Paying 'due regard'?
The impact of the
Public Sector Equality Duty
on service provision for
single mothers

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Abstract

The purpose of this thesis was to examine the impact of the Public Sector Equality Duty ('the Duty') on the lives of single mother, local authority service users, focusing on their experiences 'on the ground'. The discourse surrounding lone mothers has long been highly politicised, entrenched in a paradigm of dependency. This in-depth, qualitative study, undertaken between February 2013 and May 2015, used an alternative perspective of gender equality through considering the positive rights of this group. Using Bristol and Bristol City Council (BCC) as a case study, a socio-legal approach was utilised through desktop, analytical work to explore the theoretical underpinning of the Duty as 'reflexive' law, assess local policy and decision-making processes, and ascertain the services available to single mothers. Semi-structured interviews were conducted with 14 single mothers and 11 stakeholders to support a contextualised understanding of the way these services were used.

Based on the analysis and findings of this research, BCC had established significant structures to deliver the Duty, effectively engaging local actors to improve organisational mechanisms and support equality. The Duty was identified as having a positive impact on single mother service users, potentially supporting their participation in public life. However, organisational mechanisms stimulated by the Duty were identified as vulnerable to ongoing austerity measures.

This study contributes to knowledge in three respects. Firstly, it addresses a gap in evidence identified in the 2013 Governmental review of the Equality Duty, by showing how the Duty underpins transparent decision-making processes and, through localised, reflexive mechanisms informs service delivery that better meets the needs of service users. Furthermore, the systematic and detailed sociological study of the Duty's mechanisms explores its operation 'on the ground' from a novel perspective. Finally, through positioning single mothers as knowledgeable social actors, it offers an alternative paradigm to existing work that portrays them as passive recipients.

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Chapter 1: Introduction

1.1   Background

It is widely accepted that women, particularly single mothers who are heavily reliant on public services, have been hit disproportionately by government austerity measures[1]. The Office for National Statistics reported that there were 2.0 million lone parents with dependent children in the UK in 2014[2], an increase of 11.9% since 2004 and representing 25% of all families[3]. Women accounted for 91% of these, being more likely to take on the main caring responsibilities when relationships break down[4]. Examples of reforms which have had notable impact include reductions in job-seeking support, less availability of childcare for working mothers and cuts to tax credits, all of which have a cumulative effect[5] with low income mothers shown to be "the managers and shock-absorbers of poverty"[6].

The Public Sector Equality Duty ('the Duty') was introduced under the Equality Act 2010[7] as part of a move to shift the onus for promoting equalities from individuals to organisations. The aim of the legislation was to lead to the mainstreaming of equalities concerns, where 'mainstream' can be defined as "an approach to policy-making in which equal opportunities principles, strategies and practices are integrated into the everyday work of government and other public bodies"[8]. As a result, the Duty requires public authorities to have 'due regard' to the need to eliminate discrimination and advance equality of opportunity for employees and service users who have 'protected characteristics'. Protected characteristics include sex, pregnancy and maternity which might particularly impact on the service needs of single mothers as a group. The need for 'due regard' has been

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[1] Sands, D. (2011). *Single Mothers: Singled Out.* London: The Fawcett Society, https://www.fawcettsociety.org.uk/Handlers/Download.ashx?IDMF=a3e94fc6-35b1-4a7d-b121-4b9de2668b91 [Retrieved 1/8/2014].

[2] Dependent children are those living with parents who are aged under 16 or aged 16-18 in full-time education.

[3] Gingerbread (2013). *Single parents 'normal part of family life'*, http://www.gingerbread.org.uk/news/190/General-lifestyle-stats [Retrieved 3/6/2014].

[4] Office for National Statistics (ONS) (2014). *Statistical Bulletin – Families and Households 2014 – Key Findings*, http://www.ons.gov.uk/ons/dcp171778_393133.pdf [Retrieved 3/4/2015].

[5] Sands, ibid, p. 1.

[6] Women's Budget Group (WBG) (2010). *A Gender Impact Assessment of the Coalition Government Budget*, June 2010, https://wbg.org.uk/wp-content/uploads/2016/12/RRB_Reports_12_956432831.pdf [Retrieved 3/4/2015], p. 2.

[7] https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty.

[8] Fredman, S. (2005). Changing the Norm: Positive Duties in Equal Treatment Legislation. *Maastricht Journal of European and Comparative Law*, 12, pp. 369-398, p. 369.

positively interpreted by some as "a deliberative, reflexive approach to achieving equality"[9], replacing top-down, 'command and control' models, by deferring to local expertise and dialogue between 'stakeholders' with the: "aim to harness the energy and initiative of local actors"[10]. Such an approach, however, is likely to be undermined where cuts to public funds affect the ability of local authorities to implement appropriate initiatives or provide local services[11].

1.2   Thesis overview and structure

This thesis examines the impact of the Duty on the lives of single mothers[12] who are service users in the city of Bristol in the UK. In order to achieve this, the following research questions were addressed:

1) How has Bristol City Council (BCC) implemented the Equality Duty, with an emphasis on single mothers as a service-user group?

2) What local authority services and support are available to meet the needs of single mothers? In what ways do social structures enable or constrain their access to those services and in what ways are they able to practise agency to impact this environment?

3) In which ways has service delivery for single mothers been impacted by the Duty, and how, in turn, have their lives been affected by those services?

4) To what extent has the Duty been effective as a piece of reflexive legislation? What have been the Duty's limitations and strengths in meeting the needs of single mother service users?

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[9] Fredman, S. (2011). The public sector Equality Duty. *Industrial law Journal* 40(4), pp. 405-427, p. 405.

[10] Fredman, ibid, p. 408.

[11] Fredman, ibid; Conley, H. (2012). Using equality to challenge austerity: new actors, old problems. *Work, Employment and Society* 26(2), pp. 349-359.

[12] A 'single mother' is a woman who is sole head of a household and who is not cohabiting, with at least one child (who may or may not be dependent). The terms 'lone parent' and 'single parent' differ as these include both mothers and fathers. The latter may sometimes be used by someone who is both parenting alone and is not in a partner relationship, however, in common discourse 'lone' and 'single' appear to be used interchangeably. I was advised early in the study to avoid the use of the term 'lone parent' as it is typically used by government and other official sources and often viewed as "official", felt by some to be pejorative. Throughout, I use the terms single or lone 'parents' only when drawing on material which uses those terms, to denote that single fathers are also included. For the purposes of this study, no criteria were set for single mothers taking part, and participants self-defined.

A case study area was the focus to explore and evaluate single mothers' experiences as a group who could have one or more of the Duty's protected characteristics, adding to the limited existing work in this area. The discourse surrounding single mothers has long been highly politicised, entrenched in a paradigm of dependency and notions of an underclass. This qualitative study focused on an alternative perspective of a gender equality lens which positioned these women as a group with positive rights, who are not simply passive recipients of assistance but instead could demonstrate practices of agency – defined as individuals' ability to 'act otherwise', intervening in the world or refraining from intervention[13]. In this respect, they were social actors who could be empowered by – and positively impact - the services and support they accessed. Within this context, the role of the Duty is considered as a reflexive mechanism for delivering services which adapt to user needs.

An empirical legal approach was taken using qualitative methods which were generally informed by feminist scholarship. Across the period between February 2013 and May 2015 an interdisciplinary study, combining sociological and legal data collection methods and analytical frameworks, was developed to achieve this. Alongside single mother service-users, my study involved individuals working for organisations delivering a range of services and other stakeholders who had an interest in service outcomes, such as women's rights advocacy organisations and those providing support and advice to front-line service functions. The economic austerity measures which were being implemented during the period of planning and fieldwork provided a backdrop for the study.

Previous research on the Duty's impact has focused primarily on quantitative work, often from an organisational and/or practitioner perspective having little focus on service users or their experiences. Instead, I used qualitative interview data to provide contextualised experiences of single mother service users. As a social group which accesses public services, but may also face constraints or barriers such as financial disadvantage or social isolation, single mothers' experiences are a helpful way through which to analyse the reflexive mechanisms of the Duty and explore some of its strengths and weaknesses when applied 'on the ground'.

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[13] Giddens, A. (1984). *The Constitution of Society. Outline of the Theory of Structuration*. Cambridge: Polity Press.

Two key theoretical perspectives were used to better understand the Duty's mechanisms and how these might be applied. A legal perspective drew on systems theory which underpins reflexive law and provides a macro-level theory on the ways in which legal 'systems' could be produced. In addition, Giddens' concept of structuration was used to develop a more nuanced understanding of activities at the level of individual social interactions. This concept theorises social structures as processes which involve 'knowledgeable' individuals, and are 'dual', in that they are both a medium and an 'outcome': structures shape people's practices, but people are also able to both constitute and reproduce structures. Social structures, therefore, can arguably *constrain* the thoughts and actions of social agents as well as act as a 'medium' to *enable* them in day-to-day interactions. These concepts allowed further exploration of the activities of service users and other social actors within the structures of the local authority and the Duty. Furthermore, the work of Hepple was drawn upon as a framework to better understand the ways in which the Duty can work within organisations, and which elements are required for its successful implementation.

In terms of structure, my thesis consists of the following chapters:

Chapter 1 provides the background required to set the context for this study. Section 1 discusses the economic and political environment which formed the backdrop for the introduction of the Public Sector Equality Duty, as the key piece of legislation which underpins this thesis. Austerity measures and associated welfare reform are described to establish ways in which single mothers were impacted by a changing economic environment, establishing the context for accessing services within which these women lived. Section 2 sets the scene for the case study area, providing key information on Bristol City Council as a public authority which delivers (or is responsible for) a range of public services for the city and therefore must comply with the Duty. Finally, section 3 focuses on prior research on single mothers, arguing that this was often focused on the evaluation of government support programmes rather than trying to understand the viewpoint of the women themselves. This literature drew, where possible, on studies involving single mothers' service use and formed a starting point for research design.

In Chapter 2: The legal literature and policy review, the Equality Duty is explored as a piece of reflexive legislation. This discussion is presented in two sections, with the first explaining the development of equalities legislation in the UK leading up to the introduction of the Duty. The Duty introduced a 'reflexive' (ie, adaptive)

approach aimed at transforming organisational processes, and was developed according to the first of my theoretical bases - systems theory. Hepple's 'triangular relationship' is then explained, which, he argued, described the criteria which are essential for reflexive legislation, and therefore the Duty, to be effective. Section 2 provides further context by outlining the evidence available to evaluate the success of positive duties to date. This demonstrates a gap in knowledge relating to the impact of the Duty 'on the ground' and a previous emphasis on 'top-down' and quantitative work based on practitioner viewpoints. Finally, I address the additional legal and policy context that informed my overall analytical frame.

Chapter 3: Research design and methodology explains and discusses the methodology and research design for this project. Both the legal and sociological perspectives of data collection and analysis which supported the study of the real-life impact of a section of law are described. The rationale for the case study location, participant and organisational scope is explained, followed by a description of the desktop work, fieldwork, and data analysis and finally a review of the research process. The findings from the qualitative study relating to service users are outlined thematically in Chapter 4, and explore: the social structures which acted as constraints and/or enablers for service users, their roles as 'knowledgeable agents' and their ability to engage with the local authority structures governed by the Duty.

Chapter 5 addresses findings relating to the local authority structures within which the single mother service users operated. Section 1 describes the organisational framework which BCC put in place to comply with Duty. As a way to explore how this operated 'on the ground' and therefore may impact on single mother service users, section 2 examines two contextualised, 'illustrative examples' of policy decision-making, using real-life decisions which focused on children's centres and play facilities. These combine the experiences described by single mother service users and stakeholders with documentary evidence from consultation processes and other activities carried out by the council to comply with the Duty.

Building on the findings and discussion from chapter 5, chapter 6 – 'legal empirical analysis and findings' presents findings as they relate to the legal empirical aspects of this thesis. Section 1 evaluates the processes BCC put in place to deliver the Duty, based on the findings from the 'illustrative examples' and using Hepple's 'triangular relationship' as a framework for comparison. In section 2, the strengths and weaknesses of the Duty and its reflexive features are discussed, using the context of BCC and single mother service users to explore the

mechanisms which operated, drawing both on systems theory and Giddens' structuration theory to further examine ways in which these mechanisms are constrained or could be reproduced.

Following this, chapter 7 presents a conclusion to the thesis and its contribution to knowledge. The research rationale and theoretical perspectives are revisited and constraints to the study are discussed. A summary of the research findings and implications covers key conclusions which emerged from the study and how these address the original research questions. Finally, suggestions are made for possible areas for future research.

1.3 Section 1: The Public Sector Equality Duty – economic and political context

1.3.1 Introduction

The Duty was enacted under Section 149 of The Equality Act 2010 and introduced on 5th April 2011. It harmonised existing equalities legislation, drawing the previous Race[14], Disability[15] and Gender[16] Equality Duties into one, and now covers nine 'protected characteristics' of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation[17].

The 2010 Act was introduced following many years' exploration of the equality law framework and potential for reform via research projects and government reviews[18], plus campaigning by equalities specialists and human rights organisations[19]. It was enacted by the Labour Government which lost office in May 2010 and had received cross-party support for most of its provisions. The single Duty was broadly welcomed by equalities practitioners with some recognition that 'harmonising up' the legislation to cover all strands clarified responsibilities and supported the implementation of more widespread equality initiatives, in

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[14] The Race Relations Amendment Act 2000, introduced 2nd April 2001.
[15] The Disability Discrimination Act 2005, introduced 4th December 2006.
[16] The Equality Act 2006, introduced 2nd April 2007, which amended the Sex Discrimination Act 1975.
[17] Though any of these might apply to an individual single mother, no attempt was made to explore intersections, with other protected characteristics eg, with race and ethnicity, and I focused instead on single motherhood being protected because of sex, maternity or pregnancy.
[18] Hepple B., Coussey, M., and Choudhury, T. (2000). *Equality: A New Framework - Report of the Independent Review of the Enforcement of UK Anti-discrimination Legislation*. Oxford: Hart.
[19] Hepple, B (2014). The Key to Greater Gender Equality, *The Equal Rights Review*, Vol. Twelve, pp. 59-61. http://www.equalrightstrust.org/ertdocumentbank/sp2.pdf [Retrieved 1/6/2014].

employment as well as service provision. However, doubts were also raised about a perceived 'watering down' of some aspects of the duties compared to earlier legislation[20]. Moreover, the Act contained a duty, introduced as a late addition to the Equality Bill, for authorities to take socio-economic disadvantage into account when making strategic decisions and aimed at reducing 'inequalities of outcome'[21]. This was not, however, brought into force and subsequently repealed, during 2010, by the Coalition Government, a decision labelled as "both a great disappointment and constitutionally dubious"[22].

1.3.2   The review of the Duty

Unlike the earlier duties, which were introduced during a time of public sector expansion, the single Duty was introduced during a time of austerity. In this political and economic landscape, within which equalities concerns were labelled as 'red tape', the Duty was fully reviewed in September 2013[23], prompting fears that it was under threat as this was two years earlier than had originally been planned, and just two years after its enactment. The review aimed to focus on a number of key themes relating to how well-understood the Duty and guidance were, its costs and benefits, and how organisations were ensuring compliance in addition to consultation on what changes were needed to ensure better equality outcomes[24]. At the time, equalities practitioners raised concerns about a bias towards the private sector amongst members of the review steering group[25]. Moreover, amongst the submissions of evidence many expressed concern that the review was premature; that there had been little opportunity to share good practice in the Duty's newer aspects, ie, the additional characteristics covered, such as sexual orientation; that many authorities were still embedding practice to

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[20] These critiques are explored in greater detail in section 2.3.2.

[21] IDS (2010). *The Equality Act 2010. Employment Law Guide*, London: IDS.

[22] Fredman, ibid, p. 427.

[23] Government Equalities Office (GEO) - Independent Steering Committee (2013). *Review of the Public Sector Equality Duty: Report of the Independent Steering Group*. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/237194/Review_of_the_Public_Sector_Equality_Duty_by_the_Independent_Steering_Group.pdf [Retrieved 6/9/2013]. As part of the Coalitions Government's 'Red Tape Challenge', see: Cabinet Office (undated). Red Tape Challenge http://www.redtapechallenge.cabinetoffice.gov.uk/about/ [Retrieved 1/9/2014].

[24] GOV.UK (Undated). Review of public sector Equality Duty, https://www.gov.uk/government/policy-advisory-groups/review-of-public-sector-equality-duty-steering-group#terms-of-reference.

[25] Rubenstein, M. (2013). Diary: Fees challenge. *Equal Opportunities Review* July 2013 (238).

meet the new requirements[26]; and that this would negatively impact on the quality of evidence available. Nevertheless, a broad range of material was submitted containing supportive evidence of the Duty's implementation, and the material relevant to this study is reviewed in section 2.3.2.

Ultimately, the review was critical of the Duty, identifying a perceived burden on business, and asserting that it takes funds from frontline services. The report also stated that, although participants had attributed "general benefits to the [Duty], there is little hard evidence to support this or demonstrate that the [Duty] is leading to better decision-making and improvements in policy and service delivery"[27]. Subsequent analysis of this report, however, maintained that much of the evidence submitted was positive and often failed, in fact, to support such negative conclusions[28]. Although the review concluded that the Duty should be retained, it was critical of public bodies which, it was argued, over-comply and "gold-plate" their processes in response to the Duty[29]. A further review was set for 2016[30], leading some to believe that the original findings represented a temporary reprieve, though, as of 2018 the follow-up has yet to materialise.

Some respondents to the review process were critical of government's "mixed messages" about the Duty, which, they reported, had interfered with plans for compliance and caused confusion for public authority staff[31]. Examples of such governmental messages included then-Prime-Minster David Cameron describing equality impact assessments (EIAs)[32] as "bureaucratic rubbish" which obstructs business[33]; a follow-up letter from then Minister of State for Local Government to all local authorities to inform and/or remind them that EIAs were not a legal requirement[34]; and a "dismantling [of] the wider equalities infrastructure of

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[26] Johnstone, S. and Godwin, K. (2013). Implementing the Public Sector Equality Duty. *Equal Opportunities Review* May 2013 (234).

[27] Government Equalities Office (GEO) - Independent Steering Committee, ibid, p. 13.

[28] Stephenson, M. A. (2014). Misrepresentation and Omission – An Analysis of the Review of the Public Sector Equality Duty. *The Political Quarterly*, 85(1), pp. 75-80.

[29] Government Equalities Office (GEO) - Independent Steering Committee, ibid p. 31.

[30] ibid.

[31] Sigafoos, J. (2016). Using equality legislation as a sword. *International Journal of Discrimination and the Law*, 16(2-3) pp. 66-82, p. 76.

[32] A process designed to evaluate policy decisions for their impact on disadvantaged groups.

[33] Mulholland, H. (2012) David Cameron axes equality assessments in war on 'red tape'. *The Guardian*, http://www.theguardian.com/politics/2012/nov/19/cameron-axe-equality-assessments 19/11/2012 [Retrieved 1/12/2014].

[34] UNISON (2017). *Securing Equality. A guide to using the public sector Equality Duty to fight local cuts*, https://www.unison.org.uk/content/uploads/2017/09/24577.pdf.

government"[35], which included the failure to implement a cross-departmental strategy for women and the disbanding of organisations such as the Women's National Commission[36]. The Coalition Government's radical restructuring and significant cuts to the Equality and Human Rights Commission (EHRC) budget were also viewed as a significant setback in the implementation of the Duty[37], especially given its role as the key enforcement agency for the legislation. Of further concern were changes proposed to judicial review regulations, which intended to impose conditionality for legal aid funding and restricting the rules in a way that may deter charities and other campaigning organisations from intervening to support individual claimants[38].

It has been suggested that, rather than the Government needing to remove the Duty, these actions, alongside other cuts to public spending, served to reduce and weaken the institutional mechanisms available to promote equality and diversity[39]. Sigafoos[40] further contends that the extent of the Government's attempts to reduce the impact of the Duty and limit judicial review "suggests that it perceives them to be a threat"[41], in reaction to the Duty being "too successful for its own good" in challenging policy and public authority spending decisions[42].

The levels of success achieved by such challenges, along with more detailed discussion relating to the Duty's introduction are addressed in chapter 2.

1.3.3   Austerity and welfare reform

In the aftermath of the 2008 global financial crisis, the UK government began a fiscal consolidation exercise which included spending cuts to offset public

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[35] The Fawcett Society (2013a). *The Fawcett Society's Policy Submission to the Review of the Public Sector Equality Duty*. Available at: http://www.fawcettsociety.org.uk/wp-content/uploads/2013/04/Fawett-submission-to-Review-of-the-Public-Sector-Equality-Duty-April-2013.pdf [Retrieved 1/6/2013], p. 4.

[36] Ramesh, R. (2012). Equality and Human Rights Commission has workforce halved. *The Guardian*, http://www.theguardian.com/society/2012/may/15/equality-human-rights-commission-cuts 15/5/2012 [Retrieved 1/12/2014].

[37] Hepple, B. (2013). *Transformative Equality: The Role of Democratic Participation, Conference Paper, Facing development: the North-South Challenge to Transnational Labour Law – LLRN Barcelona*, June 2013, https://www.upf.edu/documents/3298481/3410076/2013-LLRNConf_SirBobHepple.pdf/d2fc160a-5b89-456a-9505-bffa977796de [Retrieved 12/6/2015].

[38] Sigafoos, ibid.

[39] Conley, H., and Page, M. (2014). *Gender Equality in Public Services: Chasing the Dream*. London: Routledge.

[40] Sigafoos, ibid.

[41] Ibid, p. 78.

[42] Ibid, p. 76.

borrowing, beginning in 2010-11 and now expected to continue until at least 2020[43]. This included extensive cuts to local government budgets and offered protection to some areas such as schools and the NHS but none to others such as housing and children's services (which are primarily delivered at a local level)[44]. Cuts to benefits have had a disproportionately high effect on women in general due to their relative economic inequality, with some facing the 'triple jeopardy' of cuts to jobs, services and benefits and being forced to 'fill the gap' as state services are withdrawn[45].The following summary focuses on areas which had the greatest impact on women in general, and where available, lone parents, to give context to the changes which were taking place within service delivery and provide some understanding of the range of pressures on women and single mothers.

1.3.4 The disproportionate impact on women

Analysis in 2012 of the economic deficit showed women as being hardest-hit by austerity measures, bearing the brunt of £11.1bn of the £14.9bn raised primarily through cuts to tax credits, child benefits and public sector pensions[46]. Women's Budget Group estimated that around 80% of the revenue raised and expenditure saved through changes to personal taxes and social security since 2010 would come from women[47]. Furthermore, research by Bristol Fawcett[48] and other campaigning organisations emphasised the cumulative detrimental effect of cuts to welfare at a time of reductions in social care and other support services, all of

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[43] Davies, G. (2017). Hammond's narrow path through Brexit and austerity. *The Financial Times*, June 19 2017, https://www.ft.com/content/91fc4aa8-a994-308a-b294-aa2ce9f7261e [Retrieved 12/8/2017].

[44] Lupton, R, Burchardt, T. Fitzgerald, A, Hills, J., McKnight, A., Obolenskava, P., Stewart, K., Thomson, S., Tunstall, R., Vizard, P. (2015). The Coalition's Social Policy Record: Policy, Spending and Outcomes 2010-2015. *Social Policy in a Cold Climate: Research Report 4*. London: Centre for Analysis of Social Exclusion.

[45] The Fawcett Society (2012). *The Impact of Austerity on Women. Fawcett Society Policy Briefing: March 2012*. https://www.fawcettsociety.org.uk/Handlers/Download.ashx?IDMF=f61c3b7e-b0d9-4968-baf6-e3fa0ef7d17f [Retrieved 12/6/2016].

[46] Tetlow, G. (2013). *Cutting the deficit: three years down, five to go*? Institute for Fiscal Studies, http://www.ifs.org.uk/publications/6683 [Retrieved 4/4/2015]; Martinson, J. (2012). *Women paying the prices for Osborne's austerity package*, The Guardian, 30 March 2012, http://www.theguardian.com/lifeandstyle/2012/mar/30/women-paying-price-osborne-austerity [Retrieved 4/4/2015].

[47] Women's Budget Group (2014). *The impact on women of Budget 2014: No recovery for women*, http://www.wbg.org.uk/wp-content/uploads/2014/03/FINAL-WBG-2014-budget-response.pdf [Retrieved 17/4/2014].

[48] Bristol Fawcett (http://www.bristolfawcett.org.uk/) is the local, activist group, affiliated to The Fawcett Society (https://www.fawcettsociety.org.uk/) a national organisation campaigning for gender equality and women's rights.

which are relied upon by women more heavily than men[49], not least because of pregnancy and maternity needs and greater caring responsibilities. A higher percentage of women's individual income, on average, is made up from state benefits and they are often claiming on behalf of others such as children, which is, of course the case for single mothers[50]. This has been exacerbated by higher effective inflation rates on average due to rises in food and energy prices which represent a relatively higher percentage of the budgets within poorer households[51]. Rubery and Rafferty[52] place the impact of these austerity measures on women at the heart of a series of policies which adversely impact single mothers such as pressure to return to the labour market, and withdrawal of legal aid support in relation to disputes over child custody and divorce. Cuts to welfare provision, they argue, reduce the means for women to become lone parents which implicitly reinforces a traditional two-parent family model.

1.3.4.1 Cuts to services

By 2014-15, on average single mothers in the UK would lose public services worth an estimated 18.5% of their income (compared to 6.8% for the average household)[53]. A central concern for service users with young children was the provision of children's centres (previously 'Sure Start' Centres). Having previously been at the heart of New Labour's policy agenda on 'good parenting' and child health as part of a wider goal to end child poverty these had initially attracted ring-fenced funding when the austerity programme was introduced. However, this was

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[49] Mapson, A. (2014). *Cutting Women Out in Bristol*. Bristol: Fawcett Society Bristol Local Group. http://www.bristolfawcett.org.uk/Documents/Economy/BristolCuttingWomenOut.pdf [Retrieved 3/4/2015]; Women's Budget Group, ibid.

[50] The Independent (2014). *Exclusive: George Osborne's tax and benefits changes hit women almost four times harder than men*. http://www.independent.co.uk/news/uk/politics/exclusive-george-osbornes-tax-and-benefits-changes-hit-women-almost-four-times-harder-than-men-9177533.html [Retrieved 7/5/2014]; Women's Budget Group, ibid; Rhodes, C. and McInnes, R. (2014). *The welfare cap, House of Commons Library - Standard Note*: SN06852, www.parliament.uk/briefing-papers/sn06852.pdf [Retrieved 2/8/2014].

