRHR and funding for women's rights organisations, will reduce services available to women and girls who are subject to sexual violence, including sexual exploitation and abuse and sexual harassment (SEAH), and our ability to progress safeguarding objectives and championing of a survivor-centred approach.

There will be an estimated 60% reduction in bilateral spend for social protection programmes, which seek to reduce poverty and are a key tool in mitigating COVID-19 social and economic shocks for the poorest and most marginalised. Programmes provide direct support to some of the world's poorest and most vulnerable people including those with protected characteristics. Which groups are targeted is context specific and dependent on national analysis of poverty and vulnerability data. There is strong evidence programmes increase access to education (including for adolescent girls) and health services, food security and resilience to shocks. FCDO has been the biggest bilateral

supporter of social protection programming in over 30 countries. Of 23 draft country plans reviewed, 16⁴ proposed reductions and 3⁵ proposed closure.

Reductions in ODA may impact FCDO ambition on disability inclusive development.

Of the 8 centrally managed programmes, 6 will be reduced and 1 is proposed to close. At the bilateral level, disability inclusion is addressed through wider “Leave no One Behind” programmes focused on advancing rights and services to the most excluded as well as mainstreaming the needs of people with disabilities across health, education, social protection, humanitarian and economic development programmes. Analysis from 42 draft country plans suggests there are likely to be significant cuts to mainstreaming components.

Section 3: Fostering good relations

Fostering good relations and mitigating risks of friction between those receiving and not receiving aid is an integral element of many FCDO programmes. However, at this stage, it is not possible to give in depth analysis of the impact of business planning proposals on activities related to fostering good relations given the detailed information that would be required for each of the programmes.

FCDO is mainstreaming the relevant commitments from HMG’s September 2020 SEAH Safeguarding Strategy across the organisation, explicitly laying out expected behaviour by all staff and programme implementors to challenge unacceptable social norms, attitudes and behaviours related to SEAH.

Section 4: Further action

For the reasons explained above (fiscal constraints as a consequence of Covid-19) it is not possible to fully mitigate against these impacts. However, FCDO can maximise the positive use of ODA through:

1. **Targeted interventions:** where advancing equality is a principle objective of UK action and is fundamental in its design and expected results, albeit with a smaller number of targeted programmes.
2. **Mainstreaming:** where every programme has due regard for gender equality, addressing discrimination and the needs of people with protected characteristics and SEAH. We will mainstream the SEAH Safeguarding Strategy and update our Gender Equality Strategic Vision, the Disability Inclusion Strategy and the Inclusive Data Charter Action Plan to embed good practice in FCDO. We will also share lessons from Africa regional teams to MENA and Indo-Pacific regions.
3. **Advocating and influencing:** for **equalities and inclusion** (international commitments on gender, VAWG, SEAH, disability and LGBT rights); **UK diplomatic leadership on social protection and COVID-19 recovery** to promote smart investment and strengthen social protection systems to mitigate COVID-19 social and economic shocks; and international convening and leadership on **disability inclusion, Sexual Exploitation and Abuse and Sexual Harassment and the rights of LGBT+ people globally**. We will engage with the UN, IFIs, like-minded donors and the NGO sector, particularly as chair of the Technical Donor Working Group on SEAH and co-chair of the OECD DAC SEAH Reference Group and at the 2022 UK international conference on LGBT rights.

⁴ Iraq, Ethiopia, Kenya, Ghana, Malawi, Mozambique, Nigeria, Rwanda, South Sudan, Uganda, Zambia, Zimbabwe, Sahel (6 country programme), Bangladesh, India, Nepal

⁵ Lebanon, Liberia, Tanzania. However, Bangladesh and South Sudan have specifically made reductions to enable responsible closure,

Section 5: Sources of evidence and information

Quantitative and qualitative analysis of data collected in all country and departmental business plans.

The Public Sector Equality Duty Smart Guide was provided to teams as part of the guidance accompanying the business planning commission.

Section 6: Monitoring and review

Accountability for compliance with the International Development Act 2002 (as amended by the International Development (Gender Equality) Act 2014) and the Public Sector Equality Duty sits with decision makers, and therefore ultimately with Ministers.

The new Programme Operating Framework requires heads of department to ensure that their portfolio is consistent with relevant UK legislation, including the requirements of the [International Development Act 2002](#) (as amended by the International Development (Gender Equality) Act 2014) and the Equality Act 2010 (which includes the Public Sector Equality Duty). For operational purposes, Heads of Departments continue to be responsible for reporting compliance with PSED requirements in the Directors' annual Statement of Assurance.

In addition to this, the SMART rules (as to be replaced by the Professional Operating Framework) require that the impact of development or humanitarian assistance on gender equality is considered for every programme (including cross-HMG funds when funded by FCDO and business case addendums). A proportionate statement summarising the impact on gender equality must be included in the concept note and business case or submission, or business case addendum.

All bilateral development programmes are required to mark against the OECD DAC gender and disability policy markers. Using these markers, it is possible to make a broad-brush assessment of the degree to which spend is focussed on gender equality and disability inclusion. It is important to note that there are challenges around consistent application of the markers. Assessments based solely on the markers should be viewed as indicative.

The FCDO has signed up to the Inclusive Data Charter. In line with the principles of the Charter, we aim for all programmes with identifiable beneficiaries to disaggregate their data by sex, disability and age, at a minimum, in order to understand which populations they are reaching and which are being left behind.

We will continue to monitor how combined reductions to bilateral and central spend impact gender equality, inclusion and people with protected characteristics. A clear mitigating strategy will be developed to address impacts including on reproductive health commodities and on our implementing partners through the refresh of the FCDO Strategic Vision for Gender Equality.

Relevant legislative provision

The International Development Act 2002 (as amended by the International Development (Gender Equality) Act 2014) specifically requires that:

- (i) Before providing development assistance, the Secretary of State shall have regard to the desirability of providing development assistance that is likely to contribute to reducing poverty in a way which is likely to contribute to reducing inequality between persons of different gender and
- (ii) Before providing assistance, the Secretary of State shall have regard to the desirability of providing assistance in a way that takes account of any gender-related differences in the needs of those affected by the disaster or emergency

The PSED requires the Minister, before making a decision, to have due regard to the need to:

(a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

(b) advance equality of opportunity between people who share a protected characteristic and those who do not, by having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. For disabled persons it includes, in particular, steps to take account of their disabilities;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low; and

(c) foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics are age, disability, sex, race, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership, religion or belief.