[51] PricewaterhouseCoopers (2014). *Living Standards – is the 'big squeeze' nearly over*? http://www.pwc.co.uk/the-economy/publications/uk-economic-outlook/living-standards-is-the-big-squeeze-nearly-over-ukeo-march14.jhtml [Retrieved 8/5/14].

[52] Rubery, H., and Rafferty, A. (2014). Gender, recession and austerity in the UK, in: Karamessini, M., and Rubery, J. (eds). *Women and austerity: the economic crisis and the future for gender equality*. Abingdon: Routledge.

[53] Butterworth, J., and Burton, J. (2013). 'Equality, Human Rights and the Public Service Spending Cuts: Do UK Welfare Cuts Violate the Equal Right to Social Security?', *The Equal Rights Review, Vol. Eleven* (2013) http://www.equalrightstrust.org/ertdocumentbank/Jonathan%20Butterworth%20and%20Jamie%20Burton%20ERR11.pdf [Retrieved 4/4/2015].

subsequently scaled back resulting in significant service reduction. Encouragingly, a census of children's centres in 2013[54] had found that, despite cuts of a third since the start of the decade, the centres had shown resilience and creativity, and through a level of local authority protection had not declined as was first feared. However, this evaluation also found increasing need for children's centre services and highlighted their key role in supporting the most vulnerable families with children of 0-5 years. Children's centres were also in the process of removing some 'wraparound' childcare availability[55] and schools have reduced after-school and holiday club provision, both of which are of major importance to working parents[56]. To add to this mounting pressure, nursery, childminder and after-school club costs were all rising at more than 6%, over double the inflation rate (2.7%). This had an impact on all working parents but was particularly problematic for lone parents who do not have another parent with whom to share childcare[57].

1.3.4.2 Benefits cuts

Many of the benefits that single mothers may need to rely on were cut or restricted. Most working age social security benefits and tax credits were limited to increases of 1% from April 2013 and the Government 'welfare spending cap' was also announced, placing a limit on total spending on social security and tax credits. Benefits aimed at children were targeted also, with Child Benefit frozen in 2010 for three years and increases restricted to just 1% in April 2014[58]. Single parents whose children live with them were specifically targeted by an overall benefits cap that limited the total amount of benefits they could claim to £500 per week regardless of how many children they had[59].

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[54] 4Children (2013). *Children's Centres Census 2013*, http://www.4children.org.uk/Files/8dd559e9-acc8-4030-a787-a28800f72e3d/Children_Centre_Census_2013_FINAL_AM.pdf [Retrieved 20/7/2014].

[55] ie, provision outside normal school hours.

[56] Mapson, ibid.

[57] The Daycare Trust and the Family and Parenting Institute's Childcare Costs Survey 2013, http://www.daycaretrust.org.uk/news. php?id=77#sthash.3rUxBkMU.dpuf [Retrieved 11/2/2014]; Mapson, ibid.

[58] The Fawcett Society (2013b). *The triple jeopardy: the impact of benefit cuts on women*. http://www.fawcettsociety.org.uk/benefits/#sthash.S23w284d.dpbs [Retrieved 7/5/2014]; Women's Budget Group, ibid.

[59] Department for Work and Pensions (2014). *Proposed Pension and Benefit Rates 2014 – 2015*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275291/Benefit_and_Pension_rates_2014-15.pdf [Retrieved 29/4/2014].

A key driver for policy in the past has been the desire to address child poverty, however, despite successive governments' response through the benefit and tax systems, with a focus on redistribution, child poverty had increased dramatically, influenced in part by greater numbers of lone parents as well as increased inequality in earnings. However, despite evidence that even if single mothers do move into paid employment it is not necessarily a route out of poverty, there is continued focus on policy interventions for activation[60].

1.3.4.3 Employment

The Department for Work and Pensions continued to argue that the impact of benefit reductions would be mitigated by supporting lone parents into paid work, despite the fact that if they were unable to find work they would still face drop in income[61]. Increasingly, national governmental policy has been to compel single parents to find work or live on reduced benefits. Under the Lone Parent Obligation policy which came into effect from November 2008, for example, those with a youngest child aged 12 or over were no longer able to claim Income Support. Once they reached that threshold they were moved from Income Support[62] to Job Seekers Allowance (JSA)[63] which brings with it the obligation to seek and be available for work. This policy was then extended to lone parents whose youngest child was aged 10 in October 2009, and further extended since the Welfare Reform Act 2012, since when lone parents are only eligible to claim Income Support until their youngest child is 5 years of age, before moving to JSA. A further change to the benefits regime involved imposing 'sanctions' on those who failed to comply with the work-seeking requirements of JSA, which could mean removal of benefits. This regime has, it is argued, failed to take account of the life circumstances of some groups of women, including single mothers. Consequently, the requirements of The Work Programme[64] - to attend training

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[60] Department for Work and Pensions (2003 & 2013). cited in Women's Budget Group, ibid.

[61] Butterworth and Burton, ibid.

[62] This was £73.10 per week for a lone parent, 18 or over, as at 6/4/2015 ie, during the fieldwork period. GOV.UK (2015). Income Support. https://www.gov.uk/income-support/what-youll-get [Retrieved 28/4/2015].

[63] At the rate of £57.90 per week for 18-24 year-olds and £73.10 per week for 24+ as at 6/4/2015, ie during the fieldwork period. GOV.UK (2015). Jobseekers Allowance (JSA). https://www.gov.uk/jobseekers-allowance/what-youll-get [Retrieved 28/4/2015].

[64] The Work Programme was launched in 2011 by the Coalition Government, delivered by a range of public, private and voluntary sector organisations who were incentivised to help those at risk of long-term unemployment find work. See: DWP (2011). The Work Programme,

courses or interviews when there is no childcare available, or be required to apply for full-time jobs when they have school-age children - led to high levels of sanctions being imposed. There is also evidence of poor advice to single parents, and pressure for them to apply for and take jobs no matter how suitable they are to their skills and experience[65]. Studies by the Single Parents Action Network and the Fawcett Society also found sanctions do little to motivate lone parents back into work[66]. The state, it is argued, has been presiding over a 'culture of fear', which is "systematically failing single parent jobseekers" by withholding benefits[67].

1.3.5 Economic and political and economic context - conclusion

This section provided context on the introduction of the single Duty and ways in which the prevailing economic environment impacted upon single mother service users. The Duty was introduced during a time of austerity measures into an environment perceived as largely hostile to equalities issues and largely viewed as a burden by the Coalition Government, who withdrew significant amounts of the funding for its supporting mechanisms. This was a particularly problematic time for women's equality, with women from poorer households bearing a disproportionate strain. Cuts to services such as job-seeking support and children's centres which provide important services for poorer and single mothers were implemented alongside reductions to social security benefits at a time when relative living costs were rising. These factors were exacerbated for the single mothers that need to rely more heavily on state support and therefore often suffer the cumulative effects.

Ongoing activation programmes which obliged single mothers to move into work were reinforced with punitive financial sanctions, some of which marked out lone parents for differential treatment, whilst job-seeking support and affordable childcare options were being reduced. In addition to the impact on many single

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/49884/the-work-programme.pdf [Retrieved 7/4/2015].

[65] Ariss, A., Firmin, C., Baroness Meacher, Sir Keir Starmer QC and Urwin, R. (2015). *Where's the Benefit? An Independent Inquiry into Women and Jobseeker's Allowance*. London: Fawcett Society, http://www.fawcettsociety.org.uk/wp-content/uploads/2015/02/Wheres-the-Benefit-An-Independent-Inquiry-into-Women-and-JSA.pdf.

[66] www.parliament.uk (2013). Work and Pensions Committee – Written evidence submitted by Single Parent Action Network (SPAN), Available at: http://www. publications.parliament.uk/pa/cm201314/cmselect/ cmworpen/479/479vw30.htm [Retrieved 2/8/2014]; Ariss et al, ibid.

[67] Welfare state presides over 'culture of fear', charities say, http://www.theguardian.com/ politics/2014/feb/18/welfare-state-jobs-inquiry-culture-fear [Retrieved 7/5/2014].

mother's economic circumstances, an implicit reinforcement of a two-parent family model may have problematised those who do not conform to the 'norm'. Against this backdrop, it is clear that some single mothers faced significant socio-economic disadvantage and may have needed greater access to support and services provided by the local authority. Inevitably, there would be resource limitations, particular against a backdrop of austerity measures. The 2013 Review of the Duty found that although the Duty demonstrated some general benefits, there was little to support an argument that the Duty leads to better decisions or improvements to service delivery. However, the Duty has potential to play a significant role in shaping policy, in ways which can determine whether single mother service users have access to the support they need.

In order to understand how this might be achieved within the context of Bristol City Council, the next section provides a description of the mechanisms the council put in place which set the environment for policy-making and service delivery with detail relating to single mothers in Bristol provided in the subsequent section.

1.4   Section 2: Bristol in context

1.4.1   Introduction

Bristol is a large city, with an estimated population of 437,500[68] at the time of this study. It is served by Bristol City Council, which has been a unitary authority since 1996 and during the period of fieldwork had 70 Councillors representing 35 wards. It is one of the UK's Core Cities[69].

I chose it for my fieldwork for a number of reasons[70]. As an ethnically and culturally diverse city, Bristol is home to a large community of self-organised groups and voluntary organisations. These groups were felt to be useful both for developing research contacts, and as study subjects to understand how citizens and interest groups interact with the reflexive mechanisms of the Equality Duty. The city's significant size provided a large pool of potential participants and increased anonymity for interviewees. I was born there and have family members living there so am broadly familiar with the mix of areas which make up the city. This facilitated

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[68] Bristol City Council (2015a). *The Population of Bristol, September 2014*. www.bristol.gov.uk [Retrieved 1/3/2015].

[69] An advocacy group comprising some of the largest regional cities in the UK, which includes Birmingham, Manchester, Leeds and Nottingham. The group works together to further shared interests, which includes work around equalities and sustainable communities.

[70] This is covered in further detail in section 3.3.7.

my selection of research sites and was generally helpful in terms of planning travel and other logistics.

Significantly for a study involving single mothers, Bristol was a city where women's rights were prominent within the local political agenda. There was a thriving network of campaigning and women's interest groups which were essential for "mobilising the power of women in local communities through democratic processes to create a more emergent vision of equality and change"[71]. These included Bristol Fawcett and the Single Parents Action Network who actively advocated for and conducted research involving local women. Both had contributed to a body of existing research which included an assessment of the negative financial effects of cuts on Bristol's women[72] and critical evaluations of employment support for single mothers in the area[73].

In 2013 Bristol became the first UK city to sign up to the European Charter for equality of women and men in local life. In order to deliver on this a Women's Commission was established, the purpose of which was to identify key issues impacting on women's lives and formulate a strategic response to these. The Commission comprised representatives of BCC, along with wide representation from significant employers from the region, groups campaigning for gender equality, public sector institutions (for example, the NHS) and law enforcement. It established multi-agency task groups to collect evidence and support an action plan for different aspects of Bristolian women's lives[74].

1.4.2 Areas for research activity

I selected the adjoining Bristol City wards of Ashley, Easton and Lawrence Hill as a focus for initial research activity. This reflected the fact that these wards, to the

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[71] Conley and Page, ibid, p. 68.

[72] For example, see Mapson, A. (2011). *Cutting Women Out in Bristol: Impact Assessment of the Public Spending Cuts on Women in Bristol*. Bristol: Fawcett Society Bristol Local Group. http://www.bristolfawcett.org.uk/Documents/Economy/BristolCuttingWomenOut2011.pdf [Retrieved 1/3/2013]; Mapson (2014), ibid.

[73] For example, see Haux, T., Salmon, D., Taylor, L. E., Deave, T., Cohen, S., Dewar, L. and Samzelius, T. (2012). 'A longitudinal qualitative study of the journeys of single parents on Jobseeker's Allowance', *Journal of Poverty & Social Justice,* 20(3), pp. 337-341; Dewar, L. (2013). Is the Work Programme working for single parents? An analysis of the experience of single parents on the work programme. The Single Parent Action Network (SPAN), https://spanuk.files.wordpress.com/2012/07/final-work-prog-ib-1502-11.pdf [Retrieved 1/3/2013].

[74] These include women's health, safety, representation in public life, transport and the economy.

east of central Bristol, contained some of its most heavily-populated areas and the inhabitants experienced widespread social and economic deprivation evidenced by higher levels than the national average of social renting, high unemployment and significantly higher numbers of people for whom English was not a main language. Such factors were likely to mean a number of residents who were more reliant on local authority services and, therefore within the scope of my study. Furthermore, whereas lone parents constituted 8% of Bristolian households overall, which was similar to the national average[75], these wards contained much higher numbers: in Ashley 11.7% of households were headed up by a lone parent, in Easton 12.8% and Lawrence Hill 16% - compared with an England and Wales average of 7.9%[76].

1.4.3 Child poverty and socio-economic deprivation

Although Bristol is an affluent city, there was also much entrenched socio-economic deprivation. A child in poverty was defined as one living in a household with an income below 60% of the average and 25% of children in Bristol lived in such households, more than anywhere else in the South West[77]. Over half of the children in poverty lived in households where the youngest child was under age 5 and 75.5% of Bristol's children who lived in poverty were in lone parent families, compared with 67.4% in England as a whole[78]. This was not evenly distributed across the city – whereas some wards have low incidences, others such as Lawrence Hill have almost 2,300 children (60%) living in poverty meaning it was in the bottom percentile of all wards nationally[79]. This was set against a rising child

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[75] Bristol City Council (2012a). Joint Strategic Needs Assessment 2012: Baseline, Section 1 – Population Appendix, https://www.bristol.gov.uk/documents/20182/34740/JSNA%201.%20Population%20(final,%20v10).pdf/dd89d471-7b6b-4cdc-9a55-e19ac01a1b45 [Retrieved 1/3/2013].

[76] Haux et al, ibid; Dewar, ibid; Mapson (2011), ibid; Mapson (2014), ibid; Bristol Women's Voice (2013). *Bristol Women's Commission* http://www.bristolwomensvoice.org.uk/bristol-womens-commission/ [Retrieved 1/9/2013]; Bristol City Council (undated), *Census 2011*, http://www.bristol.gov.uk/page/council-and-democracy/census-2011, [Retrieved 11/1/2014].

[77] End Child Poverty (2013). *Child Poverty Map of the UK* http://www.endchildpoverty.org.uk/images/ecp/130212%20ECP%20local%20report%20final(1).pdf [Retrieved 1/6/2014].

[78] Bristol City Council (2013a). *Bristol: State of the City 2013. Mayoral Priorities*, http://www.bristol.gov.uk/sites/default/files/documents/council_and_democracy/statistics_and_census_information/State%20of%20the%20City%202013-%20Mayoral%20vision%20v8.pdf [Retrieved 20/4/2014]; Bristol City Council (2012b). *Bristol Child Poverty Strategy*, http://bristolchildren.files.wordpress.com/2012/04/child-povery-strategy-2011-20.pdf [Retrieved 1/6/2014].

[79] Bristol City Council, Ibid.

population in Bristol, with the numbers of those under 5 years rising by 34% between 2002 and 2012 (almost double the rise nationally), with a birth rate 22% higher in 2012 than 2005[80]. Nearly half (47%) of all schoolchildren in Lawrence Hill were eligible for free school meals, often used as a proxy indicator for deprivation[81]. Bristol City Council cite the high numbers of poorer children in lone parent families as one of the influencing factors for producing a Child Poverty Strategy which was incorporated into their 2012-2015 Equality Plan[82].

1.4.4 The impact of austerity on Bristol

Any experiences of disadvantage were likely to be exacerbated by government austerity measures. Bristol City Council faced considerable cuts to its funding from central Government, amounting to £90 million during the period 2014-2017[83]. As well as resulting in cuts to services, this had a significant impact on the organisation in terms of employee resources which included a loss of staff expertise in equalities issues[84].

As discussed earlier, cuts from central government were likely to have a cumulative, disproportionate effect on single mothers. The impact from benefits cuts was hard-hitting on this group in the Bristol area, with the benefits cap, for example, resulting in 172 lone parent households in the city with three or more children having housing benefit capped in the first six months of its implementation, on amounts ranging from £50 per week to £250 per week[85]. In relation to locally-provided service provision a review of Bristol's children's centres

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[80] Bristol City Council (2013b). *Joint Strategic Needs Assessment 2013 Update*, https://www.bristol.gov.uk/committee/2013/ot/ot049/1128_9.pdf [Retrieved 2/8/2014].
[81] Bristol City Council (2013a), ibid.
[82] Bristol City Council (2012c). *Bristol City Council's Equality Plan 2012-15* https://www.bristol.gov.uk/sites/default/files/documents/community_and_safety/equality_an d_diversity/Copy%20of%20equality%20plan%202012%20for%20web_0_0.pdf [Retrieved 1/9/2013]; Bristol City Council (2012b), Ibid.
[83] Bristol City Council (2014b). *Revenue Budget 2014/15 to 2016/17 and Capital Programme*, https://www.bristol.gov.uk/documents/20182/138089/MTFS%202014%20to%202017%20%20- %20Budget%20Book%20150414.pdf/8f07e7cf-06fd-4c9b-b593-291201f7dfdf [Retrieved 2/7/2015].
[84] A cut to the number of staff in the Equalities and Community Cohesion Team was confirmed during interview discussions, and an Equality Impact Assessment: Bristol City Council (2014c). *Bristol City Council Equality Impact Assessment Form: R-PL-022 – Reduce Equalities and Community Cohesion Team*. https://www.bristol.gov.uk/ [Retrieved 9/7/2016].
[85] The cap on benefits was introduced in Bristol on August 2013; Department for Work & Pensions (2014). *Benefit Cap: GB households capped to March 2014*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/308526/bene fit-cap-march-2014.pdf [Retrieved 1/6/2014]; Bristol City Council (undated), *Benefit changes: welfare reform*, http://www.bristol.gov.uk/page/financial-help-and-benefits/benefit-changes- welfare-reform [Retrieved 1/8/2014].

and early years was underway which aimed to make significant savings and was likely to impact on lone parents' ability to find and keep employment[86]. Cuts to the Bristol Home-to-School transport service were also likely to have a significant effect for working and life arrangements for single parents[87].

In summary, Bristol City Council were subjected to increasing financial constraints, though as a large, unitary authority which employed over 5,000 staff[88] with an extensive remit for overseeing service delivery, still had a considerable range of services to provide. These were subject to the requirements of the Duty, and policy-making, implementation and monitoring were needed to incorporate those aims into its processes to ensure that the Duty was carried out.

In order to identify the service users who acted as the key participants in this study, the final section of this chapter covers a literature review relating to research on single mothers from a perspective of them as service users and social actors. This informed development of the project's scope and the research methodology and further contextualises some historical and political background.

1.5   Section 3: Literature review - single mothers in context

The following review positions the experience of single mothers as service users, based on themes identified within existing research. This work was used to identify some of the key issues which may arise when working with single mothers, and focused on material which explored this group as social actors who actively engage with services, rather than as passive recipients of welfare. It also helped me distinguish gaps in knowledge, and/or complementary research relating to this participant group.

A focus of my study was the need to understand the special requirements and commonality of experiences which exist for single mothers as service-users in their everyday lives, how policy 'fits' with these and how the Duty might be effective in addressing those policy requirements. The following discussion therefore drew on work which shed light on service use perspectives. Firstly, it

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[86] The review of children's centre provision is covered in greater detail as an illustrative example of how the Duty operates 'on the ground' in section 5.3.

[87] Mapson (2014), ibid.

[88] Bristol City Council (2014d). *HR Management Information Report, Workforce Statistics*, https://www.bristol.gov.uk/documents/20182/33892/Workforce+Diversity+Statistics+30+September+2014/c0c590fb-ce2b-4104-bf6e-cb8dc009b316 [Retrieved 1/9/2015].

describes the discourses which this work identified and the dominant research contexts. It then discusses the role of categorisation and 'othering' which can underpin the stigmatisation processes that can impact on service use. Finally, research exploring some of the ways single mothers acted as social agents to exercise control over their environments, such as building social networks or accessing training and employment opportunities is considered.

1.5.1 The single mother discourses

A rise both in divorce rates and in never-married mothers since the 1970s and anxiety about the end of the 'traditional' family led, it is argued, to increasing political concern and 'moral panic' around single mothers[89]. The discourse surrounding single mothers and what they need to raise their children 'successfully' has, therefore, long been framed by their normative positions as an underclass and "a special problem for society"[90].

Wallbank[91] identified how single mothers lived with negative social and legal discourses which could become reality through direct means such as punitive sanctions on benefits, and welfare systems aimed at a 'breadwinner' model of the family with a father as the main wage-earner. This was evidenced by successive governments' focus on single mothers - particularly those receiving state benefits - as reflecting a culture of reliance, and as a major group within society which contributes to the cause of their own poverty, worklessness and transmission of disadvantage from generation to generation (with the related anti-social behaviour)[92]. Government 'disapproval' for those raising children outside marriage has often been evident. Collier and Sheldon,[93] showed that 'New Labour' displayed a clear preference for marriage as "the most reliable framework for raising children"[94], and there has been subsequent Coalition Government support

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[89]Lewis, J. (1997). in Lewis, J (ed), 'Lone Mothers: the British Case', p. 50-75, in *Lone Mothers in European Welfare Regimes. Shifting Policy Logics*. London: Kingsley.

[90] Murray, C. (1990). *The Emerging British Underclass*. London: Institute of Economic Affairs, p. 8.

[91] Wallbank, J. A. (2001). *Challenging Motherhood(s)*. Harlow: Prentice-Hall.

[92] Lewis, ibid; Schnitzer, T. (1998). in Garcia Coll, C. T., Surrey, J. L., Weingarten, K. (1998). *Mothering against the odds: diverse voices of contemporary mothers*. New York: Guilford Press; Millar, J. and Ridge, T. (2001). Families, poverty, work and care: A review of the literature on lone parents and low-income couple families with children. *DWP Research Report No. 153*. Leeds: Corporate Document Services.

[93] Collier, R. and Sheldon, S. (2008). *Fragmenting Fatherhood - A Socio-legal study*, Oxford: Hart.

[94] Home Office (1998). *Supporting Families: A Consultation Document*. London: HMSO, p. 30.

for incentivising marriage with tax breaks[95]. Wallbank[96] argued that in the 1990s the "tax-paying, two-parent family" was presented as more deserving of public support than families headed by a single mother. This remained unchanged in the prevailing political environment with a Work and Pensions Secretary promising to 'champion' the stability provided by "couple families" with additional support to "stop social breakdown"[97]. This precedes, but also supports the work by Rubery and Rafferty[98] referenced in section 1.3.4 which identified austerity measures that reinforced a two-parent family model as the preferred norm.

Duncan and Edwards[99] identified four dominant discourses around single motherhood: as a 'social threat' with "no interest in providing for themselves in legitimate ways"; as a 'social problem', being socially and economically disadvantaged victims; as a 'lifestyle change', making a choice from a number of family forms as part of a general move in society; or as an 'escape from patriarchy' seeking to live outside of men's control. Other common constructions were as a drain on public resources, or a threat to the nuclear family and the traditional masculine roles within this[100]. Similarly, teenage pregnancy and parenting were consistently problematised, held up as a symbol of moral decline and societal breakdown, and conflated with a discourse of economic cost and a 'benefits culture'[101]. This environment was likely to have influenced and supported government interventions such as the 'Troubled Families Programme' which positioned 'poor parenting' as central to a range of social problems and whose target families included more lone than dual-parent families[102]. Such interventions

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[95] HM Revenue and Customs (2014). *Married Couple's Allowance – includes civil partnerships*, http://www.hmrc.gov.uk/incometax/married-allow.htm#2 [Retrieved 3/6/2014].

[96] Wallbank, ibid.

[97] BBC News (2012). Iain Duncan Smith promises to 'champion families and marriage, http://www.bbc.co.uk/news/uk-politics-17351353 [Retrieved 1/6/2014].

[98] 2014, ibid.

[99] Duncan, S., and Edwards, R. (1999). *Lone Mothers, Paid Work and Gendered Moral Rationalities*. Basingstoke: Macmillan, p. 132.

[100] Wallbank, ibid.

[101] Duncan, S., Edwards, R. and Alexander, C. (2010). *Teenage Parenthood: What's the Problem*? London: The Tufnell Press.

[102] Department for Communities and Local Government (2017). *Supporting disadvantaged families. Troubled Families Programme 2015-2020: progress so far*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/611991/Supporting_disadvantaged_families.pdf [Retrieved 7/1/2018].

no doubt contributed to and helped perpetuate a stereotype of single mothers as poor parents heading up 'problem families'.

1.5.2   Research responses to policy

This context, therefore, set the agenda for much of the existing research with single mothers. Often, even in the work which explores their service needs, the study focuses on them as a subject within the context of an intervention which automatically positions them as recipients of help. Much of the work is measuring success factors of government interventions or support such as 'activation' programmes, ie, the need for support in obtaining paid work to escape poverty[103], or evaluations of government childcare and health initiatives which included Sure Start. Roseneil and Mann[104] argued that an overarching theme within research on this group is to blame their circumstances on their own poor choices whilst also recognising that there are material and structural constraints on poorer, working class women. This has implied that practising agency is something "reserved for the well-off and educated"[105]. A further view is that some researchers deliberately portrayed these women as victims in need of help to show them in a sympathetic light as a counter to more negative viewpoints[106]. Overall, there is limited focus on single mothers as active social agents, particularly in a service use context.

The body of work relating to activation policies included reviews of the 'New Deal for Lone Parents Programme'[107], and often found that this intervention achieved unsatisfactory outcomes. Smith et al[108]identified 'workfare' policies tending to

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[103] For example, see: Sumaza, C. R. (2001). Lone parent families within New Labour welfare reform. *Contemporary Politics,* 7(3), pp. 231-247; Walker, R., and Wiseman, M. (2003). Making welfare work: UK activation policies under New Labour, *International Social Security Review*, 56(1), pp 3-29.

[104] Roseneil, S. and Mann, K. (1996). Unpalatable choices and inadequate families: lone mothers and the underclass debate, in: Bortolaia Silva, E. (ed) (1996). *Good Enough Mothering? Feminist Perspectives on Lone Motherhood*. London: Routledge, pp. 191-210.

[105] Mann, K. and Roseneil, S. (1996). in, Duncan and Edwards, ibid, p. 207.

[106] Roseneil and Mann, ibid.

[107] Targeted at lone parents in receipt of welfare benefits and whose youngest child was over 5 years of age, concerned with placing 'job-ready' lone parents in paid work and preparing those not currently in the market for work for entry into the labour market (see: Hasluck, C. (2000). *The New Deal for Lone Parents: A Review of Evaluation Evidence*, Warwick: Institute for Employment Research, https://warwick.ac.uk/fac/soc/ier/publications/2000/hasluck_2000_esr51rep.pdf [Retrieved 1/2/2016].

[108] Smith, F., Barker, J., Wainwright, E., Marandet, E. and Buckingham, S. (2008). A new deal for lone parents? Training lone parents for work in West London. *Area,* 40(2), pp. 237-244.

encourage single mothers to take up training in feminised occupations such as childcare, exacerbating a gender- and class-segregated labour market, with low-skilled and poorly qualified single mothers embedded in low-paid work. Haux et al[109] also identified a concentration in these sectors: single mothers working mainly with children, in retail and service work; cleaning and administration as these provided the hours and flexibility to fit with both childcare needs and conditions imposed if they were to continue claiming working tax credits or some other types of financial support. A number had taken jobs for which they were over-qualified. Dutton et al,[110] found that even one of the sectors seen as ideal for lone parents – retail - presented growing barriers such as a lack of flexibility in hours and increased competition, eg, from growing numbers of students seeking work alongside study. Work relating to activation policies has, therefore, identified that policies which position paid work as a route to reengagement with civic life and increased independence do not achieve this. Instead these lead to some women being trapped in low-paid, low-grade work which they had no choice but to accept.

Some research found that welfare and employment policy could have a detrimental effect on lone parents and their families. Gregg et al[111] further explored the role of such policy on child development and self-esteem. Pointing out that single mothers are already a group with below-average levels of mental well-being, the authors identified a negative effect of longer working hours on the behaviour of adolescent boys and single mothers' depression on adolescent girls. Zagel et al[112] demonstrated the importance of childcare support strategies alongside employment activity for single mothers to maintain healthy child development. Moreover, Dewar's evaluation of single mothers' experiences of a later initiative - The Work Programme[113] - identified low satisfaction rates, lack of clarity or detail in explanations of what was required of them and inconsistent

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[109] Haux et al, ibid.

[110] Dutton, E., Warhurst, C., Nickson, D. and Lockyer, C. (2005). Lone Parents, The New Deal and the Opportunities and Barriers to Retail Employment, *Policy Studies,* 26(1), pp. 85-101.

[111] Gregg, P., Harkness, S. and Smith, S. (2009). Welfare Reform and Lone Parents in the UK. *Economic Journal,* 119(535), pp. F38-F65.

[112] Zagel, H., Kadar-Satat, G., Jacobs, M. and Glendinning, A. (2013). The Effects of Early Years' Childcare on Child Emotional and Behavioural Difficulties in Lone and Co-Parent Family Situations., *Journal of Social Policy,* 42(2), pp. 235-258.

[113] Department for Work and Pensions (2011). *The Work Programme*. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/49884/the-work-programme.pdf [Retrieved 11/11/2014].

practices in service delivery as "the services offered to them … do not routinely take into account their diverse needs"[114]. This included limited training opportunities and a lack of flexible and part-time employment which particularly affected single mothers with childcare needs and few support networks. A DTI report showed that the downward mobility and drop in earnings women suffer because of return to part-time work after having children, is further intensified for lone parents because of the barriers they often face balancing work with home responsibilities[115].

This work, therefore, challenges the established notions and resulting policy interventions that single mothers or their children benefit from paid work. Rake argued that activation initiatives and a benefits structure which institutionalise paid work as the main route to citizenship build in gender bias by failing to recognise the needs of those providing unpaid caring work[116]. The consequences of this for some were identified by Yerkes et al[117] whose qualitative study included single mothers, and identified a 'disconnection' between policy practices and women's lived experiences of combining work and caring responsibilities. The introduction of rights to parental leave in 2003, for example, which is unattainable to many single mothers because it is unpaid reflects a "common thread"[118] within government policies which fail to recognise the needs of single parents as a distinct family type with differing needs to dual-parent or other types of family. Along with the national childcare strategy, these policies were identified as examples of policies failing, with the women involved in the study feeling they lacked power or felt they had no choice but to resolve their work-life issues by themselves[119].

An evaluation of the Sure Start programme, which focused on the services and support these provided does identify the importance of a 'one stop shop' providing a variety of professional help under 'one roof' as an effective way to engage with

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[114] Dewar, ibid p. 16.

[115] DTI (2003). *Balancing work and family life: enhancing choice and support for parents*. HMSO.

[116] Rake, K. (2001). Gender and New Labour's Social Policies. *Journal of Social Policy*, 30(2), pp. 209-332.

[117] Yerkes, M., Standing, K., Wattis, L. and Wain, S. (2010) The disconnection between policy practices and women's lived experiences: combining work and life in the UK and the Netherlands. *Community, Work & Family,* 13(4), pp. 411-427.

[118] Ibid, p. 417.

[119] Yerkes et al, ibid.

those who are socio-economically disadvantaged. In this it considered health visitors, social services and childcare workers, and a focus of the study was 'families' as its service users rather than lone parents[120]. Although this study characterises a focus on a two-parent family model, it does emphasise the importance of understanding a service-user viewpoint for developing women-centred services which support their autonomy, which are essential for them to thrive and participate in public life[121]. Another study, by Austerberry and Wiggens, also considered lessons learned from service users and found from teenage mothers' (often lone parents) that their primary concerns were in accessing healthcare, support with building social networks and relationships, and help with emotional problems[122].

1.5.3   Categorisation and 'othering'

A recurring theme across much of the existing research has identified the ways in which single mothers work to dissociate themselves from stereotypical labels. Duncan and Edwards[123], found that white, middle class single mothers living in the suburbs appeared to feel endangered by younger single mothers as a social threat. They attempted to distance themselves from these, 'other' single mothers and drew distinctions with more 'acceptable' categories of single mother such as those who are widowed, divorced or are employed. This draws strong parallels with DiLapi's notion of a 'hierarchy' of motherhood, whereby societal values are seen to deem some women as less appropriate as mothers and, within this, single mothers are less appropriate than married women[124].

Ponsford's[125] work with younger single mothers identified how they used existing, entrenched notions of single motherhood to distance themselves from any stigma and shame attached to such behaviour, describing 'other' girls who had planned

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[120] Morrow, G., Malin, N. and Jennings, T. (2005). 'Interprofessional teamworking for child and family referral in a Sure Start local programme', *Journal of Interprofessional Care,* 19(2), pp. 93-101.
[121] Conley and Page, ibid.
[122] Austerberry, H., and Wiggins, M. (2007). Taking a pro-choice perspective on promoting inclusion of teenage mothers: Lessons from an evaluation of the Sure Start Plus programme. *Critical Public Health,* 17(1), pp. 3-15.
[123] Duncan and Edwards, ibid.
[124] DiLapi, E. M. (1989). In: Letherby, G. (1999). Other than mother and mothers as others: The experience of motherhood and non-motherhood in relation to 'infertility' and 'involuntary childlessness'. *Women's Studies International Forum*, 22(3), pp. 359-372.
[125] Ponsford, R. (2011). Consumption, resilience and respectability amongst young mothers in Bristol. *Journal of Youth Studies*, 14(5), pp. 541-560.

their pregnancies to get a place of their own or claim financial support from the state and who, unlike themselves, could not cope with the responsibility of motherhood.

Further studies which focused on teenaged mothers[126] showed their experiences of judgement and hostility across a range of social sites which included people in local communities, schools, health services and families and peers. The ubiquity with which these stereotypes were identified when working with single mothers showed the extent to which these notions were entrenched and also how deeply some of these women have internalised them. This may arguably act as a barrier engaging with services for some women. However, this was not always the case as other work has identified the experience of being stigmatised from a different perspective, as a force for stimulating action featuring women who had suffered disrespectful treatment and acted on this as a 'motivational impetus' to seek recognition and speak out[127].

1.5.4   Social support networks

Social support networks have been found to be an important area for study when evaluating service provision, because of the role such structures play in facilitating access to services. These have been found to be essential for the wellbeing of single mothers and their children and are often a substitute for structured or state-funded support. A range of work explores the informal family and friendship support networks that many single mothers say they have relied on, and Attree[128] synthesises evidence which distinguishes 'social support' networks to include financial help or material in kind such as meals or children's clothes; childcare; as well as emotional support. Understanding such networks can be useful in several ways. Firstly, this can help with identifying patterns of need for service provision and support. Secondly, it shows the ways in which single mothers can practise agency and resolve issues such as work-life balance difficulties or lack of resources themselves. Finally, this study was able to identify that those who have access to the least resources and are most isolated are, paradoxically, less likely to access the services they need, for reasons which included lack of knowledge

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[126] see McDermott, E., and Graham, H. (2005). Resilient Young Mothering: Social Inequalities, Late Modernity and the 'Problem' of 'Teenage' Motherhood. *Journal of Youth Studies*, 8(1), pp. 59-79; Ponsford, ibid.

[127] Honneth, A. (1995). in Lister, R. (2004). *Poverty*. Cambridge: Polity Press.

[128] Attree, P. (2005). 'Parenting support in the context of poverty: a meta-synthesis of the qualitative evidence'. *Health & Social Care In The Community,* 13(4), pp. 330-337.

of what is available and sensitivity to potential criticism about their parenting skills. Therefore, understanding how to develop sustainable support networks can be crucially important for building on existing, 'informal' support systems and encouraging peer-led interventions is the best approach[129].

Research has also shown that, even where they had friends and family networks, women on lower incomes lacked resources for visiting family and friends and this led to them leading 'localised' lives which restricted access to support[130]. Attree also cites Dearlove's[131] identification of 'alone' single mothers, with little support, and 'not alone' single mothers who have their children's parent (or another partner) or family logistically close enough to share parenting responsibilities. This can provide some ideas relating to the ways service needs may differ. The former were more vulnerable and said they were more likely to rely on mutual support from other single mothers. Furthermore, smaller networks may restrict their access to information and advice or emotional and material support in ways which make their service needs greater or more complex.

Studies have also examined the social capital some single mothers actively draw upon as a resource, and the significance of their neighbourhood environment and the networks therein on their quality of life and dealing with the difficulties of parenting. These included childcare and material resources which might allow single mothers to take up paid work[132]. In her study of single mothers who were formerly homeless, Tischler[133] also noted the importance of social networking for participants who developed 'giving' and 'sharing' behaviours as a coping strategy. Wallbank, working with a small group of women also found that their single parent 'status' provided a means to identify with one another, often driven by solidarity in the face of negative media representations. In common with other work which identified defiance against negative stereotypes she found "a strong sense that

[129] Ibid.
[130] Bostock, L. (1998), cited in Attree, ibid.
[131] Dearlove, J. P. (1999), cited in Attree, ibid.
[132] Duncan and Edwards, ibid; Barnes, J. (2007). in: Harman, V. (2013) 'Social capital and the informal support networks of lone white mothers of mixed-parentage children', *Ethnic & Racial Studies,* 36(8), pp. 1323-1341.
[133] Tischler, V. (2008) 'Resettlement and reintegration: Single mothers' reflections after homelessness'. *Community, Work & Family,* 11(3), pp. 243-252.

the participants wanted to refute the stereotype of the 'feckless' lone mother on behalf of themselves and other lone mothers"[134], creating a collective interest.

1.5.5   Social actors and agency

Finally, a key element of this thesis was to understand ways in which single mothers' practices of agency were used to impact on their social environment. As mentioned earlier, Giddens defines agency as individuals' ability to 'act otherwise', intervening in the world or refraining from intervention. This can, in turn, influence social processes within a range of societal structures which both enable and constrain their actions[135].

As well as actively building social networks as a means of material and emotional support, some single mothers practised agency as resistant or active 'agents'. Craddock identified that motherhood can constrain women's political and community engagement because of time restrictions or being unable to leave their children and therefore confined to the house, and it can also serve as a motivating factor for activity through concern for their children's well-being[136]. Involvement in such community activism has been identified as 'accidental activism', and 'activist mothering' where women who previously did not see themselves as in any way 'political' become advocates and agents for social change[137].

In addition to political and community activity, other work identified ways in which single mothers impacted on their environment. Tischler's study[138] described women who had been through a resettlement system following a period of homelessness as keen social actors, intent on improving their situation in ways which included education and training. Moreover, Ponsford's study[139] focused on a group of young single mothers' consumption practices, for example, dressing their children in designer clothes, as a way to express resilience in the face of public judgement and condemnation and display competent parenting. This, along with other work showed ways in which they can seek to construct identities as

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[134] Wallbank, ibid, p. 125.
[135] Giddens, ibid.
[136] Craddock, E. (2017). Caring About and For the Cuts: a Case Study of the Gendered Dimension of Austerity and Anti-austerity Activism. *Gender, Work and Organization*. 24(1), pp. 69-82.
[137] Hyatt, S. (1992). in Lister, ibid, p. 156; Naples, N. (1998). in Lister, ibid, p. 156, p. 156.
[138] Tischler, ibid.
[139] Ponsford, ibid.

responsible, caring mothers and resist the negative representations of teen motherhood[140].

1.5.6 Single mothers in context – conclusion

Single mothers are often politicised and stigmatised as a drain on society through prevailing negative stereotypes. It is argued that this feeds into a discourse of their being a threat, outside of two-parent, societal norms and responsible for transferring disadvantage to the next generation. This has been reflected in government policy which has led to punitive treatment and a focus on activation programmes, despite successive studies which identify the detrimental effect of mothers who work long hours on both children and parents, and the importance of flexible childcare and other types of support if this is to be avoided. Furthermore, institutionalising paid work as a preferred route to citizenship, as many government initiatives have done, does not take account of the need for single parents to try and balance work and home responsibilities. A recurring theme of work with this group has been identification of stigmatising and stereotyping with teenage parents. These are often portrayed as undesirable and 'othered' by single mothers who consider themselves in a 'different category' and wish to distance themselves from negative societal images.

Research on policy relating to single mothers has predominantly focused on the role of work in escaping poverty and the problems which are faced finding suitable, meaningful work compatible with sole responsibility for childcare. Some work exists relating to single mothers as consumers, and as social actors working to impact and improve their lives. There is little research, however to help us understand single mothers' experiences as service users (particularly as individuals with positive rights), how they interact with state structures, or develop strategies to replace state support. This study aims to address this under-researched dimension.

Some prior work has identified and explored social networks and the factors that allow these to develop. This is relevant to this study because such networks grant disadvantaged women the means to practise agency, for instance, by allowing the sharing of childcare and other, material resources. This can significantly affect levels of reliance on state services and the extent to which those services

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[140] Kirkman, M., Harrison, L., Hillier, L., Pyett, P. (2001). I know I'm doing a good job: canonical and autobiographical narratives of teenage mothers. *Culture, health and sexuality*, 3(3), pp. 279-294; McDermott and Graham, ibid; Ponsford, ibid.

constrain or enable these women's lives. This fits well with the work relating to single mothers' agency which emphasised their role in developing support networks as emotional coping strategies, for example, and becoming more socially engaged in ways which demonstrated a similar process to 'activist mothering', ie, women becoming more civically engaged through their status as mothers.

All of these factors were useful in highlighting initial topics for discussion when developing a data collection framework for my study. Work relating to single mothers exercising agency to improve their situation through education and training, was also useful for this framework, and in addition fed into the development of an analytical basis relating to ways that single mothers might work to construct their lives, and the resources they draw upon to do so. The body of research relating to employment policy was also useful for developing research instruments, as it provided a background to an informed exploration of the issues single mothers might face and therefore the services they might need, for example, support with mental health issues or training to return to the workplace. Through identifying how these interactions with local authority services work 'on the ground' I aim to better understand ways in which service users might connect with the reflexive mechanisms of the Equality Duty.

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This chapter established the background for my study and explored the environment which shaped the research focus and questions. The economic and political context surrounding the introduction of the Duty were described, along with the case study area. Following this, key research on single mothers was explored which responded to a central concern of this thesis and positioned them as service users and proactive social agents with positive rights. This work identified some important overarching themes which formed the basis of a framework of enquiry for this study and fed into development of the qualitative research instruments, which are further described in chapter 3. It also established a basis to better understand some of the experiences of single mother service users, which can be further developed by the study to understanding where this might interconnect with local authority services and, therefore, the Duty.

Before it is possible to understand how the Duty operates within the local authority setting – or how this might impact on local service users - it is important to understand its theoretical underpinnings. The legal basis for the Duty, ie, systems

theory and reflexive law is therefore addressed in chapter 2, along with an exploration of the necessary legal and policy context; previous research into its effectiveness; and the key critiques of both reflexive law and the Duty.

Chapter 2: The legal literature and policy review

2.1   Introduction

Having described and contextualised the case study area and participant group, this chapter explores the Equality Duty as a piece of reflexive legislation. As discussed in chapter 1, the 2013 Review found little hard evidence to support the view that the Duty leads to better decision-making or improvements in policy and service delivery. An aim of my research was to conduct a detailed study which explored decision-making and service delivery for single mothers to add to the evidence base relating to the Duty's implementation. Therefore, if we are to understand and critically assess how the Duty works in practice, and consequently how it impacts on service users, it is essential to develop a deeper understanding of the mechanisms which Bristol City Council (and organisations carrying out public functions on their behalf)[141] adopted for implementation at a local level. Consequently, this chapter provides the necessary background to develop an evaluative framework.

The discussion is presented in two sections: section 1 begins with background relating to equalities legislation, then introduces the Duty and the first of my theoretical bases - systems theory – which provides the rationale for the Duty's reflexive (ie, adaptive) nature. This is followed by an explanation of Hepple's 'triangular relationship' which he positions as an essential set of criteria to be met if reflexive legislation and, therefore the Duty, are to be effective. Having explored the background and theoretical basis for reflexive law, section 2 sets the Duty in context and outlines the evidence available to evaluate the success of the previous and current duties to date. Finally, I address some current, additional legal and policy context that has informed my overall analytical frame, including case law which relates to application of the Duty's key mechanisms and early critiques of the legislation.

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[141] Bristol City Council is a general public authority for the purpose of the public sector equality under Schedule 19 of the Equality Act 2010, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/84984/Schedule-19.pdf [Retrieved 13/5/2017].

2.2 Section 1: Background and legal theoretical basis

2.2.1 Background - 'generations' of equality

UK equalities legislation has evolved across several generations from relatively straightforward, anti-discriminatory laws through to the present legislation which compels public authorities to take steps that actively promote equality and eliminate discrimination. The 'first generation' of race equality law - the Race Relations Acts of 1965 and 1968 - focussed on consistent and formal application of rules and procedures where "likes must be treated alike"[142], prohibiting direct discrimination in public areas[143]. Such anti-discrimination legislation emerged as a result of a range of factors, including the labour market segregation experienced by minority ethnic people. Similarly, pressure from the growing women's movement and some parts of the labour movement led to later legislation which extended to protection against discrimination on the grounds of sex, and introduced a subtler concept of indirect discrimination and individual rights to claim compensation for unlawful discrimination, marking a move to a more *substantive* conception of equality. This culminated in the 1975 Sex Discrimination Act which gave individuals the right, for the first time, to claim compensation for unlawful discrimination. The 1976 EEC Equal Treatment Directive also implemented the principle of equal treatment for men and women in access to employment, vocational training and promotion, and working conditions. Furthermore, the subsequent 1976 Race Relations Act included provision for positive action activities such as special training or encouragement to apply for roles for under-represented groups; and setting equality targets which combined to aid cultural integration[144].

This more substantive legislation reflected a desire to create equal opportunities and a need to accommodate difference rather than simply ensure equal treatment[145]. It had a profound impact on the rights of women, ethnic minorities

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[142] Hepple, B. (2010). The New Single Equality Act in Britain, *The Equal Rights Review* 5, http://www.equalrightstrust.org/ertdocumentbank/bob%20hepple.pdf [Retrieved 11/11/2014], p. 12.

[143] See, for example, Race Relations Act 1968 Section 71.

[144] Jewson, N., and Mason, D. (1994). Race, Employment and Equal Opportunities: Towards a Political Economy and an Agenda for the 1990s. *Sociological Review* 42(4), pp. 591-617.

[145] The Equality Rights Trust (2007). *The Ideas of Equality and Non-Discrimination: Formal and Substantive Equality*, http://www.equalrightstrust.org/ertdocumentbank/The%20Ideas%20of%20Equality%20and%20Non-discrimination,%20Formal%20and%20Substantive%20Equality.pdf [Retrieved 8/11/2014].

and, with subsequent anti-discriminatory legislation, those with disabilities in many ways by supporting individual litigation, raising awareness and facilitating fairer employment practices[146].

However, there are some inherent limits in this type of prescriptive, 'command and control' law, which uses authority and restraint, as an instrument of social change, and a need was identified for greater institutional change to address more complex and covert discrimination. Primarily, criticism arose from the reliance of existing legislation on 'top-down' mechanisms designed by those already in power, and a failure to address structural inequalities[147]. Any conflict arising between parties played out "in a bi-polar way"[148] rather than addressing wider causes of social disadvantage and exclusion which are "polycentric, involving many different … interests"[149]. Litigation under this legislation was often protracted[150], and furthermore, its focus on one aspect of a complaint may have caused neglect or aggravation of other aspects. These factors have been identified as underlying causes for some defensiveness and negative attitudes to change[151]. There are also failures in delivering substantive social justice, not least because individual cases were often short-lived in their effect[152], or because rights which are granted may also subsequently be taken away[153].

In addition to concerns relating to the ability of 'top down' legislation to effect lasting social change, notions of equality which focused on redistribution and redress and conceptions of social justice have further evolved to recognise

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[146] Hepple (2014), ibid.

[147] Hepple (2013), ibid.

[148] Hepple, ibid, p. 7.

[149] Ibid.

[150] Deakin, S. and McLaughlin, C. (2007). The Regulation of Women's Pay: From Individual Rights to Reflexive Law? Centre for Business Research, *University of Cambridge Working Paper No 350*, http://www.cbr.cam.ac.uk/pdf/WP350.pdf [Retrieved 14/5/2013].

[151] Hepple, B. (2011). Enforcing Equality Law: Two Steps Forward and Two Steps Backwards of Reflexive Regulation. *Industrial Law Journal*, 40(4), pp. 315-335.

[152] Hepple (2011), ibid; McLaughlin, C. (2014) Equal Pay, Litigation and Reflexive Regulation: The Case of the UK Local Authority Sector, *Industrial Law Journal*, 43(1), pp. 1-28.

[153] See: Manfredi et al (2017), which highlights the indirect removal of rights to justice indicated by the dramatic fall in employment claims following the introduction of increased tribunal fees in 2013. Manfredi, S., Vickers, L., and Clayton-Hathway, K. (2017). The Public Sector Equality Duty: Enforcing Equality Rights Through Second-Generation Regulation. *Industrial Law Journal*. Advance online publication. doi:10.1093/indlaw/dwx022.

cultural and symbolic inequalities, incorporating inclusivity, citizens' recognition, respect and participation in civic life[154].

2.2.2 The single Equality Duty

The move towards positive equalities duties[155] signalled a change from command and control law to a reflexive approach and the move beyond passive compliance to a two-way, deliberative *process*. Reflexivity emphasises a purposive focus on policy, allowance for flexible interpretation and application in new settings with an emphasis on participative citizenship[156], and compelled public authorities to take steps which actively promote equality and eliminate discrimination. The first of these that applied to the whole of Great Britain[157] had been introduced by the Race Relations (Amendment) Act 2000, in response to the Macpherson report into the death of Stephen Lawrence. This report had highlighted the presence of 'institutional racism' which "can be seen or detected in processes, attitudes and behaviour"[158], and provided a shift in focus from individuals to an understanding that structures within organisations themselves might be discriminatory.

The single Duty, which encompasses nine protected equality characteristics[159], was introduced under Section 149 of the Equality Act 2010 on 5th April 2011[160]. Organisations were now able to focus on achieving equality aims using local

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[154] Fraser, N. (1995). From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age. *New Left Review, 212, pp. 68-93;* Fredman, S. (2002). *The Future of Equality in Britain*. Manchester: Equal Opportunities Commission; Collins, H. (2003). Discrimination, Equality and Social Inclusion. *Modern Law Review*, 66(1), 16-43.

[155] Prior to the introduction of the single duty under The Equality Act 2010, duties were introduced for Race (the Race Relations Amendment Act 2000), Disability (the Disability Discrimination Act 2005) and Gender (the Equality Act 2006).

[156] Nonet, P. and Selznick, P. (1978). *Law and Society in Transition: Towards Responsive Law*. New York: Harper; Nonet, P. and Selznick, P. (2000), in: Vincent-Jones, P. (1988). Responsive Law and Governance in Public Services Provision: A Future for the Local Contracting State. *Modern Law Review*, 61(3), p. 362.

[157] Prior to this Section 75 Northern Ireland Act 1998 placed a range of equality duties on public bodies

[158] MacPherson, W. (1999). *The Stephen Lawrence Inquiry. Report of an Inquiry*. UK: The Stationary Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf [Retrieved 21/3/2018], p. 49.

[159] i.e. age, sexual orientation, religion or belief, pregnancy and maternity, gender reassignment, marriage or civil partnership (in employment only) in addition to sex, disability and race.

[160] The revised specific duties were enacted in September 2011.

knowledge, developing their own specific structures and mechanisms and building the capacity to deliver these. Provisions of the *general* Duty are that[161]:

> (1) A public authority must, in the exercise of its functions, have due regard to the need to—
>
>> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
>>
>> (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
>>
>> (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
>
> (2) A person who is not a public authority but who exercises public functions[162] must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).
>
> (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
>
>> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
>>
>> (b) 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;
>>
>> (c) 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…

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[161] legislation.gov.uk (2010). *Equality Act 2010, c.15, Part 11, Chapter 1, Section 149*. http://www.legislation.gov.uk/ukpga/2010/15/section/149 [Retrieved 1/6/2017].
[162] This includes private or voluntary organisations which carry out activities on behalf of the state.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

In addition, *specific* duties for England require public authorities to publish information to show their compliance, at least annually, and to set and publish equality objectives at least every four years[163]. The specific duties in Scotland and Wales are fuller. The Welsh duties, which came into force on 6th April 2011, include requirements to prepare strategic equality plans and to involve those with protected characteristics in its activities[164]. In Scotland, the specific duties which came into force on 27th May 2012 also require public authorities to involve stakeholders, and further include the need to report on progress in mainstreaming the Duty, assess and review policies and practices and publish additional information on gender pay gaps and equal pay[165], with differing requirements to publish every two or four years depending on the data in question[166].

The positive duties as 'proactive' models were welcomed by many because they moved responsibility to public bodies, enabling them to develop culturally aligned responses that embed change within organisational structures[167]. Moving to "a proactive pursuit of equality outcomes"[168], it was argued, allowed a focus on specific areas which could be further underpinned by the requirement to justify

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[163] Legislation.gov.uk (2011). *The Equality Act 2010 (Specific Duties) Regulations 2011*, http://www.legislation.gov.uk/uksi/2011/2260/contents/made [Retrieved 1/6/2017].

[164] Legislation.gov.uk (2011). *The Equality Act 2010 (Specific Duties) (Wales) Regulations 2011,* http://www.legislation.gov.uk/wsi/2011/1064/contents/made, [Retrieved 9/9/2018]; Equality and Human Rights Commission (2014). The Essential Guide to the Public Sector Equality Duty: An overview for listed public authorities in Wales, https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty-overview-listed-public-authorities, [Retrieved 9/9/2018].

[165] Legislation.gov.uk (2012). *The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012*, http://www.legislation.gov.uk/ssi/2012/162/contents/made, [Retrieved 9/9/2018].

[166] Equality and Human Rights Commission (2016). Essential Guide to the Public Sector Equality Duty: A Guide for Public Authorities (Scotland), https://www.equalityhumanrights.com/en/publication-download/essential-guide-public-sector-equality-duty-guide-public-authorities-scotland, [Retrieved 9/9/2018]

[167] Fredman (2011), ibid; Conley (2012), ibid.

[168] UNISON (2013). *Unison Public Sector Equality Duty Review. UNISON response to government call for evidence* http://www.edf.org.uk/blog/?p=22172 [Retrieved 17th May 2013], p. 2.

priorities with a published evidence base[169]. Furthermore, it was argued, through the need to foster good relations between groups and facilitate greater participation the duties support wider conceptions of equality relating to dignity and inclusion[170]. Hepple described the introduction of the single Duty as '*transformative*' equality, which actively seeks to mainstream equalities concerns, engender change and address disadvantage in a way which moves beyond previous conceptions of substantive equality. In particular, this notion of equality was conceptualised to encompass rights for underrepresented groups to participate in decision-making, be involved in society, as well as engaging in productive activities[171]. This, he contended, included the need for institutions to have a positive role in removing barriers and ensuring that those who need more resources have access to them.

The rationale underpinning reflexive legislation is systems theory, which serves as a useful metaphor for analysing how the legal 'system' operates as a social system and the limitations of 'top down' law. This is described in the next section.

2.2.3   Systems theory and reflexive law

Systems theory is useful in that it offers an explanation for the failure of 'top-down' law to initiate systemic change, identifying this as the inability of systems to communicate with one another. Each 'system' is described as having its own specific language with unique meaning and a shared understanding that may be incompatible with its external environment: the legal 'system', for example, operates the unique codes of legal/illegal[172]. The legal 'system' is also described as normatively closed system, ie, communication of legal codes is only possible *within* the legal 'system' and that system alone may constitute itself and define the difference between legal/illegal.

When imposing the 'language' of law on another system, there is, therefore, a failure of translation and understanding because the language of one system does

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[169] Russell, H., Lepine, E., Newman, I., Dickinson, S. (2010). *The role of Local Strategic Partnerships and Local Area Agreements in promoting equalities. Research Report 63* https://www.equalityhumanrights.com/sites/default/files/research-report-63-the-role-of-local-strategic-partnerships-and-local-area-agreements-in-promoting-equalities.pdf [Retrieved 30/8/2013]; Johnstone and Godwin, ibid.
[170] Hepple (2010), ibid; The Equality Rights Trust, ibid.
[171] Hepple (2013), ibid.
[172] Mattheis, C. (2012). The System Theory of Niklas Luhmann and the Constitutionalization of the World Society. *Goettingen Journal of International Law,* 4(2), pp. 625-647.

not fully or easily translate into the forms and processes of other spheres. Local sub-systems – which can constitute organisations and institutions are, therefore, unable to adapt and barriers, both tangible and intangible, may be created. The difficulty of imposing legal norms and structures on other 'subsystems'[173] whereby they simply fail to transform and suit the rationality of the accepting system[174] is identified by systems theorists as a 'regulatory trilemma'[175]. This is defined as either the targeted sub-system ignoring the intervention, the intervention damaging the sub-system's ability to reproduce or the legal 'system' losing its legitimacy because it is ineffective"[176]. Within this context, existing equalities legislation has arguably lost legitimacy because of its failure to address structural inequalities. The legal 'system' is, therefore, limited to providing external stimulation to other systems. If it is to be successful it must do so by providing information or interference which is subject to the internal self-regulation, cultural norms and filters of the system it is attempting to change[177].

This alternative approach, therefore, is to work *with* the receiving system's structures and constraints and develop reflexive law, providing stimuli to provoke a dynamic response, creating and fostering processes and procedures for self-governance which can work within the targeted system's existing environment[178]. It prompts local actors to participate and deliberate on the values enshrined in regulation then tailor policy to a local context[179]. This, it has been argued, compensates for the limitations of prevailing anti-discrimination law; instead aiming to change behaviours and attitudes in a proactive, pre-emptive way rather than being reactive following a breach of legislation[180]. The mutual learning which

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[173] Hepple et al, ibid; Jewson and Mason, ibid.; Lacey, N. (1998) *Unspeakable Subjects*. Oxford: Hart Publishing; Fredman (2011), ibid; Hepple (2011), ibid; Hepple (2014), ibid.; Citizens Advice Bureau (2013). *Public Sector Equality Duty: Submission to Government Equalities Office Review* http://www.edf.org.uk/blog/?p=22172 [Retrieved 1/6/2013].

[174] Luhmann, N. (1975) cited in López, J., Scott, J. (2000) *Social structure*. Buckingham: Open University Press; Hobbs, R., Njoya, W. (2005). Regulating the European Labour Market: Prospects and Limitations of a Reflexive Governance Approach. *British Journal of Industrial Relations*, 43(2), pp. 297-319.

[175] Hepple (2011), ibid, p. 321.

[176] Hepple (2013), ibid.

[177] Teubner, G. (1993), *Law as an autopoietic system*, Oxford: Blackwell; Deakin and McLaughlin, ibid.; Luhmann, N. (2004), in: McLaughlin, ibid.

[178] Vincent-Jones, P. (1998). Responsive Law and Governance in Public Services Provision: A Future for the Local Contracting State. *Modern Law Review*, 61(3), p. 362.

[179] McLaughlin, ibid.

[180] O'Cinneide, C. (2005). Positive Duties and Gender Equality. International Journal of Discrimination and the Law, 2005, Vol. 8, pp. 91-119.

takes place during deliberations is an important part of the process both within and between organisations, further enhanced by the potential for benchmarking and sharing best practice[181], all of which can bring about changes and promote shared understanding. In the context of equalities, the positive duties previously described have been established as legal stimuli, with public authorities required to adapt according to their own organisational structures and the needs of their localised service user base.

As a local authority with responsibility for a range of vital functions which included schools and early years provision; housing; public transport; libraries and museums; parks and leisure facilities, BCC constitutes a closed, autonomous system. It was also interdependent with other systems which included political, legal and economic systems, not least because of funding which historically has been provided, to a large extent, by central government. At a systemic level the Council sits within the supra-system of local government. The Council is a closed, autonomous system, which established a structure to meet the aims of the Duty to have 'due regard' to equalities considerations. These structures are presented in greater detail in section 5.2.

The stimuli of the Duty can trigger a response in the Council's mechanism because systems, despite remaining autonomous and 'normatively in terms of their own unique communications closed' remain 'cognitively open'. This means they can be influenced by the external environment and other systems. If this is to occur, however, it must be through the activity of 'structural coupling', a term for permanent structures which can be used to translate rules and values between one system and another. The receiving system therefore reacts to incoming stimuli accordingly, adapting the rules in line with its own values and local need. Such 'structural coupling' can happen between wider systems, for example, the legal and political systems, or it take place between 'subsystems', as shown in Figure 1, below which demonstrates 'structural coupling', eg, between staff and service manager through staff-led groups.

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[181] Deakin and McLaughlin, ibid; McLaughlin, ibid.
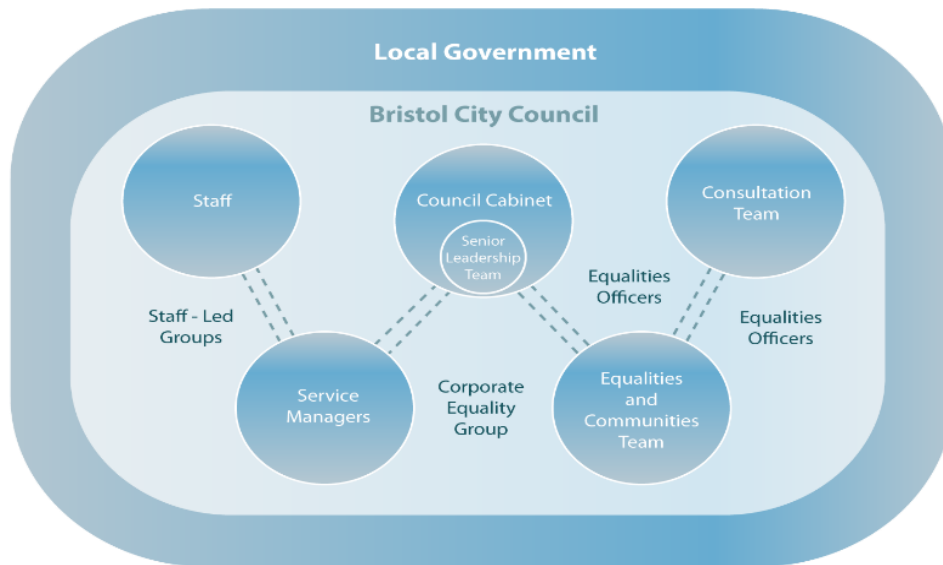
Figure 1: Bristol City Council as a sub-system
(Source: author's design)

As shown above, there were a range of examples of 'structural coupling' between sub-systems within the council, facilitating translation of languages between sub-systems and allowing them to react to and change activity. The corporate equalities group, for instance, had responsibility for different areas of the council taking ownership of and providing strategic direction on delivery of an Equality Plan, maintaining relationships between the sub-systems to communicate and stimulate change. In this sense, they 'translated' the Plan from the language of the Equalities and Community Cohesion Team, into forms and processes which might be better understood at a 'local level', in individual and/or specialised departments. Their role, therein, would be to 'translate' the Plan and overcome any barriers to its delivery such as misunderstanding of the equalities indicators or insufficient data.

In the context of Bristol City Council, The Equalities and Community Cohesion Team, overview and scrutiny management committee and council cabinet operated as sub-or micro-systems. Each of these had its own rules, norms and codes in relation to equalities issues which might include, for example, priorities for service delivery to service users who have protected characteristics. Though the local authority was one organisation with a shared language, separate departments would operate as 'subsystems' with their own internalised norms, codes, etc. Those 'subsystems' were operationally closed, and able to self-reproduce without direct reference to the external environment, for example, the

social work or adult safeguarding teams were subject to their own regulation, specialist and professional terminology, etc.

However, as part of the BCC organisation they were cognitively open to external stimuli for the purposes of the Duty. Such stimuli included an organisational Equality Plan which set an overarching set of strategic goals, and staff guidance on adhering to the Duty. Equalities officers from the Equalities and Community Cohesion Team who provided specialist support and advice and acted as advisors to staff and management had an important 'structural coupling' role, to disseminate understanding and consistent translation of the Plan and other equalities-related documents and internal processes. These established the equalities codes and rules across the Council's many functions, for example, by providing bespoke equalities training to other departments.

In systems theory language, Teubner describes legal rules which are introduced into other systems as mutual '*irritants*'[182]. Rather like a grain of sand in an oyster, the receiving system - bound by its own language and code - reacts to demands from the legal 'system' by creating a new (and sometimes unforeseen) set of 'events'. Moreover, those 'events' may be multi-directional as a reaction can, in turn, initiate a response within the legal 'system'. An example of this is the legal, due regard standard which, acting as an 'irritant' impacted on the Bristol City Council (BCC) decision-making processes. Failure to pay due regard can result in local actors seeking judicial review. If successful, this would result in an impact on the legal 'system' and potentially re-shape the requirements of the due regard standard through case law or judicial review. This, then, reflects the interplay between legal reform and cultural and social systems, as determined by the internal dynamics of each system[183].

Having presented the theoretical basis underpinning reflexive law, the following section explores Hepple's explanation of the characteristics which, he argues, are the necessary elements for such legislation to operate successfully[184]. Hepple was involved in development of the 2010 Equality Act and the Equality Duty, which drew on the ideas underlying systems theory, along with the work of Nonet and

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[182] Teubner, G. (1998). Legal Irritants: Good Faith in British Law or How Unifying Law Ends up in New Divergences. *The Modern Law Review*, 61(1), pp. 11-32.
[183] Zumbansen, P. (2006). Spaces and Places: A Systems Theory Approach to Regulatory Competition in European Company Law. *European Law Journal*, 12(4), pp. 534-556.
[184] Hepple (2013), ibid.

Selznick[185], to design an adaptive piece of legislation compelling the mainstreaming of equalities through localised organisational change. In his subsequent work he described how reflexive law, and therefore the Duty, might work on a practical basis. The next section presents his ideas, along with some further exploration of the ideas underlying his arguments. These are then used to support my discussion of how the Duty is implemented 'on the ground' by Bristol City Council.

2.2.4 Hepple's 'triangular relationship'

Hepple argued that there are three interlocking mechanisms which must be in place for reflexive legislation to be effective on a practical level. Firstly, he maintained that *internal organisational scrutiny* is required to underpin effective self-regulation by public authorities. As organisations are required to adapt, and will best understand how the legal requirements impact on their internal environment, they must also be responsible for overseeing their own internal structures and systems to ensure compliance. Secondly, *interest groups* such as service users and community organisations must be involved as an essential source of knowledge and expertise and a range of voices. Through consultation and their engagement with policy-making and change processes, it is argued that they will ensure any decision-making process is fairer and more transparent, taking a range of needs into account. Finally, '*enforcement agencies*' must guard the public interest, and to this end an independent regulatory agency is needed to provide back-up, and assist with building capabilities and impose sanctions when necessary. Each of these mechanisms is now explored further.

2.2.4.1 Internal organisational scrutiny

Hepple identified internal processes as essential for maintaining levels of self-scrutiny. These can include internal governance processes; data monitoring, which includes both collecting and publishing information to measure and publicise progress, and empowering individuals who have a role in monitoring or facilitating change. Individuals can include internal managers (ie, leadership) and employees[186]. In systems language, these individuals can have an important role in 'translating' the stimuli received from the legal 'system' into the local 'language'

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[185] 1978, ibid

[186] Manfredi et al, ibid; O'Brien, N. (2013). Positive about Equality: The Public Sector Duty under Threat. *The Political Quarterly,* 84(4), pp. 486-496; McLaughlin, ibid.

so that the aims of the law are better understood[187], which enables a set of organisational norms to be developed and maintained. Nonet and Selznick described the ideal traits for achieving this as being 'self-administering', in the sense of having a decentralised power base and operating principles of participation, initiative and responsibility.

Reported experiences of implementing the Duty from previous studies also suggest that internal structures for support and knowledge-sharing such as training programmes, champions or staff networks, with committed leadership and management are key elements for successful implementation[188]. In relation to data monitoring, the specific duties established a structure to publish equality objectives and supporting data which therefore both requires and supports internal scrutiny. However, mechanisms which might promote 'engagement' with employees, or others who might support change – such as trade unions - in a more meaningful way are not addressed within the legislation[189]. Equality impact assessments (EIAs) were required under the previous race, gender and disability duties and encouraged those managing services to consider equality issues when exercising their day-to-day roles. These were a valued aspect of organisational scrutiny[190] that is absent from the requirements of the single Duty and, I would argue, present a missed opportunity for consistent and effective internal scrutiny in decision-making.

2.2.4.2 Involvement of interest groups

Interest groups are particularly important in their role as 'bridging institutions' between the legal and other systems, and can perform a 'structural coupling' role. Their local expertise also supports a translation process, helping organisations to adapt general legal norms and practices into contextualised organisational and workplace practices. In addition, this contributes to a process of mutual learning and communication which is highlighted as an important aspect of deliberation[191].

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[187] Cotterell, R. (1992). *The Sociology of Law*. London: Butterworth.
[188] Manfredi et al, ibid.
[189] Hepple (2014), ibid.
[190] Conley, H. and Page, M. (2010). The Gender Equality Duty in Local Government: The Prospects for Integration. *Industrial Law Journal* 39 (3), pp. 321-325.
[191] Deakin and McLaughlin, ibid; Deakin, S. (2009) Reflexive Governance and European Company Law. *European Law Journal*, 15(2), pp. 224-245.

Moreover, McCrudden maintains the significance of these groups for continually challenging public bodies' existing assumptions[192].

The involvement of interest groups can serve other important functions. Firstly, stakeholder and 'citizenship' involvement can increase the legitimacy of outcomes, though Hepple argues that for this to happen there must be meaningful engagement, ie, reciprocity, respect and a goal of consensus[193]. Secondly, there is a case for involving those who have faced discrimination or disadvantage, ie, to be representative as they can better articulate the needs of their 'group'. To achieve this, participants must be allowed a platform to articulate the consequences of the disadvantage they have suffered and how this might be rectified. It is important to recognise, however, that individuals may not always voice the needs of their group, or that there may be conflicting interests within groups[194]. Women, for example, are not a homogeneous group and may also experience inequalities which are compounded through intersection between differing sets of social relations such as age, ethnicity and class[195].

Although there is no specific requirement under the Duty to consult stakeholders, case law suggests that public authorities are expected to do so[196]. Hepple cites the lack of a need for engagement, ie, the lack of an "active participatory role"[197] which facilitates the sharing of power to allow for dignity and support political legitimacy, as a shortcoming in the legislation. Engagement differs from 'consultation' which allows only a passive role in responding to proposals. However, the consultation process can still be important not least because, as we argue, the process itself can "hold the potential to fulfil aspects of the equality aims of the Duty"[198], through the benefits of gaining recognition and dignity.

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[192] McCrudden, C. (2007). Equality legislation and reflexive regulation: a response to the Discrimination Law Review's consultative paper. *Industrial Law Journal*, 36(3), pp. 255-266.
[193] Hepple (2013), ibid; McLaughlin, ibid.
[194] Hepple, ibid.
[195] Walby, S. (2007). Complexity Theory, Systems Theory, and Multiple Intersecting Social Inequalities. *Philosophy of the Social Sciences*, 37(4), p. 449-470.
[196] See, for example, *R(LH) v Shropshire Council* [2014] EWCA Civ 404 and *R. (Rahman) v. Birmingham City Council* [2011] EWHC 944.
[197] Hepple (2013), ibid, p. 25.
[198] Manfredi et al, ibid, p. 21.

2.2.4.3 Enforcement

A central idea for enforcement of reflexive legislation has an initial focus on 'restorative dialogue', with increasingly demanding sanctions and interventions in the belief that a threat of tougher enforcement acts as an incentive for compliance. Drawing on the 'regulatory pyramid' devised by Ayres and Braithwaite, Hepple describes seven levels beginning with 'information and persuasion' as the first level, progressing through internal scrutiny, support and conciliation, inquiry and investigation, compliance notices, agreements in lieu of enforcement and finally, if these fail, enforced compliance[199]. These may include 'classical' sanctions of monetary and reputational deterrents and must be "sufficiently strong … to deter even the most persistent offender"[200]. The signals given by the threat of tough sanctions for non-compliance, it is argued, encourage organisations towards a more voluntaristic approach, and "regulators will be more able to speak softly when they carry big sticks (and crucially, a hierarchy of lesser sanctions)"[201].

Figure 2: Compliance Pyramid
(Source: Ayres and Braithwaite (1992), ibid)

The Equality and Human Rights Commission (EHRC) has responsibility for enforcing the Duty and is granted several special statutory powers[202] which enable it to enforce the specific and general duties. These can include giving advice and guidance, eg, through codes of practice; consultation and publishing

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[199] Hepple (2011), ibid.
[200] Hepple (2013), ibid, p. 28.
[201] Ayres, I. and Braithwaite, J. (1992). *Responsive Regulation: Transcending the Deregulation Debate*, Oxford: Oxford University Press, p. 19.
[202] Equality Act 2006.

terms of reference; assessing compliance; conducting enquiries; entering into an agreement with a public authority; putting an action plan in place to ensure compliance; issuing a compliance notice which sets out steps to be taken and is enforceable by court order; bringing a claim for judicial review against a public authority that has not complied with the general Duty; or applying to the court for permission to intervene in an existing claim being brought by a third party.[203]

Other parties with sufficient interest can also apply to the High Court for judicial review[204], which enables a party to try to challenge a decision or policy to determine whether the Duty has been breached. The cost of legal fees and the damage to the authority's reputation as a service provider which would potentially result from this are intended to act as motivation to implement the Duty fully to avoid such sanctions. Use of both the previous and subsequent, single Duty for challenging public authority funding decisions is discussed in the following sections.

The potential participants in the regulatory process and the progressive deterrents can be combined and illustrated as an 'enforcement pyramid', as follows:

Figure 3: The 'triangular relationship' required for effective reflexive legislation (Source: Hepple et al, ibid)

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[203] Equality and Human Rights Commission (EHRC) (2016). *Monitoring and enforcement*, https://www.equalityhumanrights.com/en/advice-and-guidance/monitoring-and-enforcement [Retrieved 1/7/2016].
[204] Senior Courts Act 1981, S31 (3)

Hepple, however, identified concerns regarding the erosion of the enforcement body for the Duty – the EHRC – which, it is argued, has undermined one of the key mechanisms needed for reflexive law to operate successfully, citing this as the "most serious of all the challenges to the new legal framework"[205]. Furthermore, Blackham has argued that despite having these powers of enforcement, they are rarely used[206].

Section 1 was used to explain the reasons that the positive duties were developed and the underpinning theoretical basis. Furthermore, I outlined the model proposed by Hepple for key mechanisms which must be in place for reflexive law to operate successfully. These will form the key analytical frame for the legal empirical element of this thesis in chapter 6. Having now established the background and theoretical basis for reflexive law, the next section begins to explore the way that the Duty has so far had some impact 'on the ground'.

2.3   Section 2: The Duty in context

Prior to the introduction of the single Duty a small number of studies identified evidence of implementation and/or impact from the previous duties, and the next section explores relevant literature, policy documents and other evidential material. These are useful for understanding the aspects of the positive duties which have worked well as an example of reflexive legislation, and can further inform a critique of the Duty through BCC's organisational processes.

2.3.1   The previous duties – implementation and impact

A key study in 2009 looked at a wide range of public sector equalities practitioners (including local authorities), and identified the duties as reinforcing and supporting positive cultures, bringing equalities into the mainstream. The duties, they argued, encouraged engagement with previously undiscussed issues. Though this had originally created a 'steep learning curve', wide improvements were identified including with decision-making, resource allocation and community relations,

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[205] Hepple (2014), ibid, p. 8.
[206] Blackham, A. (2016). Reflexive change? A quantitative review of the impact of the Equality Act 2010 on age equality measures. *International Journal of Discrimination and the Law*, 16(2-3) pp. 122-142.

increasing access to services by disadvantaged groups. A minority of public authorities involved in the study did, though, consider the duties a burden, using more resource than the value delivered[207]. However, other studies reinforced a finding that they had a positive impact. Conley and Page, for example, assessed the Gender Equality Duty and identified that equality 'actors', including trade union representatives and HR managers (drawing on consultation with 'service user groups') found it "provided useful levers for equality officers in local government"[208]. EIAs were felt to be helpful for influencing the use of equalities issues to raise quality standards and effectively align with other organisational objectives, for instance the Equality Standard for Local Government[209], with another study finding that they can "provide a framework and focus for action"[210].

Elsewhere, Focus Consultancy and the EHRC evaluated the performance of a sample of strategic health authorities and primary care trusts[211] through a desktop review of published and internal materials supported with follow-up interviews. This study found a "significant lack of evidence of implementation and impact"[212], concluding that compliance was seen by those involved as a 'box ticking' exercise. On-going monitoring, reflecting the Duty in quality standards, measurable objectives and increased emphasis on publishing equality information were identified as key factors for future success which needed to be put in place.

The requirement for engagement, which was included in the previous Disability Duty, is was shown as a significant force for change and demonstrates how effective involving those with disabilities, rather than simply consulting, could be. Examples included a wide range of initiatives, with creation of cross-departmental disability equality groups within central government, and mechanisms for disabled

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[207] Schneider-Ross for the Government Equalities Office (2009). *Assessing the Cost & Cost Effectiveness of the Specific Race, Disability & Gender Equality Duties*. http://www.schneider-ross.com/wp-content/uploads/2012/07/Equality-Duties-Assessing-The-Cost-Cost-Effectiveness-of-the-Specific-Duties.pdf [Retrieved 1/6/2013].
[208] Conley and Page, ibid p. 324.
[209] Ibid.
[210] Sclater, E. (2009). *Making practice happen: Practitioners' views on the most effective specific equality duties*. Equality and Human Rights Commission http://www.equalityhumanrights.com [Retrieved 1/6/2013], p. 3.
[211] These were part of the operational structure of the National Health Service until 2013.
[212] Equality and Human Rights Commission (EHRC) (2011). *The public sector Equality Duty: a way forward for the health sector* http://www.equalityhumanrights.com/uploaded_files/EqualityAct/PSED/health_policy_web.pdf [Retrieved 15/5/2013], p. 7.

school-children and stakeholders across local government, HE and FE, health and housing and disabled people's organisations to take part in policy formation. A range of important benefits were identified, which included improved user guidance and increased levels of incident reporting[213]. Furthermore, a 'ripple effect' was identified which included: improved communication and interaction with 'minority groups' such as older and international students and developing local authority policies that incorporated the BME population with different experiences of disability. A further benefit gained was that involving grass roots organisations with a disabled user-led agenda was perceived to build trust in public services, strengthening the argument that engagement is a more productive approach than straightforward consultation[214].

The previous Duties had also been used to mount some useful legal challenges to cuts in public services or cessation of funding for voluntary or community organisations, for their failure to comply with equality duties. Cases included Ealing Council's removal of funding from Southall Black Sisters[215], which highlighted the importance of obtaining evidence as a basis for formulating policy[216]; and Birmingham City Council's failure to consult with those affected most when withdrawing funding on adult social care services[217]. Moreover, The Fawcett Society, after repeatedly raising concerns about a lack of 'due regard' for the impact of austerity policy on gender equality[218], filed an application for judicial review of the Treasury's 'emergency budget'. Though unsuccessful in obtaining a review, the Treasury pledged a different approach in future, with the case raising considerable awareness on the need to consider differential impact on men and women across the public sector[219]. The TUC suggest that their high-profile challenge may have led to the formal assessment by the EHRC (under powers granted by Section 31 of the Equality Act 2006), launched during November 2010,

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[213] Office for Public Management (OPM) (2007). *Capturing the value of the DED*. The Disability Rights Commission http://www.equalityhumanrights.com [Retrieved 30/8/2013].
[214] Office for Public Management (OPM) (2007a). *Involvement for Real Equality. The benefits for public services of involving disabled people*. The Disability Rights Commission http://www.equalityhumanrights.com [Retrieved 30/8/2013].
[215] *R. (Kaur and Shah) v. London Borough of Ealing* [2008] EWHC 2026 [Admin]: a successful challenge over funding cuts for minority ethnic women's domestic violence services.
[216] McColgan, A. (2015). Litigating the public sector equality duty: the story so far. *Oxford Journal of Legal Studies* 35(3): pp. 453-485.
[217] *R. (Rahman) v. Birmingham City Council* [2011] EWHC 944 [Admin].
[218] *R. (Fawcett Society) v. Chancellor of the Exchequer* [2010] EWHC 3522 [Admin].
[219] Sands, ibid; The Fawcett Society (2012), ibid; The Fawcett Society (2013b), ibid.

of the extent to which the Treasury met its obligations[220]. In addition, subsequent budgetary and spending announcements were accompanied by equalities impact assessments, albeit that these were deemed inadequate by campaigning groups[221]. These all serve as examples to support Conley's argument that the Duties can provide opportunities for "new actors" to challenge inequalities[222].

2.3.2 The single Duty – implementation and impact

In general, the single Duty was welcomed by practitioners though there were reservations about several aspects. Some viewed the harmonising of the existing duties and extension to incorporate additional characteristics as clarifying responsibilities and being supportive of a greater range of initiatives. However, whilst extending protection to characteristics beyond race, gender and disability[223] elements of the existing specific duties which were viewed as more arduous by the Coalition Government - including publication of race, gender and disability equality schemes involving consultation on their content – were removed. Some practitioners argued that this made the single Duty more realistic than the previous ones which, as evidenced by some of the studies outlined in section 2.3.1, had attracted criticism for encouraging a bureaucratic, 'tick-box' approach. The complexity of the previous duties had, it was contended, promoted a focus on paperwork in a way which embedded an 'implementation gap' between equalities plans and real, cultural change[224].

Others, though, saw causes for concern within the new Duty. Stephenson and Harrison,[225] for instance, contended that authorities saw their obligations as

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[220] TUC (2011). *The Gender Impact of the Cuts - a year on*
http://www.tuc.org.uk/extras/genderimpactofthecuts.pdf [Retrieved 15/5/2013).
[221] Annesley, C. (2012). Campaigning against the Cuts: Gender Equality Movements in Tough Times. *Political Quarterly* 83(1), pp. 19-23.
[222] Conley (2012), ibid, p. 357.
[223] ie, to include additional protected characteristics: those of age, gender reassignment, religion or belief, sexual orientation, marriage and civil partnership are now covered in addition to sex, disability and race and ethnicity.
[224] Creegan, C., Colgan, F., Charlesworth, R., and Robinson, G. (2003). Race equality polices at work: employee perceptions of the 'implementation gap' in a UK local authority. *Work, Employment & Society*, 17(4), pp. 617–38; Ahmed, S. (2007). 'You end up doing the document rather than doing the doing': Diversity race equality and the politics of documentation. *Ethnic and Racial Studies*, 30(4) pp. 590-609; Fredman, S. (2010), Positive duties and socio-economic disadvantage: bringing disadvantage onto the equality agenda. *European Human Rights Law Review*, 3, pp. 290-304.
[225] Stephenson, M.A., and Harrison, J. (2011). Unravelling Equality: The Impact of the United Kingdom's Spending Cuts on Women. *POLITICAL QUARTERLY*, 82(4), p. 645-650.

weakened under the revised structure, and Conley and Wright highlighted the erosion of requirements for the stakeholder engagement adopted as principles in the earlier duties[226]. Fears were also raised that protection would now be hierarchical with newer strands, such as sexual orientation, considered less important than the established ones[227]. Additional concerns were voiced on the 'tensions' between the needs of those with different characteristics, and the failure to account for the complexity of intersections[228]. Moreover, some contended that the removal of a proposed section to address socio-economic disadvantage would restrict action to the specified characteristics in ways that forced a piecemeal approach, leading groups which are assigned a particular characteristic to be protected at the expense of those affected by poverty more generally[229]. Some public authorities, though, argued that there is a strong connection between disadvantage and the protected groups, and proceeded to incorporate socio-economic considerations into their action plans anyway[230].

An evaluation of the Duty's impact can be identified soon after its implementation, in an EHRC assessment which focused explicitly on public authorities' compliance with the specific Duty to publish equality information. Though there is no prescribed process for authorities to assess the *impact* of their policies and practices, EHRC argue that collating data as a robust evidence base is a key underpinning principle in meeting the Duty, though at that stage (April 2012) only half were fulfilling requirements to publish equality information on staff and service users. Information on staff was found to be more common than that on service users, and there was significant variance in implementation within sectors, eg, probation and police services performed particularly well, with the NHS and national organisations the worst. Some impact was identified, however, including

[226] Conley, H. and Wright, T. (2015). Making reflexive legislation work: stakeholder engagement and public procurement in the Public Sector Equality Duty. Discussion Paper, London: Equality and Diversity Forum and EDF Research Network http://www.edf.org.uk/wp-content/uploads/2015/06/EDFJ3259_Beyond_2015_publication_22.07.15_WEB.pdf [Retrieved 8/7/2017].

[227] Harding, R. and Peel, E. (2007). In: Colgan, F., Wright, T. (2011). Lesbian, Gay and Bisexual Equality in a Modernizing Public Sector 1997-2010: Opportunities and Threats. *Gender, Work and Organization,* 18(5), pp. 548-570.

[228] Conley and Page, ibid; Colgan and Wright, ibid.

[229] Fredman (2011), ibid.

[230] Equal Opportunities Review (2012). Implementing the new public sector equality duty. *Equal Opportunities Review* June 2012 (225); Equal Opportunities Review (2012a). Implementing the new public sector equality duty 2. *Equal Opportunities Review* July 2012 (226).

a London borough which published extensive information on its general population as well as actual service users, disaggregated by protected characteristics where possible. This has helped the council develop specific and measurable equality objectives, for example, increasing "the proportion of users who say that their cultural and religious needs are being met to above 86%, by March 2013"[231].

As a result of the Coalition Government's 2013 review of the Duty, a whole raft of evidence was presented on the Duty's impact to supplement review submissions. These related to a variety of sectors and protected characteristics. The findings from the report had argued that there was no "hard evidence"[232] to support participants' view that the Duty was beneficial for decision-making and service delivery. Notwithstanding this, the submissions were generally supportive of the Duty, and many maintained that the requirement to give conscientious consideration to the needs of different groups supported more transparent, fairer decisions which are less susceptible to change and make best use of limited resources. The benefits highlighted were that this can inform difficult decisions and steer authorities towards more practical solutions, which is particularly useful in times of austerity. Services and decisions therefore empower consumers and "are not simply 'done to' them [which can mean services] do not meet their needs"[233]. One practitioner group argued that the central requirement for 'due regard', is inherently proportional, requiring public bodies to consider equalities in a proportionate way[234].

Collecting and publishing equality data was held to be particularly important to understand which groups are disproportionately affected or excluded. Such data also supports responsiveness to changing need; for example, one authority monitored increasing numbers of homelessness applications from women leading to a change in provision which had previously been aimed at men. Moreover,

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[231] Equality and Human Rights Commission (EHRC) (2012). *Publishing equality information: Commitment, engagement and transparency (Assessment of public authorities' implementation of the specific duty to publish equality information)* http://www.equalityhumanrights.com/uploaded_files/PSD/publishing_equality_information_final.pdf [Retrieved 1/7/2013], p. 37.
[232] Government Equalities Office (GEO) - Independent Steering Committee, ibid.
[233] Citizens Advice Bureau, ibid, p. 2.
[234] Equality and Diversity Forum (EDF) (2013). *Equality and Diversity Forum Submission to the Government's Equality Duty Review* http://www.edf.org.uk/blog/?p=22172 [Retrieved 26/4/2013].

publishing information and data based on these considerations *before* decisions are made further aids transparency, and evaluation of progress. Another example of the positive impact of data collection and monitoring required under the Duty includes healthcare trusts. These extended their data collection to include monitoring of sexual orientation and used this to identify under-representation in service use and some previously unrecognised specialist health needs. This had a ripple effect, with unforeseen advantages such as the data which was collected prompting improved patient care plans; and being used for staff training packages on sensitive questioning and why monitoring is important[235]. These developments were then available to support improvements in service delivery for other minority or disadvantaged groups.

The submissions to the 2013 Review highlighted, in a number of instances, that engagement is essential for achieving a 'designed right the first time' approach which can prevent legal challenges and save litigation. Good practice examples included: a local authority steering group from a number of schools developing a model equality policy, setting equality objectives and developing a toolkit; the involvement of patients from diverse backgrounds on commissioning boards for planning NHS commissioning; involving older citizens in equalities panels to advise on policy and the design of public facilities; and employing a dedicated access officer (himself with disabilities) to provide practical advice to a local authority, including access to museums and public buildings. More extensive involvement (possibly a legacy from the earlier Disability Duty) is demonstrated in an initiative where disabled people were trained in reading planning documents to involve them in design for substantial regeneration work of public buildings, activity which ensured that access requirements were considered at the outset therefore avoiding the potential expense of retrofitting.

The submissions also contained a number of recommended changes to strengthen the Duty, including an increased role for inspectorates; a statutory code of practice; and a statutory requirement to collect, retain and monitor diversity data in connection with goods, facilities and services[236] to ensure that

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[235] Stonewall (2013). *Stonewall response to the public sector Equality Duty Review* http://www.stonewall.org.uk/what_we_do/research_and_policy/equality_act_2010/8726.asp [Retrieved 14/5/2013].

[236] GOV.UK (2011), A fair deal for the voluntary and community sector: from Whitehall to town halls. https://www.gov.uk/government/news/a-fair-deal-for-the-voluntary-and-community-sector-from-whitehall-to-town-halls [Retrieved 20/6/2013].

local authorities are compelled to gather necessary data to meet the 'due regard standard'. Some recognised that there is confusion around the meaning of due regard in practice: though many considered it is simply to give 'consideration to equality', others argued that case law requires more. An example which shows that this confusion has led to variable quality of application includes a case of a domestic violence refuge whose funding was severely reduced without an assessment of the impact which led to staff working above the working time regulations and a compromise to health and safety[237]. Others argued that compulsory EIAs would help to avoid such outcomes and possible litigation[238]. The need to raise awareness about the Duty was also highlighted, for example, in schools where there is a general lack of understanding of the needs of children with protected characteristics (other than SEN) and a National Foundation for Educational Research (NFER) Teachers' Voice survey in which 40% of participants reported that they had not been made aware of the Duty[239].

Finally, as with the previous duties, the single Duty has been useful for mounting challenges to public authority policy decisions, and it has been argued that the "rise" of the Duty has been driven by the climate of austerity[240]. McColgan's[241] analysis found that challenges to funding cuts achieved almost a 40% success rate, which she classified as an "impressive figure" given some judicial reticence to intervene with socio-economic decision-making. Sigafoos[242] argues that the Duty is more effective than the number of successful judicial review cases would suggest, as many complaints are resolved with positive outcomes at an early stage before proceedings commence. Voluntary groups have cited the use of a "softer advocacy"[243] and in such cases, when reminded of their obligations under the Duty, it was often found that a "public body goes back and does a better process" or, through increased interaction with service users, make "better

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[237] UNISON, ibid.
[238] Equality and Diversity Forum (EDF), ibid; Justice (2013). *Response to Government Equalities Office "Call for Evidence"* http://www.justice.org.uk/data/files/resources/345/JUSTICE-PSED-Review-Submission-230413-FINAL.pdf [Retrieved 14/5/2013]; UNISON, ibid.
[239] Office of the Children's Commissioner (2013). *Response to the government's Equality Duty Review* http://www.childrenscommissioner.gov.uk/content/publications/content_448 [Retrieved 14/5/2013].
[240] Sigafoos, ibid, p. 67.
[241] McColgan, ibid, p. 478.
[242] Sigafoos, ibid.
[243] Ibid, p. 71.

cuts"[244] rather than needing to resort to a legal intervention. This work identified a number of charities and service users who have found the Duty to be "a useful sword" to challenge funding cuts and suggested that the climate of austerity has driven a rise in the use of the Duty as a basis of challenge.

2.3.3 Further legal and policy context

Since the introduction of the positive duties, case law has emerged, with the *Baker* and *Brown* cases providing useful guiding principles. The case of *Baker*[245] established, for example, that compliance is a matter of substance, and though the 'due regard' standard does not require an authority to achieve particular results, it must have due regard to the need to achieve that result. Six general principles for due regard were set out in *R (Brown) v. Secretary of State for Work and Pensions*[246], including that: decision-makers must be aware of their duty to have 'due regard'; it is to be fulfilled with a conscious approach, before and during the time decisions are made; it must be integrated within discharge of public functions and accurate records must be maintained[247].

The case of *Bracking*[248] set out some additional principles, including that public bodies must assess potential risk and adverse impact, and the ways risk might be eliminated before a policy is adopted, ie, it is not a 'rear-guard' action; and that enough evidence must be available for the authority to demonstrate that they have discharged the Duty. Furthermore, recording the steps taken by the decision-maker in seeking to meet the statutory requirements is considered an important evidential element. If this material is not available, there is a duty to acquire it which may lead to further consultation with appropriate groups.

The abstract nature of the due regard standard, it is argued, means public bodies might adapt and react differently[249] and this underpins the reflexive nature of this

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[244] Ibid, p. 75.
[245] R (Baker) v Secretary of State for Communities and Local Government [2008] EWCA Civ 141.
[246] R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).
[247] Equality and Human Rights Commission (EHRC) (2014). Equality Act 2010. Technical Guidance on the Public Sector Equality Duty: England, https://www.equalityhumanrights.com/sites/default/files/technical_guidance_on_the_psed_england.pdf [Retrieved 4/7/2015].
[248] *Stuart Bracking and others v. Secretary of State for Work and Pensions* (Equality and Human Rights Commission intervening) [2013] EWCA Civ 1345.
[249] Halford, J. (2009). Paying Attention to Inequality: The Development of the Positive Equality Duties, *Judicial Review*, 14(1), pp. 21-32; Fredman, ibid; Sales, The Hon Mr Justice (2011). The

legislation, ie, to achieve local adaptation. Due regard, however, has been viewed by some as too low a standard for ensuring the effective pursuit of equality outcomes. Fredman[250], for example, highlights the *Brown* principles' emphasis that there is no duty for public authorities to achieve results (despite a need for courts to address the 'substance' of a case) nor to carry out EIAs when making policy decisions. As a result, the Duty might have "the perverse effect of legitimating cuts"[251], whilst supporting a perception that service-users' needs and opinions have been listened to. Hepple, too, identified the possibility of inbuilt flexibility working to the disadvantage of some groups, and as public authorities need only demonstrate that they have followed the requirement to have 'regard' to advancing equality of opportunity, cuts to resources may be implemented even though they have a demonstrably adverse effect[252]. Even in judicial review cases which have identified non-compliance, the low standard set for due regard means focus has been on procedural shortcomings rather than leading to a reassessment of the outcome or overturning of decisions[253]. Moreover, Conley[254] has suggested a reluctance on the part of the judiciary to overturn political decisions in a climate of upheaval and economic austerity.

In addition, though consultation has been demonstrated as a positive effect of the Duty, assigning the balance of bargaining power between relevant parties can be problematic. McCrudden[255], for example, points to a limitation in reflexive law related to a focus on deliberation and communication, which may result in a failure to recognise potential conflict between political and economic interests. It is important, therefore to maintain a focus on existing power relations to avoid perpetuating these. McLaughlin[256] elaborates that this is particularly relevant where differing interests are at play and there is competition for resources.

However, as outlined in sections 2.3.1 and 2.3.2 there is evidence to show that both the previous and current duties have been useful for challenging cuts to

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Public Sector Equality Duty,
http://www.adminlaw.org.uk/docs/Dec%202010%20by%20Sales.pdf [Retrieved 1/5/2013].
[250] Fredman (2010), ibid.
[251] Fredman (2011), ibid.
[252] Hepple (2014), ibid.
[253] Fredman, ibid.
[254] Conley (2012), ibid.
[255] McCrudden ibid.
[256] McLaughlin, ibid.

service provision, in addition to embedding equalities practices across the public sector. This can be used to argue that the Duty, despite concerns about its effectiveness, has been resilient and that once, through changing organisational processes, it has "'infected' other systems [it] means that it is not so easy to undo or unpick those systems", leading to mainstreaming equality in ways that are not necessarily undermined by a lack of strong enforcement mechanisms[257].

2.3.4 The Equality Duty and beyond…

Mainstreamed equality in public authorities may also be influenced by the Duty from a range of sources, where the equalities 'infection' is delivered from multiple directions. Nurseries and preschools delivering childcare services on behalf of Bristol City Council, for example, are subject to the Duty through the work they have been commissioned to carry out for BCC, and also through the common inspection framework and compliance requirements of OFSTED. The latter has an explicit link to the Equality Duty and includes requirements very closely based on the Duty, such as the need for leaders, managers and governors to "actively promote equality and diversity, tackle bullying and discrimination and narrow any gaps in achievement between different groups of children and learners"[258].

Moreover, other equalities-related initiatives have acted as drivers for change and increased interaction with citizens which can be seen as overlapping with practice surrounding the Duty. When assessing the impact of the earlier Gender Equality Duty, for example, Conley and Page[259] found a preference within some authorities for other equality standards in use. They identified The Equality Framework for Local Government (EFLG) which included performance areas such as understanding local communities, responsive services and customer care as contributing to Equality Duty compliance. This approach, through being driven by a 'business case' for equality was seen as a 'carrot' in contrast to the Equality Duty which was seen in a more negative light: ie, the 'stick' of legislation. This was also an aspect highlighted by Hepple et al[260] who argued that "more can be achieved by harnessing the enlightened self-interest of employers and providers than through command and control regulation", and that the 'business case' for

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[257] Manfredi et al, ibid.

[258] OFSTED (2015). *The common inspection framework: education, skills and early years*, https://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015 [Retrieved 10/9/2016], p. 13.

[259] Conley and Page (2010), ibid.

[260] Hepple et al, ibid, p. 57.

inclusivity and diversity, for example, a workforce which is representative of its customer base, a range of viewpoints and experience, all leading to greater innovation and teamwork with more efficient decision-making processes - is also a strong motivator for change. A move towards conceptualising equality as managing service quality with service users as customers in the public sector has been identified by Conley and Page, predicated on a need to "steer equality work through the changes in the political landscape of local authorities"[261].

I would argue that this, however, should be viewed as an additional motivation for change as the Duty was clearly viewed by equalities professionals as a complementary and useful lever for embedding equality into business plans and performance management frameworks.

2.3.5   The Duty in context - conclusion

An existing body of work evaluated and summarised the progress of the previous duties. These showed the value to practitioners of the duties in general as enablers for bringing equalities concerns into the mainstream and providing a useful mechanism to address previously hidden disadvantage. Though challenges were identified, and for some the work involved with implementation was a burden, many also saw the advantages in better community relations and more focused decision-making. Research on the previous duties provided evidence of successful implementation, particularly with the disability duty where this involved the direct involvement of disabled people (rather than simply consultation) in policy design. Such involvement, it was argued, led to increased trust in decision-making processes and a greater spread of contact across the population (including hard to reach groups), with decisions which are less open to a risk of challenge or retrospective change.

EIAs, in particular, were perceived to raise quality standards, and practitioners found the Duty overall a useful prompt for change, particularly as the mechanisms for compliance encouraged measurable objectives, monitoring, guidance and inclusion of equalities considerations in quality measures. This positive view was not universal, however, as other public authorities had failed to implement the

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[261] Conley, H. and Page, M. (2017). Revisiting Jewson and Mason: The Politics of Gender Equality in UK Local Government in a Cold Climate. *Gender, Work and Organization,* 24(1), pp. 7-19, p. 15.

Duty, treated it simply as a 'box-ticking' exercise, and demonstrated poor internal scrutiny with a lack of leadership, priority-setting and evidence-gathering[262].

Studies on the subsequent, single Duty have identified similar advantages for organisations and also demonstrate the need for a robust evidence base, widely published data and fair, transparent decision-making to underpin successful implementation. Collecting disaggregated data on all protected characteristics was emphasised as best practice, to provide the widest possible levels of analysis, though production of staff data has been more prevalent than that for service users. Fairness in decision-making is seen as a particularly important organisational priority, given the increasing number of difficult decisions on resource allocation which have arisen because of austerity measures. Furthermore, consultation is considered a key practice, and the overall process required to conduct a consultative exercise, it is argued, can empower service users to steer resources in ways which best meet their needs.

The varied experiences of public authorities, as revealed by existing research, demonstrated that which, arguably, is a fundamental weakness of the Duty: its over-reliance on local actors. This was evidenced by the failure of implementation in the organisations that lacked leadership or the impetus to set organisational priorities to gather appropriate evidence. This also supports Hepple's assertion that structures for internal scrutiny are a necessary element for reflexive law to operate successfully. A further potential weakness is the focus of reflexive law on deliberation which does not account for power imbalances within the groups who contribute to consultation and decision-making processes. Practitioners' suggestions for changes to the Duty may also indicate some weaknesses in the legislation and its supporting structures, ie, where they have identified concerns about: the lack of guidance available for implementation; a need for compulsion relating to data collection and monitoring; the lack of compulsory EIAs; and a need for greater clarity about the meaning of 'due regard'.

Nevertheless, the Duty has achieved positive outcomes which include more transparent processes for decision-making. These are perceived as fairer and more appropriate due to the involvement of stakeholders and service-users and the requirements to gather and publish supporting evidence. There are conflicting views regarding the effectiveness of the Duty as a way to challenge public

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[262] Equality and Human Rights Commission (EHRC) (2011), ibid.

authority decisions. Some argued, and there is strong evidence to show, that because of the weak 'due regard' standard and its focus on process the Duty can be used to support imposition of funding cuts. This is countered by a significant number of positive outcomes which have been achieved, some before judicial proceedings have even been initiated, through interest groups and other actors compelling authorities to reconsider their actions.

Finally, much of the empirical evidence of the effectiveness of the duties has focused primarily on processes and organisational procedures, particularly from a practitioner point of view. The 2013 Government Equalities Office (GEO) Review indicated that a lack of hard evidence, particularly around decision-making and whether Duty's impact on service users undermined the credibility of the Duty as a force for change. Indeed, there is a limited amount of data available to reveal service-user perspectives which would allow us to assess the impact the Duty or understand changes to individuals' circumstances which in turn can indicate social change on the ground. The outcomes the Duty achieves for service users is clearly a gap in knowledge and this was a key factor in developing the direction of my thesis.

This chapter explored the legal background to the development of reflexive equality legislation which evolved as a way to address some of the issues with 'command and control' law and to bring about social change through embedding equalities in organisational processes. The theoretical rationale for reflexive law was explained, along with the mechanisms which, Hepple and others have argued, must be in place for the legislation to be successful. I use these, along with evaluations of both the previous Duties and the subsequent, single Duty, to develop an evaluative framework which examines and critiques reflexive law and the Duty set within the context of BCC's organisational structures.

The next stage in developing my understanding of the way the Duty works 'on the ground' was to draw in the experiences of single mothers who use local authority services in their daily lives. The methods and methodology used to achieve this are now described in detail, in chapter 3: Research design and methodology.

Chapter 3: Research design and methodology

3.1   Introduction

In the following chapter I discuss the methodology and research design for this project. All elements of the study are described and discussed, firstly giving an overview of the methods and the analytical frameworks; a rationale for the focus on single mothers; and the case study location and organisational scope of the analysis. This is followed by: a description of the desktop work and 'content analysis'; an explanation of and justification for access and sample recruitment for the qualitative study; the access and sample recruitment, followed by qualitative data collection; data analysis and finally, a review of the research process.

3.2   Research aims

In considering the methodology for this thesis, there were a number of influencing factors. A central aim of my research was to explore how well the Equality Duty as a piece of reflexive legislation is equipped to overcome social inequalities experienced by single mothers. The literature and policy review discussed in chapter 1 identified a range of existing research relating to the Duty and other evidence taking account of practitioner viewpoints and organisational practices. This body of work enabled us to see some of the Duty's strengths and weaknesses, and the strategies, programmes and activities in place throughout England. However, the existing research does not respond adequately to critiques that implementation of the Duty has often been a 'tick box' or procedural exercise only, or that policies can be communicated but are not fully, or successfully, implemented from a service-user viewpoint

Furthermore, the legal literature and policy review material was key in demonstrating that, where impact was identified for service users, this was often 'measured' in top-down, quantitative ways. Examples of these measures might typically be the proportions of different groups accessing a particular service – for example, health services or specialist transport[263], improved educational achievement levels within marginalised groups, or numbers attending cultural events aiming to promote social cohesion, such as International Women's Day

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[263] Schneider-Ross for the Government Equalities Office, ibid.

events[264]. These data demonstrated that the Duty has created some change in patterns of service use, and in some instances this was supported with other data which show improved well-being. However, as these are primarily quantitative studies they say much less about the complexity which surrounds the lives of the service users or the meanings and purpose attached to the services by the users themselves[265].

This means there was little understanding of the experiential difference services have made to the lives of individuals, the various barriers they might have overcome, or factors which have enabled them to access services or fill in gaps. Crucially, it does not fully demonstrate whether the Duty has delivered social change in the ways that were intended. I would argue that successful implementation cannot be fully achieved without a service user perspective, including assessing the outcomes it achieves for them and the changes it can facilitate in their opportunities and daily experiences.

A key reason for the choice of a qualitative methodological approach was a desire to explore these outcomes and contribute to a theoretical understanding of single mothers' experiences of living with the impact of the Duty, in a way which could be better achieved by regular contact and involvement with participants than by quantitative methods alone[266].

3.3   Research approach and paradigm

Two perspectives were therefore needed to satisfactorily address these questions. Firstly, an exploration was required of how the Duty operates as a piece of reflexive legislation; and secondly, what its *impact* is, ie, the law in action also described as "the difference between the legal reality and the real reality"[267], specifically in the lives of single mothers. An interdisciplinary, socio-legal study

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[264] Bristol City Council (2014e). *Progress against the Equality Plan 2013-14*, https://www.bristol.gov.uk/documents/20182/33163/Equality%20Plan%20indicators%202013-14.pdf/c075003d-c0bd-4463-8b85-f54565ca39b7 [Retrieved 1/8/2015].
[265] Guba, E. G., and Lincoln, Y. S. (2004). Competing Paradigms in Quantitative Research, in: Nagy Hesse-Biber, S., and Leavy, P. (2004). *Approaches to Qualitative Research*, Oxford: Oxford University Press.
[266] Crouch, M., and McKenzie, H. (2006). The logic of small samples in interview-based qualitative research, *Social Science Information*, 45(4), pp. 483-449; Stephenson and Harrison (2011), ibid.
[267] Schrama, W. (2011). How to carry out interdisciplinary legal research. Some experiences with an interdisciplinary research method. *Utrecht Law Review*, 7(1), pp. 147-162, p. 149.

was developed that combined insights and methods addressing both legal and sociological perspectives.

3.3.1   A socio-legal study

In order to achieve this, one area of data collection was undertaken to understand how the Duty had been implemented on a practical level by BCC. This involved conducting an analysis of the Duty and its theoretical underpinning and collecting qualitative and quantitative data through desktop work to obtain documentary evidence. These were supported by an interview with an appropriate expert from Bristol City Council. To assess the Duty's impact ie, how this legal norm was functioning in real life, a non-legal perspective was required which drew on data from "the real world" in order to be methodologically sound[268]. This can be obtained through empirical, quantitative and qualitative data, moving away from a legal dimension and drawing on insights from other disciplines which include a sociological perspective. To this aim, a sociological study was also developed using qualitative interview data, through which I could explore the everyday social worlds of a group of single mother service users, and contextualise the impact of the structures in place to implement the Duty through their accounts of their daily experiences.

3.3.2   Theoretical bases

As the basis underpinning the development of reflexive law, systems theory (as described in section 2.2.3 sits alongside other widely-used concepts which describe similar, macro levels of social connectedness such as 'networks' or 'regimes' which "address a social level that is not reducible to that of individuals"[269]. It therefore provides a helpful framework for analysis of the systems involved with complying with the Duty[270]. However, systems theory is also very descriptive, operating mainly as a metaphor, relying on high levels of abstraction and not allowing for or sufficiently explaining the complexity of social relations[271]. It therefore leaves little room to realistically explore the particularities of women's daily lives, such as detailed social interactions, practices of agency or how they might impact (or be impacted by) the mechanisms of the Equality Duty

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[268] Ibid, p. 150
[269] Walby, ibid, p. 455.
[270] Fuchs, C. (2006). The Self-Organization of Social Movements. *Systemic Practice and Action Research*, 19(1), pp. 101-137.
[271] Walby, ibid.

which, in systems theory language, may simply be attributed to a failure in 'communication'.

Furthermore, as each 'subsystem' receives input from others and is influenced by their characteristics, it is not possible to define a chain of direct cause and effect[272] between actions put in place by the Duty and the impact on individuals. A children's centre delivering childcare on behalf of the City Council, for example, is its own 'subsystem' and subject to influence from other childcare providers and a range of legislation in addition to the Duty.

In light of this, an additional approach was needed to address the effect of the law 'in action' on service users, service providers and stakeholders, as well as the roles they might play as knowledgeable actors within the mechanisms of reflexive law. Giddens' postmodern sociological critiques therefore become useful for their consideration of the interplay between individual actions and societal structures through his 'structuration theory'[273]. Although critics of Giddens' central notions describe these as "fuzzy and difficult to study empirically"[274], there are studies, for example those by Ortlieb and Sieben[275], Blocker and Barrios[276] and McGarry[277] which successfully draw on his framework of ideas to develop understanding of a recursive interactions between social structures and individual, knowledgeable agents[278] within a variety of organisational environments.

In order to carry out a theoretical analysis, therefore, I drew on two aspects of Giddens' theories. The first was structuration theory, which Giddens uses to explain the ways in which social systems are reproduced and either continue unchanged or are transformed. Central to the idea of structuration is the theorem of 'duality of structure', ie, that agents and structures are not independent – a

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[272] Boland, T., and Fowler, A. (2000). A systems perspective of performance management in public sector organisations. *The International Journal of Public Sector Management*, 13(5), pp. 417-446.
[273] See, for example: Giddens (1984), ibid; Giddens (1991), ibid.
[274] Ortlieb, R. and Sieben, B. (2014). The making of inclusion as structuration: empirical evidence of a multinational company. *Equality, Diversity and Inclusion: An International Journal*, 33(3), pp. 235-248, p. 238.
[275] See Ortlieb and Sieben (2014), ibid– this uses Giddens' theory of structuration to assess inclusivity of the processes of large organisations.
[276] See Blocker, C. P. and Barrios, A. (2015). The Transformative Value of a Service Experience. Journal of Service Research, 18(3), pp 265-283 – this study uses Gidden's structuration theory to frame the nature and process of change within the service sector.
[277] See McGarry, O. (2016). Knowing 'how to go on': structuration theory as an analytical prism of intercultural engagement. *Journal of Ethnic and Migration Studies*, 42(12), pp. 2067-2085.
[278] Ortlieb and Sieben, ibid, p. 239.

dualism – but rather a duality where structures are *both* a medium and an outcome. Social structures and human actions therefore produce one another mutually, with structures both *constraining* the thoughts and actions of social agents and *enabling* them in day-to-day interactions and strategic decisions which reproduce and/or challenge those structural dimensions[279]. Secondly, I consider his conceptualisations of individuals as reflexive, knowledgeable agents who are freed from traditional ties of location, class and gender to creatively construct and reflexively shape a lifestyle through resistance[280]. This was used to develop a richer understanding of single mothers as social actors who are not passive recipients but, rather, took action to shape their worlds.

3.3.3   A feminist perspective

My choice of methodology was generally informed by feminist scholarship. This guided the decision to employ a qualitative research approach in that it used a standpoint grounded in the personal interests and experiences of a group of women who, as single mothers are often marginalised and lacking power because of a range of entrenched socio-economic disadvantages. In particular, the aim of focussing on the law 'in action', ie, "how it is interpreted and applied" needed to be based on the way the Duty operates "within the concrete relationships and situations that give [it] meaning"[281]. This approach fitted my goal of challenging inequality and empowering women through giving them a voice.

My epistemological position and understanding of the social world does not accept that there is one objective, measurable 'truth', from a position of legitimacy or power based on an 'unconditioned subject' who is untouched by social experiences[282]. Instead, this work privileged the accounts obtained from service user participants as the starting point for knowledge production. Ontologically, the reality of my service user participants and their worlds, as generated and shaped by their first-hand experiences as single mothers, is central, with a focus on their

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[279] Giddens (1984), ibid, p. 25.
[280] Giddens (1991), ibid, p. 86.
[281] Munro, V. E. (2017) The master's tools? A feminist approach to legal and lay decision-making, in: Watkins, D. and Burton, M. (eds). *Research Methods in Law, Second Edition*, London: Routledge, p. 197.
[282] Longino, H. E. (1993). Subjects, Power and Knowledge: Description and Prescription in Feminist Philosophies of Science, in: Alcoff, L., and Potter, E. (1993) (eds) *Feminist Epistemologies*, London: Routledge.

own, situated truths[283]. Therefore, by gaining access to individuals and developing an understanding of their social worlds, their interactions and negotiations within these, I have worked to identify what holds meaning for them[284].

I also aimed to contribute to social change by raising awareness of participants' perspectives, producing research which is *for* women, rather than simply *about* them[285]. Underpinning the methodology is the importance of the idea that 'the personal is political' and my desire to produce research which benefits service users through contributing to debate or influencing policy, in this case by examining the ways in which resources are distributed in relation to implementation of the Equality Duty[286]. Letherby contends that this means "that the researcher's own personhood is always part of research" in the form of values and assumptions[287].

3.3.4   Methods

The methods used were a desktop study to obtain the theoretical and contextual background, which included a content analysis of organisational documents; and a small-scale, qualitative, empirical study with single mothers which allowed face-to-face contact with those experiencing aspects of their lives as service users. The city of Bristol was chosen as the research site (see 3.3.7).

The elements of the desktop study (in addition to the literature review of existing research on implementation of the Duty) were: a review of existing literature on single mothers as service users to develop an initial understanding of the issues faced by this group; and theoretical literature relating to equalities and reflexive law which helped in developing an understanding of the Equality Duty in order to deconstruct the key elements, mechanisms and micro-processes which operate at a local level. Furthermore, contextual research was conducted to identify demographics relating to single mothers in Bristol; obtain information on relevant local authority and community activities within Bristol City; and collate policy

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[283] Riessman, C. K. (2008). *Narrative Methods for the Human Sciences*, London: Sage; Stanley, L., And Wise, S. (1993). Breaking out Again. *Feminist Ontology and Epistemology*, 2nd edition. London: Routledge.
[284] Bryman, A. (2012). *Social Research Methods*, 3rd edition, Oxford: Oxford University Press.
[285] Cancian, F. (1992). Feminist Methodologies That challenge Inequality. *Gender & Society*, 6(4), pp. 623-642; Longino, ibid.
[286] Cancian (1992), ibid, p. 624.
[287] Letherby, G. (2003). *Feminist research in theory and practice.* Buckingham: Open University Press, p. 45.

documents on Bristol City Council (BCC). The desktop study is described in section 3.4.

The qualitative study comprised, firstly, an 'expert' interview with a senior member of the BCC Equalities and Community Cohesion Team to provide context on the local authority. This was followed by stakeholder interviews and discussion sessions (in lieu of focus groups) with a range of service users. These contributed to the design of the research instruments, in addition to providing further context for the study. A series of face-to-face and telephone interviews were then conducted with single mother service users, with maintenance of a fieldwork diary to record observations throughout. The qualitative fieldwork is described in section 3.5.

3.3.5 Research design: analytical framework

The study seeks to be inductive and produce a theoretical understanding based on analysis of the data. "where theory [is] … an outcome of the research process …and … theoretical ideas emerge out of the data"[288]. There were two distinct sources for the data which required analysis. Firstly, the documentary, contextual data was used to identify broadly the services provided, the organisational mechanisms (for example, internal team structures, monitoring processes) which BCC used to comply with the Duty relating to these services; and the bodies involved to carry out service delivery, which included a range of local authority, private and charitable organisations[289]. These allowed development of an initial, macro-level framework to help understand the BCC 'system'.

Secondly, the interview data from service providers, stakeholders and service users was required to identify the services used by single mothers and their experiences of using them. Qualitative data gathered from single mother service users fed into the second, micro-level analytical framework which positioned their needs as the central concern and enabled further interrogation and analysis of the policy and delivery structure. Service provider and stakeholder interview data was used to enhance understanding of the policy environment, including their

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[288] Bryman, ibid, p. 6.
[289] This was accompanied by an interview with a senior member of the Equalities and Community Cohesion Team, Bristol City Council on 31/3/2014 which contextualised and corroborated findings from the documentary, desktop review.

understanding and views as practitioners on the Equality Duty, in addition to providing further insight around the service users' experiences.

Analysis was primarily informed by a grounded theory approach, which involved developing categories and frameworks arising from the data[290]. Using analytical methods based in grounded theory fits well with subject matter which changes and evolves in unknown ways over the life of the project, as it is not driven by hypothesis testing and pre-defined categories, but allows for simultaneous study of developing literature and events throughout[291]. This facilitated the development of themes and ideas which could be fed into the later analysis process from the outset. Development of the framework is detailed further below.

Two additional, existing frameworks were used as evaluative frameworks once the grounded data analysis was sufficiently developed. Firstly, as discussed in section 2.2.4, Hepple's 'interlocking mechanisms', provided a model for sifting the organisational and legal processes and this helped provide structure to the developing argument. Secondly, as described earlier, Giddens' 'structuration theory' was used, and utilised to develop a coding framework for a deeper analysis and exploration of the qualitative data.

3.3.6   Why single mothers?

The decision to focus the qualitative research on single mothers was taken for a number of reasons[292]. Overall, there was a desire to explore this group from an alternative perspective to that which is often used. Much of the existing research was set in the context of a culture of reliance, whereas my study sought instead to challenge this dominant discourse by exploring single mothers' activities from a paradigm which emphasised their positive rights as service users with particular needs and potential for agency.

Furthermore, because of the structural location of many single mothers, as the lone head of a household and often with most of the day-to-day financial responsibility for their child(ren), they are more likely than other types of

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[290] Glaser, B. and Strauss, A. (1967) in: Silverman, D. (2005). *Doing Qualitative Research*. London: Sage.
[291] Charmaz, K. (2004). Grounded Theory, in: Nagy Hesse-Biber, S., and Leavy, P. (2004). *Approaches to Qualitative Research*, Oxford: Oxford University Press.
[292] In terms of scope, single fathers were specifically excluded from the study: although gender as a protected characteristic under the Equality Act[292] can apply to both men and women, the cumulative and disproportionate disadvantage faced by single mothers as a group set them apart as a concern for this study.

household to call on state-funded support. This position, which could often leave these women at the lower end of the socio-economic scale, could serve as a useful basis for generating enquiry as they were more likely than the privileged to develop critical questions regarding the status quo[293].

3.3.7   Case study location

I chose the city of Bristol as the fieldwork site for a number of reasons. As a large and vibrant city, it offered a wide range of opportunities to collect rich data from a potentially diverse population. The Women's Charter and Women's Commission had a strategic remit to address local women's needs which included health, access to transport and safety and therefore had potential impact on service delivery. This built on and enhanced an existing, highly active network of women's and feminist groups, many of whom fed into local, political debate as well as the local authority consultations which inform equality impact assessments (EIA).

Following initial investigation online and some informal discussions with women's groups in Bristol, a primary site for fieldwork was chosen which focused on three adjoining council wards: Ashley, Easton, and Lawrence Hill (BS5 postcode). These were the location for all service provider and stakeholder interviews (with the exception of the local authority employee interview) and five of the service user interviews. I selected these wards, in part because they contain areas of social and economic deprivation (see 1.4.2 for a fuller description). It was an area particularly rich in active community groups, third sector organisations such as charities and community hubs, and other 'stakeholder' organisations providing support to lone parent families (with these groups sometimes being partially or wholly funded by local government and therefore covered by the Duty). Three wards were chosen (rather than one or two) firstly because there was some overlap of service use across the boundaries – for instance, a single mother might travel from Lawrence Hill to access training in Easton, and secondly to incorporate a large enough geographical area to protect participant anonymity. Selecting a sufficiently large geographical area which was away from Oxford[294] also served to preserve participants' anonymity: I have carried out confidential interviews with

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[293] Letherby, G. (2003), ibid; Gillies, V. and Alldred, P. (2012). The ethics of intention: research as a political tool, in: Miller, T., Birch, M., Mauthner, M., and Jessop, J. (eds), *Ethics in Qualitative Research 2nd Edition*, London: Sage, p. 46.

[294] Lawrence Hill was the most highly populated ward in Bristol at the time of the study, and in total with Ashley and Easton had a population of approximately 50,500. Bristol City Council (2015a), ibid.

research participants in Oxford in the past, and its relatively small size, where social and community groups often overlap and share premises, has led to me encountering some participants at local events, which appeared to cause them discomfort. I was keen to avoid this with any potential participants in my PhD research.

Other, pragmatic factors contributed to the choice of Bristol as a location. It is where I was born and a place with which I retain strong family and friendship connections. I was, therefore, sufficiently familiar with the layout of the area and felt confident in navigating the various organisations I would visit, and also the areas I might safely visit alone. At the same time, because I moved away from Bristol many years ago I no longer had any detailed knowledge of the community and its networks in these areas. This helped to position me in some ways as an 'outsider' with no preconceptions, allowing networks to evolve organically based on the environment and inter/intra-organisational dynamics at the time of the study. Research relationships then emerged unencumbered by assumptions or prejudices I might otherwise have held.

3.3.8   Organisational scope

In determining the scope of service provision to include, this study drew on the small number of existing academic studies relating to service-use concerns of single mothers which were identified in the literature review. In addition, preliminary discussions with stakeholder organisations corroborated and added to the developing list which, as an inductive study was directed by the information as it emerged. The content of the research instruments reflected the concerns of those participants and the facilities which, in their daily experiences had greatest impact on the women themselves and their children.

However, some services which were highlighted as important during this stage, such as support for illness and mental health issues were provided primarily by specialists from within the NHS and fell outside of local authority-led provision. In addition, some services and support, such as independent childminder services and counselling, were provided by private organisations (receiving no finance or support from the local authority) so fell outside of the scope of delivering public services and therefore the Duty. All of these were, therefore, largely excluded from the analysis stage of this study.

3.3.9 Expert input

In addition to the desk-based research and qualitative service user interviews, 'expert' input was needed for contextual understanding and developing a matrix to identify the landscape of community, support networks and structures in place. Prior to starting the service user data collection, I therefore interviewed a group of service providers and stakeholders. These comprised individuals who either worked directly providing services to single mothers or, as campaigners or researchers, had an understanding of single mothers' needs and the service-delivery environment, including the approach to addressing equalities taken by their organisation.

3.3.10 Ethics

Ethics approval was sought from the Oxford Brookes University Research Ethics Committee in November 2013, receiving final approval in January 2014. The documents relating to this process are provided in Appendix I.

3.4 Desktop work

The desktop study consisted of a literature review, which incorporated both existing research on implementation of the Duty, and a review of existing literature on single mothers as service users. These shaped the rationale for the study through identifying gaps in knowledge; developed an initial understanding of the issues faced by single mothers as a group and assisted with the development of an overarching framework for research topics. Theoretical literature relating to equalities and reflexive law was also used to develop an understanding of the legal basis for the Equality Duty in order to deconstruct the key elements, mechanisms and micro-processes which operated at a local level during implementation. Furthermore, contextual research was conducted to identify demographics relating to single mothers in Bristol and obtain information on relevant local authority and community activities within Bristol City.

In addition, documents available online relating to Bristol City Council and their adherence to the Duty, including equality policy and published strategy, monitoring data and public consultations were collected. A 'content analysis' was then conducted on these documents in order to provide understanding of the material structure of BCC. It is recognised that this approach is highly reliant on documentation and therefore not always representative of what happens in day-to-day practice. Nevertheless, the data was accessible and, as a method it is highly replicable and supportive of objective study through matrices and coding

schema. Furthermore, and particularly important for a study wishing to better understand organisational norms, by using these types of secondary sources it is possible to develop an understanding of an organisation's values, "traces of which can be observed in organizational documents"[295].

The processes under examination in the 'illustrative examples' were primarily built from desktop data collected online. Nevertheless, it achieved the purpose of addressing 'living law' as it provided data around key activities relating to due regard, such as the EIA. It also showed other parts of the deliberation process, for example, the consultation process, as these would have appeared to and been used by both participants in this study and decision-makers during execution of the real-life processes. Less material was available on the processes which were internal to BCC, and these were mainly represented in the public domain in the form of procedural documentation such as minutes and agenda items. However, this was arguably less important. As the focus of this study was service users, high-level documentation was sufficient to understand the broad workings of the local authority, and the mechanisms in place to meet the due regard standard.

Key search terms are provided in Appendix II, with details of any documents used shown in footnotes to the findings.

3.5   Qualitative data - access and sample recruitment

3.5.1   Building a network of contacts

Exploratory work to build a network of contacts with service provider and stakeholder organisations began in October 2013, marking the start of 19 months in the field building and maintaining research relationships. Prior to obtaining ethics approval, I conducted some initial online searches and issued exploratory emails requesting generic information and introducing myself. I attended open meetings, including a single parent support network and a women's rights campaigning organisation to build contacts and develop local knowledge. This network of contacts served a number of purposes: to obtain 'expert' knowledge on the breadth of services and stakeholders' awareness of the Equality Duty; as a source of service provider and stakeholder interview participants; to obtain a perspective on needs and patterns of service use 'on the ground'; and gather intelligence on ways to recruit single mother service users.

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[295] Bryman, A., and Bell, E. (2011). *Business Research Methods, 3rd Edition*, Oxford: Oxford University Press, p. 305.

Once ethics approval was obtained I intensified activity, further developing a contact list, through signing up to mailing lists for e-bulletins and newsletters for appropriate organisations, accessing community websites and through collecting leaflets and flyers advertising local groups and activities on display at a number of libraries and community centres in central and east Bristol. I also made use of social media to develop local knowledge, for example, visiting chat rooms within Mumsnet[296] which operated local listings and events.

3.5.2 Identifying and recruiting samples

3.5.2.1 Local authority, service providers and stakeholders

An employee of the city council with expertise in their equality policies, along with stakeholders and service providers from a wide range of organisations were interviewed to provide 'expert input'.

In terms of identification and recruitment, the city council employee was easily identifiable and contactable via the Bristol City Council website, with other service provider and stakeholder contacts taking longer to emerge. The latter were developed, at first, by actively approaching organisations, via email addresses in the public domain, creating a purposive sample through engaging with a network of individuals with experience of service provision and support networks for single parents[297]. This included specialist organisations with networks and local groups to support single parents such as Gingerbread and the Single Parents Action Network (SPAN)[298], and through this I was able to identify and recruit (with both opportunistic and snowball samples) service providers and stakeholders who were involved in service delivery for single mothers and/or had an interest in this area and so could provide expertise and local knowledge.

Over the course of the fieldwork I continued to observe and participate in community events, including city council consultation meetings, and community group meetings, which added to local knowledge (for developing a sample list of service providers) and also allowed me to advertise for potential single mother service user interview participants.

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[296] http://www.mumsnet.com/
[297] Bryman, ibid.
[298] Both national organisations which operated local groups at the time of the study, providing advice and support and campaigning to highlight the rights of single parents: Gingerbread, based in London, the North West and Wales http://www.gingerbread.org.uk/; and Single Parents Action Network (SPAN) http://spanuk.org.uk/ based in Bristol.

A summary of the activities and events attended is provided in Appendix III.

Originally, two service provider and stakeholder focus groups of 6-8 individuals were planned as a way to engage with experts and 'scope' the key issues for them. These were intended to develop a 'bottom-up' understanding of the issues affecting service users and an understanding of appropriate terminology, norms and meanings and areas of sensitivity to refine the interview guides and achieve some consensus around the strengths and weaknesses of local provision[299].

However, very early in the study I was warned by a third sector service provider that no organisation would be able to spare me their staff for this, due to increased pressure on resources resulting from cuts and austerity measures. This was corroborated by other service providers and stakeholders I approached who were prepared to take part in an interview provided I could be flexible about time and location, but would have no resource or time to travel and contribute to focus groups. I therefore replaced the focus groups with face-to-face interviews. This allowed for the collection of richer, more in-depth data. However, this was considerably more time-consuming, extending the overall timescale for fieldwork by an estimated 2-3 months.

The face-to-face interviews with service providers and stakeholders took place between January 2014 and November 2014 and included 10 professionals, consisting of eight women and two men. These represented organisations providing expertise and service delivery relating to childcare, housing, employment support, education and training as well as campaigning and advocacy organisations working specifically on behalf of women (one of which focused predominantly on single parents). Seven participants represented organisations delivering direct services: four at children's centres and nurseries; two in employment support and training, and one working for a community housing organisation. Of these, four held strategic responsibilities within their organisations. Five of the stakeholders/service providers were recruited directly via an email request for an interview, with three further stakeholders referred from the initial five. In addition, two of the participants with managerial/strategic responsibility I interviewed offered me the chance to speak with operational staff

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[299] Wilson, M. (1996). Asking Questions, in: Sapsford, R. and Jupp, V. (1996). (eds) *Data Collection and Analysis*, London: Sage; Krueger, R., A., and Casey, M., A. (2000) *Focus Groups. A Practical Guide for Applied Research (3rd Edition)*. Thousand Oaks, CA: Sage; Bloor, M., Frankland, J., Thomas, M., Robson, K. (2001). *Focus Groups in Social Research*, London: Sage.

within their organisations allowing me to secure two additional interviews. All the interviews were face-to-face and lasted between 35 and 90 minutes. In addition, the city council interview took place during this timeframe. The city council interviewee was recruited via email following an initial approach, by post, to their team leader. The interview schedules and supporting materials are provided in Appendices IV (for the local authority) and V (for stakeholders), and a full, anonymised list of service provider and stakeholder participants is available in Appendix VI.

3.5.2.2 Service user discussion sessions

Focus groups with single mother service users also formed part of the original plan for collecting data on day-to-day service use priorities and developing the interview schedules. However, despite setting up two groups which were advertised through a sign-up sheet displayed by a stakeholder contact, those who had signed up failed to turn up. There was no immediate explanation for this, though consultation with local stakeholders informed me that this was not atypical for single mothers who are time and cash-poor, and often lack confidence. The stakeholder surmised that, in addition to having little time to take part, the prospect of meeting with a stranger to discuss their lives may have felt too intimidating.

A reassessment was therefore necessary, and following a short period of reflection I revisited the organisations who had offered to help publicise the focus groups. Through these discussions, I was offered the opportunity to attend some existing events (such as coffee mornings) and be introduced to potential participants so they might have a chance to meet me in a less daunting environment. This led to a small number of informal discussion sessions based on opportunistic samples: one involved three lone parents who were service users with a training organisation; and a second involved two children's centre workers who were also single mothers themselves and very happy to share their experiences informally over a cup of tea. On a third occasion I was invited to a coffee morning to be introduced to some single mothers as potential interviewees. This event was cancelled at the last moment, and instead I was invited to join the 'messy play' mother and baby group next door which provided the opportunity for an informal chat with a small number of women.

3.5.2.3 Service user interviews

The service user group focussed upon single/lone mothers who were aged 18 years or over with dependent children[300]. Focusing on 18+ individuals in this way was intended to firmly demarcate the study from much of the existing research which primarily problematised teenage mothers, as discussed in section 1.5.1. My aim was to address the service needs of adult mothers and their children. I did not provide a definition of 'single mother' in the recruitment material, allowing participants to self-define whether they met this status themselves. On the advice of stakeholders, recruitment materials were developed which asked for 'single mums' rather than 'lone parents' (based on the advice of a service provider who worked regularly with this group) as the latter was felt to be more official and similar to phrasing in government documents. Using 'mums', instead of 'parents' also made it clear that women were the focus of the study.

Distributing posters and flyers, commencing in October 2014, formed the major part of my recruitment strategy at first, in the absence of focus groups to kick-start recruitment for service user interviews. Utilising the network I had built, I distributed recruitment materials: across notice boards through a BS5 community group; in a regular call for participants through a BS5 community e-newsletter; in flyers distributed across children's centres/childcare providers/mother and toddler groups, libraries, museums and community cafes, via family support workers and trainers working directly with lone parents who all agreed to pass on flyers. In addition, I attempted face-to-face recruitment by positioning myself in the reception area of a nursery to hand out flyers and 'meet and greet' individuals and through attendance and a brief presentation at local area forum meetings[301].

For copies of the recruitment posters and flyers used in the study see Appendix VIII. Locations, online sources and events used for distribution of recruitment materials were included in Appendix III.

This 'meet and greet' strategy generated little interest until I was approached via email in late October 2014 by a single mother who confirmed she had seen a flyer posted (by someone other than me) to a Facebook community page. This

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[300] Office for National Statistics (ONS) (2012) defines dependent children as those living with parents who are aged under 16 or aged 16-18 in full-time education, excluding 16-18 year-olds with a spouse, partner or child living in the household.

[301] These are run by Bristol City Council's Neighbourhood Partnerships to consult with local people on issues of importance to their area https://www.bristol.gov.uk/people-communities/neighbourhood-partnerships [Retrieved 2/7/2015].

participant very helpfully served as a pilot interview in December 2014. As time progressed and I received little further interest, I reflected and discussed strategy with my supervisors and as a result modified the recruitment materials on a number of occasions, based on feedback from service providers and stakeholders working with single mothers, and observations from the field to try and ensure it was understandable for a wide audience. I identified that many of the women attended play groups, etc, with a friend and often had children of different ages. In addition, a stakeholder organisation suggested that possible constraints for single mothers would be lack of time, childcare responsibilities, low confidence levels and lack of money, for example, for travel. I therefore modified the recruitment materials to state that friends and/or children were welcome, as well as emphasising more clearly that all expenses would be covered, refreshments provided and they could choose a location. Furthermore, I introduced the possibility of telephone interviews at this stage, as well as face-to-face to help better fit with participants' childcare needs. This change of content, however, made the flyers and posters in public spaces no more successful in recruiting anyone.

Other issues also arose relating to recruitment. I asked the organisations in my network to advertise my study but to avoid directly recruiting specific participants, as without my knowing the complexity of individual's relationships with these organisations it was not possible to assume full participant consent. There was also a risk of compromising participant confidentiality as service providers and stakeholders may be able to attribute what service users have said in the resulting write-up. Although I delivered regular – gentle - reminders that participation had to be voluntary, this was not always observed, as some service providers and stakeholder organisations were keen to assist. On one occasion, for example, I had to intervene to stop a receptionist calling individuals who had no prior knowledge of the study on their mobile phones and asking them to attend a focus group *within the hour*.

In March 2015 and in recognition that my only participant to date had been via a Facebook post I expanded recruitment to include Twitter and Facebook, identifying a number of community interest and single parent groups in Bristol on both of these social media outlets. In order to observe correct netiquette I approached the administrators of these groups, and several allowed me to post recruitment flyers, which led to some success in recruitment and a small snowball of introductions to friends who were also single mothers.

I recognised that a sample recruited via social media may be self-selecting and biased towards those who are confident online and willing to put themselves forward. Letherby identifies that where it is inevitable "the only thing we can do is to aim to make bias visible" as "it is better to understand the complexities within research rather than to pretend that they can be controlled, and biased sources can themselves result in useful data" [302]. In addition, I recognised a snowball sample can sometimes limit findings to the opinions of one particular network of friends and acquaintances, though as only three service user participants were recruited in this way it was unlikely to significantly affect the wider findings from this group[303]. One advantage of the move to social media and the resulting subsequent snowball recruitment was that it helped to move away from a potentially problematic gatekeeper situation.

Between December 2014 and May 2015, I interviewed 14 single mother service users. Participants were recruited through service provider and stakeholder referrals (2), a flyer on a range of Facebook community pages (8), a snowball originating from these (3) and Twitter (1). Five service user participants lived in the east Bristol, BS5 locality at the time of the interviews with nine living outside BS5 but who had either lived there and used services at some point during their time as a single parent, or had lived elsewhere in Bristol and used services which are centralised within Bristol City with reach into BS5. Further demographic details are provided in section 4.2.1.1. Seven of the interviews were face-to-face, and seven by telephone. The interviews lasted between 40 and 90 minutes, with the interview schedule and supporting materials provided in Appendix VIII.

Following reflection and discussion with my supervisors, the sample recruited was felt to reach the necessary 'saturation' point, ie, that no relevant or new data appear to be emerging and any categories or themes were well-developed, and also taking into account available time and resources[304]. The recruitment process also demonstrated some of the complexities which can be encountered when attempting to operationalise a well-designed study. Individual lives are often complex and busy and as qualitative researchers we can be required to be

[302] Letherby, G. (2003), ibid, p. 71.

[303] Foster, P. (1996). Observational Research, in: Sapsford, R. and Jupp, V. (1996). (eds) *Data Collection and Analysis*, London: Sage.

[304] Bryman, ibid; O'Reilly, M., And Parker, N. (2012). 'Unsatisfactory Saturation': a critical exploration of the notion of saturated sample sizes in qualitative research. *Qualitative Research* 13(2), pp. 190-197.

responsive and able to change direction when conducting research in shifting circumstances.

3.5.2.4 Generalisability

As a small-scale, qualitative study the findings are not intended to be a comparison of lone parents across other UK local authorities. In particular, this would not be possible for this type of study, which draws on the specificities of the BCC activities to implement the Duty. Differences between local authorities can be significant, as each sets its own priorities and has increasing autonomy from central government with funding and policy based on the unique circumstances within their own locality. Because of this, observations on the way the Equality Duty was implemented in Bristol cannot be assumed to be transferable to other settings, but there may be points of broader relevance. In relation to service users, it can be argued that it is possible to generalise from a relatively small group because of common factors in life-styles and similarities in living conditions which are particular to them[305]. Therefore, rather than size the key focus for the sample was on its adequacy, ie, obtaining sufficient depth and breadth of experience[306] through contextually rich accounts which was successfully achieved with a range of women of different ages, backgrounds and experiences.

3.5.3   Informed consent and gatekeepers

In order to ensure "freely given informed consent"[307] in participation I adopted a number of processes both during recruitment and at the interview stage. All potential and actual interview participants were provided with an information sheet as a first step. Every interview participant completed a consent form, which covered consent to being recorded (where relevant), how their contribution would be used and their rights to opt out. Two service user participants were recruited directly through organisations, and, given my concerns about their being approached by service provider and stakeholder organisations I was diligent during our discussions to ensure that no pressure had been exerted. Samples of

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[305] Seale, C. (1999). *The quality of qualitative research*, London: Sage; Alasuutari, P. (1995). Theorizing in Qualitative Research: A Cultural Studies Perspective. *Qualitative Inquiry*, 2(4), pp. 371-384.

[306] Bowen, G. (2008), in: O'Reilly and Parker, ibid.

[307] British Sociological Association (2002). *Statement of Ethical Practice for the British Sociological Association* (March 2002), http://www.britsoc.co.uk/media/27107/StatementofEthicalPractice.pdf, [Retrieved 1/6/2013].

all consent forms are included in Appendices with the respective interview schedules.

3.6   Qualitative data collection

3.6.1   Research instruments

Service providers, stakeholder and service user interviews were based on semi-structured interview schedules. The service provider and stakeholder schedule contained mainly closed, factual questions regarding service provision, with some open questions to allow wider input which drew on their experience and provided further context.

These 'scoping' interviews fed into development of the service user interview schedule which contained mainly open questions in order to invite and enable a 'naturalistic' flow in which interviewees used their own words to reflect and describe their experiences. This also allowed them to give priority to what was most important to them and allowed their stories to emerge naturally. I hoped to create an interaction that was closer to a conversation between equal participants, giving interviewees some control over 'direction' of the discussion and therefore greater autonomy[308] within a potentially asymmetrical power relationship. Davis maintains that such methodologies have "been noted to help validate women's experiences and hence promote empowerment"[309].

The service user interview schedule also contained questions and prompts based on themes arising from the literature review and further developed using notes from the discussion groups. I also designed a 'prompt' card of the range of potential service areas, including, health, education, and housing. This provided a useful framework for me as an interviewer for making suggestions to interviewees, particularly if the discussion stalled, and also reminded the interviewees of areas that did not come to mind immediately when first asked

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[308] Corbin, J., and Morse, J., M. (2003). The Unstructured Interactive Interview: Issues of Reciprocity and Risks when dealing with Sensitive Topics. *Qualitative Inquiry,* 9(3), pp. 335-354; Enosh, G. and Buchbinder, E. (2005). The Interactive Construction of Narrative Styles in Sensitive Interviews: The Case of Domestic Violence Research, *Qualitative Inquiry*, 11(4), pp. 588-617; Wilson, ibid; Carter, S., and Henderson, L. (2005). Approaches to qualitative data collection in social science, in: Tischler, ibid; Harper, S., H., and Ruicheva, I. (2010). Grandmothers as Replacement Parents and Partners: The Role of Grandmotherhood in Single Parent Families. *Journal of Intergenerational Relationships*, 8(3), pp. 219-233.

[309] Davis, R. E. (2002), The strongest women: Exploration of the inner resources of abused women. *Qualitative Health Research*, 12(9), pp. 1248-1263, in: Tischler, ibid, p. 246.

about 'services'. Some, for example, initially identified only childcare as a 'service' which they might access, which was understandable given the impact this had on every aspect of their lives though only made up one part of the local authority provision they might be able to use which was affected by the Equality Duty. In order to avoid potential discomfort about divulging personal details such as age, I also developed show-cards containing 'bands' for them to select[310]. These materials are included with the research instruments in Appendix VIII.

Although the study was aiming to address the rights of single mothers within a framework of the Equality Duty, it was decided early on to avoid asking questions relating to equal opportunities or make any reference to the policies which the local authority used to decide resource allocation. Equality of opportunity is an abstract concept, which practitioners can make material through organisational policy or attempt to measure through metrics such as numbers of service users accessing resources or participation rates in civic events. It was unlikely that service user participants would be aware of the Equality Duty, as it is a piece of legislation which is generally used by specialists when developing policy, or those who have used it in campaign activities. This would, therefore, be difficult to portray to non-practitioners, and also, it was felt, might be intimidating to potential participants. Interview questions, therefore, were deliberately grounded in the services which women used on a day-to-day basis, and allowed them to identify what was most important to them. The Duty was not explicitly mentioned, though a key focus of this research in relation to equal access to services was covered both in the participant information sheet and discussion prior to interviews.

3.6.2   Local authority, service providers and stakeholders

The initial 'scoping' and fact-finding interview with a city council employee built on desk-top work; identified information on equalities activities not available on the website; explored expert perspectives and key issues on the implementation of the Equality Duty from the local authority's viewpoint; gained an understanding of context and background on Bristol City Council's approach to the Duty, for example, the structure in place for consultation with service users at community level; and the role of the Equality Duty in formulating local policy and the specific initiatives which might affect single mothers. It also directed me towards other service providers or stakeholders who engage directly with service users and

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[310] Bryman, ibid.

explained council structures and decision-making, for internal processes and outward-facing service provision.

Interviews with the other service providers and stakeholders were primarily descriptive of their organisational processes, local structures and community networks around childcare, job-search and other services available which might be of interest to single mother service users, in particular, if these were government or local authority-funded and therefore having a requirement to meet the Equality Duty. In addition to contributing to a sample list of local services, these interviews gave an insight into single mothers' needs, as well as an indication of how aware the respective organisations were of the Equality Duty and their obligations under the Duty.

Although some of these participants may be considered 'elite', because of their seniority within their organisation and ability to determine and set strategy[311], in practice they all encouraged informality and were openly appreciative of an approach which they perceived as professional, respectful and flexible, for example, sending questions and participant information in advance and following up promptly.

3.6.3   Service user discussion sessions

In place of focus groups, the discussion sessions helped me obtain different experiences of using local services, grounding the discussions in the lives of service users in a similar way to the planned focus groups[312]. Though small in number, these sessions contained diverse representation from women with differently-aged children and from different socio-economic groups – including a recently-arrived immigrant, and two professional women. This gave me insight into the variety of services a single mother might rely on to develop questions in the interview schedule and/or prompts, for example, discussion identified that health service needs might include a GP, health visitors, mental health support, emergency care and drop-in centres. The sessions involved informal discussions, based around a small number of topics, and I made brief notes either during or after the session. See Appendix IX for the topic list.

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[311] Harvey, W. S. (2011). Strategies for conducting elite interviews. *Qualitative Research* 11(4), pp. 431-441.

[312] Denzin, N. K. and Lincoln, Y. S. (2000). (eds) *Handbook of Qualitative Research, 2nd edition*. Thousand Oaks, CA: Sage: p. 514.

The discussion activities were convened in a less formal way than the interviews as I took advantage of opportunistic samples which arose. Adaptability in the field was very important in these circumstances: a 'messy play' session, for example, involved crawling alongside the children and singing nursery rhymes. I had only minutes to prepare for this, however, I used the opportunity to speak informally to the mothers about the services they use. The impromptu and, in one instance, time-constrained nature of these interactions did not allow time beforehand for participants to read an information sheet (though copies of these were available to take with them). Instead, before commencing with any discussion I verbally informed them about my research and offered the opportunity to ask questions. This helped to maintain transparency, making the nature of their interaction with me clear[313]. Despite this, because of the absence of a formalised, individual consent process I felt it was inappropriate to ask participants to share personalised accounts, particularly as they had not had any time to think through what they might be prepared to share. I therefore only asked questions in an open group setting around impersonal, generic subjects such as what leisure and other activities are available for children locally or the features of child-friendly medical centres. Group participants were completely anonymous and free to comment or not.

3.6.4   Service user interviews

The service user interviews with single mothers were central to the study, in order to explore their stories and individual experiences of accessing local services. These showed me the small-scale, daily processes involved in accessing and using services which might not be available from existing large-scale or quantitative research. Their accounts allowed me to identify priorities and key areas of service provision from their personal perspectives, helping me to assess the importance of the Equality Duty where this had shaped such provision.

My approach was to invite them to describe their daily experiences in their own words, therefore "letting women speak for themselves"[314] in a participatory way when using these services. Each participant, therefore, created her own narrative, from within her own social, historical and cultural location, rather than "a 'story'

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[313] Blaxter, L., Hughes, C. & Tight, M. (2001). *How to research.* Buckingham, Open University Press.
[314] Letherby, G. (2003), ibid, p. 85.

that simply 'carries' a set of 'facts'"[315]. This helped me glean "rich data with thick description"[316] of the process of and steps involved with using and navigating local services, as the basis for developing thematic codes within a theoretical framework.

The show-card and 'prompt' card appeared to serve an additional, beneficial role of acting as an 'ice-breaker' for some participants in the face-to-face interviews, giving them something to do with their hands and time to gather their thoughts until they felt more comfortable in the interview situation. These research instruments served as a starting point for discussion following which the participant was able to steer the discussion as she told her own, personal story. The interview schedule helped me to prompt discussion around specific areas of service provision[317], for example, education or health care, ensuring a degree of 'consistency' in the themes visited whilst allowing sufficient flexibility for participants to have a freer exploration of the question areas. As the interview process progressed, and my understanding of the experiences faced by some of the women grew, I was able to prompt more effectively, for example: "some of the other mums have told me about how hard it is to take two children swimming….", or "do you have such a thing as a typical day?" This was intended to prompt, rather than 'lead', to highlight aspects of being a service user that participants not have previously considered. I was, however, careful to keep these prompts within the parameters of the interview schedule to ensure consistency of questioning across all of the interviews, only using them when there was a pause in the discussion and/or the participant seemed unsure of how to proceed.

The aim was to hold the interviews in an 'everyday' place from the participant's viewpoint to support a naturalistic discussion, with travel expenses incurred by the participants refunded and, where appropriate, refreshments provided with all costs covered by me, so that potential participants were not dissuaded from taking part because they were short of money. My initial suggestions for interview locations included an attempt at neutral locations such as community or family centres or other premises made available by local service providers or community groups. Interviewees were given a free choice, to give them full control over the process and allow them flexibility to accommodate their busy schedules. Most

[315] Lawler, S. (2002). Narrative in social research, in: May, T. *Qualitative Research in Action*, London: Sage, p. 242.
[316] Denzin and Lincoln, ibid, p. 514.
[317] Silverman, ibid.

who agreed to meet asked to do so in cafés (without their children), with two meeting me in their workplace. All participants were given the choice of where to position themselves for the interview so they were as comfortable as possible, and were able to choose a secluded corner (or, in the case of their workplace, a private meeting room) if they wished.

I initiated discussions with general exchanges to start with a relaxed interview setting, for example, how we came to be in Bristol, to establish some rapport before me going on to explain how the 'process' would work, ie, obtaining agreement to me taking notes and using a prompt sheet, etc. During the face-to-face interviews, I worked hard to maintain an open, relaxed style taking notes in full view to maintain transparency, engender trust and keep as equal a power balance as possible. This generally appeared to be successful, with participants on the whole showing relaxed body language and seeming to speak freely in their selected environment, often moving beyond simple description of the services they use to sharing details of their lives, their feelings and their aspirations.

The telephone interviews were conducted using a similar process to the face-to-face ones. Conducting qualitative interviews by telephone can have drawbacks, particularly because of the inability to read non-verbal cues which aid with building rapport and following appropriate lines of questioning[318]. Some advantages of telephone interviews, however, are the relative anonymity they offer and the travel time they save. For this group, this may have allowed some women who were less confident about meeting a stranger face-to-face to participate, and also allowed access to those unable to leave the house because of childcare or other reasons. In the event, some of the telephone interviews were fairly short compared to those done face-to-face, and primarily descriptive of day-to-day services. A small number, though, were as long or longer than the face-to-face interviews (up to an hour and a half) containing rich detail of the women's lives.

Although original plans were to digitally record all discussions (with permission), to allow concentration on guiding the interviews and ensure accurate recording, it was not possible to record any of the discussions which were held in a public place, because of noise from the surrounding environment. In the absence of an audio recording, where possible, verbatim quotes were noted down, although the

[318] Sturges, J. E., and Hanrahan, K. J. (2004). Comparing telephone and face-to-face qualitative interviewing: a research note, *Qualitative Research*, 4(1), pp. 107-118.

speed of conversation at times only allowed for speed-written notes which were typed as extensive bullet points. There is a danger that this may limit the notes to thematic content rather than full transcript with a sequential narrative[319]. However, participants' comfort within the research environment was paramount, to ensure their inclusion in the study and to stay within ethical boundaries. Where there were no audio recordings to check for accuracy, sending the notes to participants to check militated against this to some extent. In the event, participants requested very few changes to the interview notes, and all expressed that they were happy for the notes/transcripts to form part of the findings. Verifying the interview output in this way was an important part of the process for me, to ensure their words were replicated as authentically as possible, and to involve the women in the process.

I was, though, able to record all telephone interviews which enabled me to type full transcripts which were also sent for agreement.

During each of the discussions, I explored the participant's understanding of our interaction. Some had spent time in higher education and had a sophisticated understanding of the research 'transaction' and process, whereas others were less certain and required more explanation. I also reiterated to all that (as explained in the participant information) as a research student my role does not give me power to affect policy, though I hoped this work would have some positive impact, which all appeared to comprehend. Some expressed an interest in seeing the final write-up, and we agreed that I would send them the findings section at some stage though I stressed that this was purely voluntary on their part and would not involve further input from them. I found some of the participants expressed great interest in reading the notes, were curious about the process, and most expressed that they felt reassured by the chance to re-visit what they had said and have control over the final version.

Although offered, none of the service users requested cash reimbursement for their expenses (texts, travel, etc). This was always intended to show gratitude and ensure that no-one was out-of-pocket, rather than act as an incentive during recruitment. I therefore made 'thank-you' gift bags with some small items which I personalised if possible (for example, one participant had mentioned she liked chocolate; another had a daughter who liked the children's character, 'Peppa Pig')

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[319] Riessman, ibid.

and enclosed a supermarket gift voucher. Handing this over or posting it with a thank-you card appeared to create a 'ritual' which further marked the end of the one-off research 'transaction' between us. It was also, I felt, a sensitive way to deal with a possibility that some participants may not wish to ask for reimbursement because they were embarrassed or did not wish to be seen soliciting financial gain in any way.

3.6.5 Research diary

I maintained an unstructured field diary in the form of a notebook, occasional digital recordings (later written up), and photographs to record my thoughts, ideas, observations, reflections and research interactions during planning, fieldwork and write-up[320]. This was intended to serve as a data collection method and an 'audit trail' of decision-making and negotiating access to support a reflexive account, consideration of my own role and the part my values, assumptions and biases played in the design and data collection and development of ideas for analysis[321]. Miller and Bell[322] recommend use of a research diary as a practical way to ensure regular reflection and reassessment of ethical and methodological factors. I used this on location in Bristol in particular, and as soon as practicable after each research encounter I asked myself how I felt it went, whether there was anything problematic or unexpected, using this to document any disappointments or surprises as well as successes or new revelations. Recording this supported a reflexive approach, where I was able to document the production of knowledge and locate myself in the process in the belief that "…the subjectivity of the researcher herself is part of research production"[323]. In a more practical sense, it gave me a regular basis upon which to return to my original research questions and ensure that I stayed on track when choosing which potential research relationships to pursue.[324]

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[320] Bryman, ibid.

[321] Lynch, M. (2000). Against Reflexivity as an Academic Virtue and Source of Privileged Knowledge. Theory, Culture and Society, 17(3) pp. 26-54, p. 29; Boulton, D. and Hammersley, M. (1996). Analysis of Unstructured Data, in: Sapsford, R. and Jupp, V. (1996). (eds) *Data Collection and Analysis*, London: Sage.

[322] Miller, T., and Bell, L. (2012). Consenting to what? Issues of access, gate-keeping and 'informed' consent, in: Miller et al, ibid, p. 46.

[323] Harrison, B., and Lyon, E. S. (1993) A note on ethical issues in the use of autobiography in sociological research. *Sociology*, 27(1), pp. 101.109, p. 105.

[324] Wilson, ibid; Lincoln, Y. S. and Guba, E. (1985). *Naturalistic Enquiry*. Beverly Hills, CA: Sage, in: Seale, ibid.

Furthermore, Lincoln and Guba[325] propose building 'credibility' for qualitative study through "prolonged engagement in the field", exposure to peer review and continuing to challenge what emerges. The field diary supported this through building a "detailed, rich description of the setting studied"[326] which can give sufficient information for others to apply the findings to other contexts.

3.6.6 Confidentiality and anonymity

Adhering to strict standards around confidentiality and anonymity are always essential, though being able to provide reassurance on this can be particularly important for single mothers, given their potential for increased vulnerability, for example, due to the increased risk of mental health issues that some single mothers face. All participant's data was held under a code (a coded initial and postal area[327]) during recording and writing up of field notes, transcribing the recordings and labelling of data for storage purposes. Demographic data such as their age and the ages of their children was kept to the minimum needed for analytical purposes. Demographic factors such as ethnicity were not requested to ensure that the least amount of personal data was available to avoid intrusion. Factors like educational attainment, were recorded only if revealed during discussions and reported in a way that did not conflate this with other personal attributes to make the participants identifiable. Other factors which might be of a sensitive nature, such as relationship status, were not included within the formal questions, though interviewees were able to divulge what they felt comfortable with as the discussion developed.

The subsequent write up of findings ensured that no data was reported which allows potential identification of participants, for example a combination of attributes such as age, and services used and job or profession[328]. This was particularly important because personal experiences were discussed[329] which, for some, included individuals from earlier in their lives whom they would never wish

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[325] Lincoln and Guba, ibid, p. 44.
[326] Ibid, p. 45.
[327] Full post code was neither requested nor recorded, simply the prefix, eg, BS5. Each of the postal areas contains a number of council wards, for example, BS5 contains the areas of St George, Whitehall and Eastville as well as Easton. This identifier was, therefore, felt to offer sufficient anonymity.
[328] Hammersley, M. and Traianou, A. (2012). *Ethics in qualitative research: controversies and contexts*, London: Sage.
[329] Corbin and Morse (2003), ibid; Damianakis, T. and Woodford, M., R. (2012). Qualitative Research With Small Connected Communities: Generating New Knowledge While Upholding Research Ethics. *Qualitative Health Research* 22(5), pp. 708-718.

to find them now they have 'moved on'. Also, as some service users were recruited through a snowball and knew each other, such detail was omitted to ensure that one another's comments were not attributable.

3.7   Data analysis

The data arising from: the documentary, contextual materials; discussion groups, service provider, stakeholder and service user interviews; and the research diary provided a source of full, rich materials for analysis. When the stage was reached to start detailed exploration, these data were initially classified into three 'sets', making it easier to manage and document, identify and work with, and draw upon to develop the required analytical frameworks.

'Data set 1' consisted of the policy documentation from the local authority, along with contextual and demographic material for the Bristol City area (as described in section 3.4).
'Data set 2' comprised the service provider and stakeholder interviews supplemented by materials relating to delivery of services which were collected during fieldwork, for example, brochures advertising childcare services available, and diary field notes.
'Data set 3' consisted of the transcript data from the single mother service user interviews.

Table 1: Data sets for analysis

3.7.1   Developing key search words

Firstly, data sets 1-3 combined to form an initial *'sample set',* and reviewed at a high level to create a list of key search terms. These were based on services most identified as important to single mothers (as identified by the literature review, service users themselves, service providers and stakeholders).

3.7.2   Content analysis

Data set 1 was evaluated separately, combining manual and electronic searches to locate information relating to internal mechanisms for delivery of the Duty. This was used to create a description of 'Bristol City Council's operational structure', which informed the contextualised exploration of 'Delivering the Duty' in section

5.2 and, using Hepple's 'triangular relationship'[330] as an analytical framework, the evaluation of BCC's processes in section 6.2.

3.7.3 Service user data – thematic analysis

Early stages of analysis commenced in the field as some themes emerged, for example, service users appeared to have different service needs according to the 'stage' they had reached following a split from a partner. As fieldwork progressed, the emerging data fed into ongoing collection and analysis in an iterative way allowing me to refocus if necessary[331], for example, evidence of social isolation amongst service users helped with the decision to use Facebook as an additional means of recruitment as it became apparent that such isolation led to reliance on the internet and social media for social interaction. Alongside this, some additional ideas and themes were developed by drawing on the service provider and stakeholder interviews[332].

A set of key words and themes emerged, and these were added to and used iteratively as an analytical tool to develop understanding of where single mothers might access services, but also which organisations and service delivery mechanisms were part of the local authority offering and therefore covered by the Equality Duty.

On completion of the fieldwork, this developed set of themes was used to carry out a comprehensive thematic analysis on the data collected from service users – Data set 3: to identify the service need priorities and concerns of single mothers, ie, whether, how and when they access those services; the barriers they face to using these (for example, financial, travel, informational); and the strategies they use to meet any gaps in having their needs met (such as the personal networks they rely on). The thematic analysis served two purposes: firstly, to develop a set of findings on the experiences of single mothers using services within the context of the study, and secondly, to create a matrix of key words which would be used to analyse policy materials (ie, data set 1), helping to understand where a single mother's needs might fit within the mechanisms and structures relating to the Duty.

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[330] Hepple (2013), ibid.

[331] Corbin, J. and Strauss, A. (2008). *Basics of Qualitative Research* (3rd edition). London: Sage; Charmaz, K. (1995), Grounded Theory, in Smith, J., Harre, R. van Langenhove, L. *Rethinking Methods in Psychology*, London: Sage.

[332] Boyatzis, R. E. (1998). *Transforming qualitative information: thematic analysis and code development*. London: Sage Publications.

Analysis of the interviews produced a set of dominant themes, within which I identified a series of social structures described by the service user participants. Iterative analysis allowed me to develop headings and start to categorise these based on Giddens' concept that such structures can either enable or constrain the thoughts and actions of social actors. This, then, provided an initial 'grouping' from which I was able to develop emergent categories and organise the qualitative findings under the headings presented in chapter 4.

3.7.4 Stakeholder interviews – thematic analysis

Alongside the development of an analytical framework for service user data, key themes were recorded as these arose in the stakeholder and service provider interviews and throughout the data collection process. A similar process was used as that for the service user interviews.

3.7.5 Process of analysis

Policy documents were read and categorised, with details stored in a Microsoft Excel spreadsheet for easy retrieval and interrogation.

Once the fieldwork was completed and the notes/transcripts typed and agreed by the participants, all texts were read through several times for an overall view and to identify emerging themes and patterns including similarities, contradictions, gaps and exceptions[333] which included consideration of the prevalence of particular concerns and the language in use[334]. Nvivo 10 software was also used to organise the data and conduct word searches to develop a growing framework including a set of key words and themes which provided a structured way to break down and interrogate the data further. This made it more manageable, allowing development of a set of *inductive* themes and categorisations. Interview notes/transcripts were broken down into sections for analysis as well as read in their entirety to allow reflection on any narrative and sequence of events, to understand how these might contribute to the developing analysis. Thus, I was able to develop a more intricate understanding of the women's perspectives, with the aim of finding 'links' and recognising where single mothers' experiences might interact with service delivery mechanisms. For example, one set of council minutes where the closure of a children's centre was debated showed that the Equality Duty was one of the factors which enabled it to remain open. Linked to

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[333] Charmaz (1995), ibid; Denzin and Lincoln, ibid, p. 514.
[334] Riessman, C. K. (1993). *Narrative analysis*. London: Sage; Cameron, D. and Panovic, I. (2014.). *Working with Written Discourse*, London: Sage.

this, one of the single mother service users I interviewed discussed her local children's centre - which was one of those saved by the Duty - and the positive impact it had on her own and her children's lives.

3.7.6   Illustrative examples

To build a critique of how policy was applied within the context of the Duty, I developed two 'illustrative examples'. These involved the process of implementing policy changes relating to budget cuts that had potential impact on children's centres and a play-park in the city. These examples were selected according to a number of criteria.

The first criterion was to identify issues which had arisen during discussions with single mother participants and also reflected concerns raised by the service delivery and stakeholder organisations during fieldwork. Secondly, these decisions had corresponding EIAs which incorporated both qualitative and quantitative data and had some complexity in the decision-making factors. This also included information from sources external to the Council, such as detailed responses to public consultation; and internal processes, for instance, feedback from internal scrutiny activities which allowed me to comment on inter- and extra-organisational processes. Finally, to ensure a good range of issues were covered one example used (around children's centres) was a policy decision with city-wide impact, and another a smaller-scale, more straightforward issue focussed on one facility. Combined, these provided a rich set of material to develop the examples and build an understanding of the interactions which took place relating to the Duty. Furthermore, the emerging analysis was then available to feed into a discussion on activities relating to the Duty and reflexive law in chapter 6.

Once the 'illustrative examples' were selected, the EIA documents were used as a starting point for understanding the background to each decision and to identify the processes that BCC had undergone in paying 'due regard' to the needs of those with protected characteristics. All data sets were revisited and searched manually for any mention of a) children's centres and, b) Hengrove and other play-parks to identify and select a small sub-set of policy documents and transcripts which would be useful to add context and supporting evidence to the illustrative example discussions[335]. These were then reviewed to obtain empirical evidence (for instance, quotations relating to the role of these services from single mother

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[335] Each document used for this part of the analysis is referenced separately under the illustrative example descriptions in section 5.3.

service users) and to identify some of the structural and agential practices which constituted policy-making processes.

A framework based on Giddens' 'structuration theory' was then developed as an analytical structure and the material coded thematically according to Giddens' categories of rules and resources[336], using pre-set themes in contrast to the to the emergent development of codes and themes used for analysis of the interviews, etc. Finally, these were searched for any recurring topics that were closely related to the exercise of individual agency, which might allow closer inspection of the role of local actors (including service users).

This analysis provided rich materials for discussion around the role of structure and agency, and a basis for analysis which could be aligned with and feed into both 'Hepple's triangle' and the discussion on the Duty and reflexive legislation presented in chapter 6.

This section has described in detail the rationale and methods behind this qualitative, socio-legal study. In particular, the aims were to identify ways in which the Duty can deliver social change and how this might impact on the lives of single mothers. In order to make any bias visible, and to develop this work as a reflexive learning exercise, the final section contains a review of some key issues which arose in the course of my enquiry.

3.8   Review of the research process

Overall, and despite some challenges in the data collection process, the methods worked well in collecting a set of rich data for analysis to meet the project aims and objectives. Nevertheless, it was important to reflect critically on the way the research developed within the context of the fieldwork, and some of the factors which affected the exercise. Ribbens and Edwards[337] acknowledge that qualitative research often does not meet with "dominant [positivist] understandings of concepts of 'validity', 'reliability' and 'representativeness'", but they stress instead the importance of seeking the best ways to communicate others' perspectives, and maintaining "high standards of reflexivity and openness about the choices made throughout any empirical study"[338]. In keeping with this

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[336] These are described in section 5.3.2.

[337] Ribbens, J. and Edwards, R. (eds) (1998), *Feminist Dilemmas in Qualitative Research: Public Knowledge and Private Lives*, London: Sage.

[338] Ribbens and Edwards, ibid, p. 4.

perspective, the following sections discuss some of the issues which arose during the research process.

3.8.1 Working with stakeholders

An important contextual aspect was the economic situation prevailing at the time, particularly in the cuts to services and funding that many third-sector organisations were facing. The first notable impact from this was that I was unable to run focus groups for service providers and stakeholders, given their lack of resources and time. Replacing these with individual, face-to-face interviews fitted with the service provider/stakeholder participants much more easily and meant they could participate, demonstrating how important it was to be flexible in the field. To minimise the effort for individual participants, I was very flexible on time and location, keeping interviews to the minimum amount of time. Early recruits requested a copy of the questions in advance to prepare, thus saving them time (possibly allowing them to examine the questions for contentious issues). I therefore adopted this as standard practice. Being flexible in this way also appeared to make the potential interviewees more well-disposed towards me and helped me secure interviews with very busy (often highly stressed) individuals to collect the data I needed for the study in a reasonable timescale.

3.8.2 Access and recruitment issues

The difficulty in securing service user participants was a constant concern. In addition to the reasons suggested by local service providers and stakeholders, such as single mothers being time and cash-poor, several of the mothers I subsequently spoke with described their lives as frantic, lived on a day-to-day basis with little time or energy to plan too far ahead. Indeed, most of the interviews I carried out were at relatively short notice when the participants were able to 'fit me in'.

A key message I took later, from discussions with individual single mothers which I feel may be a contributing factor, was the effect of the stigma they feel in their day-to-day lives because of stereotypes around single mothers, and with hindsight, recognising that this is a stigmatised group could have prompted more thoughtful and sensitive recruitment methods: handing out flyers in a nursery reception, for example, is unlikely to elicit much response if service users are sensitive about being labelled, or even suspicious about why I might be approaching them in the first place.

Other factors, though, may also have contributed, for example, the area where posters and flyers were distributed has high levels of minority ethnic residents whose limited understanding of English may have affected their understanding. Resource restrictions, however, precluded translation or interpretation. In a future study I would be inclined to bear this in mind and adopt a different approach, perhaps working more closely with one organisation to build deeper relationships and develop rapport with a group of service users. I discuss this further in my concluding chapter along with other possibilities for future studies.

Service providers and stakeholders acting as unintended gatekeepers also became problematic. As helpful people, some contacts had offered to assist with recruitment. They appeared to feel uncomfortable if they were not able to introduce me to participants, and though already stretched some invested personal time and energy to identify people for me. So, whereas the initial interview with these participants themselves involved 'informed consent', boundaries around the additional help they gave me were less clear. Despite my efforts, some organisations made themselves 'gatekeepers' trying to recruit single mothers on my behalf. This made it difficult to be sure that the women had come of their own free will – as described by Miller and Bell[339], I could not guarantee there was no coaxing or cajoling people to take part, though (as described in section 3.5.3) I made every attempt to ensure this was not the case by speaking both with the potential gatekeepers and the interviewees.

3.8.3 Discussion groups

Although the focus groups originally planned might have helped identify a wider range of experiences, with some deeper, richer insights, the discussion sessions served the desired purpose, ie, developing a sufficiently robust set of questions and prompts within the research instruments to support useful service user interviews. Though the discussion sessions did not allow fully for the process of 'sharing and comparing'[340] in the way a focus group might, on reflection the less structured, more naturalistic environment may have allowed participants to speak more freely. In addition, setting up the discussion groups provided more face-to-face contact with some of the service providers and stakeholders helping me to grow my network.

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[339] Miller and Bell, ibid.
[340] Morgan, D. L. (1998). *The Focus Group Guidebook*, London: Sage, p. 12.

3.8.4   Positionality

At the outset, I surmised that being a Bristolian with family in the city would assist in building rapport with participants, though in reality a majority of the service providers and stakeholders and some of the service users were not originally from Bristol. Those I met who, like me, had been born there had – unlike me - rarely moved far from home. Rather than proving my 'insider' status this emphasised more that I was an outsider. However, this did not necessarily appear to be detrimental to data collection. As Letherby[341] argues, some participants find it easier to speak openly with someone they perceive as a stranger, so my 'outsider' status may have been an advantage in this respect. Tinker and Armstrong[342] encourage a move away from the insider/outsider dichotomy which can essentialise categories, instead recognising the multifaceted nature of identity. Indeed, there were a number of ways in which similarities with participants enabled me to initiate informal discussion to build rapport which included our closeness in age, our gender, and the fact that my own mother was a lone parent. For some, our differences, such as my being child-free, were of interest and initiated a fruitful discussion. Several participants commented on the interview process being one which allowed them to speak and reflect with one describing the experience as "cathartic" having openly discussed her marriage breakdown and subsequent recovery.

The methodology described in this chapter enabled the data collection and development of an evaluative framework. The data collected on single mothers, within the local authority environment, was analysed using the 'Data analysis' structure described in this chapter. This allowed me to produce a set of dominant themes which I used to structure the qualitative findings in chapter 4.

These are explored further to identify the ways in which single mothers are enabled or constrained in their service use, to feed into a developing evaluation of how the mechanisms of the Equality Duty can impact their environment, and how they might practise agency within those structures.

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[341] Letherby, G. (2003), ibid.
[342] Tinker, C. And Armstrong, N. (2008). From the Outside Looking in: How an Awareness of Difference Can Benefit the Qualitative Research Process, *The Qualitative Report*, 13(1), pp. 53-60.

Chapter 4: Qualitative study analysis and findings

4.1   Introduction

Having explained the data collection methodology and data analysis process in chapter 3, I now present the analysis and findings relating to my qualitative research. The purpose of this chapter is to present the experiences described by the service user participant group, establish some of their experiences of using local authority service by first exploring constraints then enablers to service use, and their opportunities for practices of agency within these. In this way I present the contextualised experience of single mothers whose service use experiences are influenced by the Duty.

A key focus of this study was to explore an alternative perspective of a gender equality lens which positioned single mothers as a group with positive rights who could both be empowered by – and positively impact - the services and support they access. As explained in section 3.7.3, these follow a central theme for this thesis around structures constraining and enabling social action, and I have organised the following sections according to this as a means to develop a discussion.

The chapter is divided into two sections. Section 1 introduces the single mothers' demographic and contextual background then outlines the empirical findings structured as a thematic analysis of the service user interviews. This identifies some of the services in place such as childcare and play and leisure facilities; the different types of constraints to using services described by the women; as well as some of the ways they tried to improve their circumstances more generally. The findings from service provider and stakeholder interviews follow this, and provide another perspective. I explore their feedback on experiences of working with single mothers within the context of the Duty and prevailing austerity measures[343].

Section 2 develops further the theoretical discussion for this thesis, using the descriptions from single mother service users to explore some of the ways in which these women have practised agency. Structuration theory conceptualises social systems as the patterning of social relations, produced and reproduced through societal activities[344] and offers a perspective from which to analyse the

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[343] All service user, service provider and stakeholder interviews are denoted in *italics*.
[344] Giddens (1991), ibid, p. 86.

service user participants as individual and collective social actors. The potential for single mothers to practise agency and influence and change social structures is one perspective through which we might understand how they can interact with the Duty.

4.2 Section 1: Empirical findings

4.2.1 Single mothers as service users

4.2.1.1 Service user participant demographics

The service user interviews took place with 14 single mothers who ranged in age from 26 years to their late 40s. All except one described themselves as the lone head of their household: one had a live-in partner, but still considered herself to be a 'single mum' as she was no longer in a relationship with her children's father and she had many years of experience of raising her children with no support from a partner at all. Another participant described having a new (non-cohabiting) partner recognised that she was not 'single' any more, but nevertheless identified with the term because she had sole responsibility for her child on a day-to-day basis. Three of the participants did not have any family who were geographically close enough to share any childcare responsibilities, with two of those not having any reliable help from an ex-partner and therefore, potentially more vulnerable.

The participants' children ranged in ages from four months to adults in their late 20s, and all households had at least one dependent child[345]. One participant had been in her teens, aged 19, when she had her first child, with the majority in their twenties and five in their 30s when they had their first children. Nine participants were employed at the time of the interview (two of whom were self-employed), working across a range of sectors including education, adult social care, office administration, childcare and the arts. Another was a student and three were full-time carers, two for nursery or pre-nursery aged children, and one whose child had special needs. One participant was job-seeking. Four identified living in affluent, middle-class areas though they were not necessarily affluent themselves. Five of the 14 mothers were educated to a level which would position them as middle class: two to BA level (with a third studying part-time for her degree) and three to postgraduate level, with most of these qualifications completed after their

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[345] ie, with at least one child living at home who was under 18 years of age or, if the child(ren) were over 18 still in education and a financial dependent.

children were born. Two described having vocational qualifications in childcare and youth work. In terms of housing, participants included owner-occupiers with a mortgage, owned properties which were primarily maintained by an ex-spouse, social housing and privately-rented accommodation and living with parents[346].

Despite this range of different circumstances, there were overlapping factors which the women shared. Almost all described experiencing financial problems of some kind at the time of the interviews and they all appeared to be extraordinarily short of time, some describing having a handful of hours per week – if that - when they were not either working or had caring responsibilities for their child(ren). This shortage of time, along with an inability to leave the house for periods of time (because of financial and childcare constraints) was also linked by the women to their use of the internet and social media for maintaining social interaction.

Furthermore, the women generally fell into one of two distinct groups. Firstly, some participants were identifiably in a state of relatively recent transition, and sometimes conflict with ex-partners, with a small number involved in custody and access negotiations and disputes over the family home. This group were sometimes current or recent users of intervention services such as mental health support, support for dealing with domestic violence (DV) or counselling or parenting support. Others identified this 'transition' stage as being in the past around the time of the split from their child's/children's father and/or when their child(ren) were very young. They often recounted having greater support needs during this period. Some had experienced crises in the past, for example, five explained that they had suffered abuse (and sometimes threats of violence) from ex-partners which intensified during the breakup period. Those who had reached a 'post transition' stage, however, described how they had mostly settled into a pattern based around work and childcare and some stability around division of childcare responsibilities with friends, family or an ex-partner enabling them to achieve some independence.

Feedback from service user participants, service providers and stakeholders, identified a wide range of institutions and organisations which they used to provide them with services, support, amenities and activities for them and their children.

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[346] Note that further detail of the single mother participants will not be provided to protect their anonymity as far as possible. As some had experienced domestic abuse in the past, it was essential that their details were not given in any format that allowed them to be identified.

Some services such as schooling and children's centres, were within the direct remit of the local authority. Others were provided by charitable and voluntary organisations, some of which were directly commissioned to provide services on behalf of the local authority, and others to which the local authority made financial contributions. As stated in section 3.3.8, a small amount of support services identified, such as childminder services and counselling, were provided by private organisations and therefore outside the scope of this discussion. Services provided by the NHS were also outside local authority remit, although these had a significant impact on some participant's ability to function so featured in most of the service user's accounts. This was particularly true of mental health support as several had described their mental health issues, showing similarities with previous research with single mothers, which identified them as a group with below-average levels of mental well-being[347]. Overall, despite reporting the closure of some doctor's surgeries and an end to home visits by GPs when their children are ill, participants reported that healthcare services were good and that they had experienced few problems, particularly in relation to their children's care[348].

4.2.1.2 Austerity in context

The interviews took place between December 2014 and May 2015, five years from the time the Coalition Government introduced its austerity programme. It was clear that government austerity measures discussed in chapter 1 were 'starting to bite'. Several participants described experiencing growing financial hardship: these included cuts to working tax credits[349] which meant some faced a *"Catch 22, with benefits versus earnings"* as their earnings were less than they could claim through state benefits and thus a disincentive to work[350]. One participant was "*in limbo*" - unable to proceed with her divorce as she needed advice on custody issues but was unable to afford legal fees due to cuts in legal aid. Another was concerned about proposed changes to tax credits which would impact on the self-employed and would specifically penalise lone parents. A small number of participants were grateful to have benefitted in the past from retraining grants or

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[347] See, for example, Gregg, et al, ibid.
[348] With the exception of transport logistics – see 4.2.2.3.
[349] Cuts to Working Tax Credit particularly affected women in lone parent households as they were more likely to be recipients of these benefits. See: Mapson (2014), ibid.
[350] It is also worth noting that working may impact their eligibility for other support, including free school meals for their children.

study support grants which they stated were no longer available to others, and another noted the abolition of maternity grants.

Other support services were experienced as being less available, with participants discussing how they were adversely impacted by discontinued bus routes and the introduction of fees for home-to-school transport; the removal of specialist, lone parent support for job-seeking; less childcare investment and provision, increases in childcare costs (including breakfast and after-school clubs) and leisure activity costs such as swimming, and the loss of amenities which were free such as libraries being cut back significantly.

The shortage of housing in Bristol was particularly far-reaching and complex for some of the participants, many of whom had little or no choice in where they lived. Several noted that decreased social housing and poor private rental housing availability had impacted on them. One mother, for example, said she was on a list for government housing and would not reach the top for nine years; another, who had severe mental-health issues and two young children was unable to rent privately because of former debt and faced a forced move into a hostel; a further participant, who was physically attacked by her neighbour was wary of going out but had no other options available from the council. The two participants who lived in their former marital homes faced ongoing battles with their ex-partners to remain, with one under considerable pressure because of the removal of some care support for her severely disabled child. Another, who owned her home, spent much of her disposable income on maintaining the house as dampness issues worsened her child's asthma.

Overall, these factors showed the cumulative effect of cuts to benefits and aspects of state support on the lives of the mothers interviewed in this study. In the next section I provide further some detail of the service provision available to the participant group and explore the structural constraints and enablers that they faced in accessing these which emerged from the findings.

4.2.2 Service use – structural constraints and enablers

4.2.2.1 Introduction

The interviews with single mothers conducted for this study centred on their descriptions of accessing services and support on a daily basis. A number of recurring themes emerged across the interviews, particularly in relation to enabling and constraining factors which impacted service use. Whilst some of these were concrete, tangible, structural barriers to service use the interview process – with the single mothers themselves and also with a range of stakeholders such as employment and family support workers (FSWs) - showed that other, less tangible constraints were common. Firstly, I cover the former which included travel and housing difficulties as well as accessing information. Secondly, I discuss the less tangible, attitudinal 'barriers' which participants described, reflecting the experiences they depicted of feeling stigmatised and being isolated. Though less concrete, these experiences were nonetheless common, and participants felt that these also had a limiting effect on their activities.

4.2.2.2 Housing and geographical location

Housing situations created many exacerbating issues in terms of lack of security and stress, and location was often a contributory factor to whether they could access services and support. One participant, living with relatives in an affluent area was constrained by her location because of a lack of services within a reachable distance:

"the thinking is that if you're in this area you're in a relationship or you can't really live up here on your own [because it's an affluent area] so they don't tend to offer much – people assume that you've got money if you live in an area like this … [but] you're a disadvantaged if you live in a more affluent area"
'T', late 30s, one child

In Bristol, allocation of services such as children's centres was decided according to postcode in order to focus funding on the areas which contained the highest number of individuals who were socio-economically disadvantaged. This restricted access for women who lived in more affluent areas, but were not affluent themselves, as they were either unable to reach them or had great difficulty doing so, as one mother said:

"[I] live the middle of three centres – Redcliffe, Compass Point and Knowle West – [I] don't drive so it's a 90-minute walk … the area I live is quite middle class and they only tend to have children's centres in poorer areas"
'A', late 20s, one child

Transport was experienced as a significant barrier for some mothers, which stopped them accessing the wide range of children's centre facilities. As the centres were clearly valuable hubs for information on services and for building networks of support this increased the negative impact on these women. The lack of services and support in more affluent geographical locations was not confined to children's centres, as participants from these areas also reported little access to community space of any kind to link up with other single mothers, access information or generally have any free or affordable space to regularly interact with others.

However, the majority of the participants had no real power to change the location in which they lived. Some said they had no choice but to move to take up an offer of accommodation funded by the local authority, which took them away from any friends and family and the networks on which they were heavily reliant. One described how she had felt compelled to move following her divorce, but decided to keep her child at the same school as she was anxious to maintain some continuity for them – "*I didn't want to disrupt [their] life … I didn't want to pull [them] from that*". As a result, she kept them there but now faces extensive travelling every day to make the school drop off/pick-up whilst working full-time. This meant paying for wraparound care as well as running a car because public transport was inadequate.

4.2.2.3 Travel and transport

Although many of the local authority-run activities were free or low-cost, travel and parking could sometimes be a constraint to access as these were expensive, unreliable or simply not available. Consequently, six participants ran cars (some with financial help from their family), often stating that using public transport was not an option if they were to maintain their job alongside childcare responsibilities. A primary use for the car was to take children to school, either as an overall more cost-effective way than using public transport, or as a response to cuts to home-to-school services. Some participants also described the importance of having a car if needing to travel at short notice, for example, in a medical emergency.

A lack of car parking and/or high parking costs was also described as a barrier to accessing a range of services including essentials such as visits to medical facilities; or other activities which were important to them such as taking their children to museums or educational/fun days. These issues were exacerbated at times for single mothers with more than one child, for example, it was very problematic when children became ill: the logistics of taking a child to A&E and parking can be difficult to manage when you have other children and no partner to remain with them at home. For the mothers whose children had a disability or health condition and so needed regular medical attention this was particularly stressful and described as a never-ending source of anxiety.

4.2.2.4 Childcare, play and leisure

Participants used a wide range of childcare (outside of school attendance) including children's centres and nurseries, with two using paid childminders. Play and leisure facilities played a key role in providing activities for children, and participants described using a variety of free parks and playgrounds to which all had some access. Several participants had made use of baby development and tots groups provided by the council (primarily through children's centres), in addition to community-based provision of soft play and 'messy play' provided by local charitable groups and community centres, most of which were free or low cost. Libraries were noted as providing an important space for reading groups and story time, or simply a free activity when money was scarce or the weather was bad. After-school clubs were also described as useful, specifically by participants who worked, although these were prohibitively expensive for some, with one mother describing how her child forgoes school meals and takes a packed lunch to free up funds for such a club. Other places which were sources of popular, family-oriented activities and considered to be invaluable were places such as Bristol's City Farms, Bristol's MShed and Bristol museum in the centre of the city. All of these were raised by the women in the context of helping their children socialise, as well as a way to avoid isolation for themselves, and seen as invaluable.

Children's centres and play facilities are considered in greater detail in Section 5.3, which explores 'illustrative examples' of service provision.

4.2.2.5 Information, advice and guidance

Participants had used a variety of information sources to identify services, advice and support themselves. These included children's centres (for example, to pick

up leaflets or attend drop-in sessions), community notice-boards; online forums and/or helplines such as 'Netmums'[351], 'Single Parents Action Network' (SPAN)[352]; or via community hubs, groups and resource centres, such as the 'Barton Hill Settlement'[353] and community magazine like 'Up Our Street'[354]. Social media, particularly Facebook, was an important source of information; as was word-of-mouth through friends or family. Specialist advice sources included financial advice from 'Talking Money', a local, independent charity, legal advice through 'Gingerbread' and 'Parentline' for specialist parenting advice. Service delivery organisations also described receiving referrals from health visitors, primary schools and social workers.

Services relating to health and wellbeing were usually accessed or referred through a GP, and this was reported by all as working well. However, several participants (across all of the locations) highlighted a lack of hubs for information on services for single parents with one who, in particular, had been unable to find a reliable source to hear about local meet-ups or other support mechanisms. She had, though, discovered some activities through extensive searching online, occasionally through word of mouth or "*overhearing in a local coffee shop*", which she identified as problematic, saying:

"There may be stuff out there, I just don't know about it. And unless you track it down because you don't network or have the man hours to go on the internet and find out … it's not noticeably out there."
'B', early 30s, one child

A participant recognised this as a problem for other mothers, stating:

"I have been lucky, I have had a lot of good things, but it's having the information about them, I've had to do it all myself. And I think if you're in a vulnerable situation you might not seek them out."
'N', mid 20s, one child

Some had found it difficult to find information on their benefits and other entitlements. One participant, for example, had been eligible for both a blue badge

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[351] https://www.netmums.com/ - a popular, national parenting advice website.
[352] Ibid.
[353] http://bartonhillsettlement.org.uk/family-centre/ - A family centre in Barton Hill, East Bristol.
[354] https://upourstreet.org.uk/up-our-street - a community magazine produced in East Bristol.

parking permit and a carer's allowance for some time, and another was eligible for tax credits, but they were unaware because of a lack of a clear and focused information source.

4.2.2.6 Support organisations

Several participants had relied on support from charitable organisations for emotional and social care during periods of transition or upheaval, for example, after the birth of their child or when the relationship with their child(ren)'s father had broken down. Nextlink[355] and Home-Start[356] were both support organisations relied upon by participants early in their experiences of being a single parent (ie, after the birth of their child or when their relationships had broken down) for emotional and other forms of support which included home visits for counselling and help developing key skills such as cooking healthy meals. For some, the anonymity of a volunteer worker, and the chance to speak to someone outside of usual friend and family groups was positive, with one mother saying:

"I didn't really want to talk to family, I didn't want to talk to friends about it. And it was quite nice to meet a stranger, actually, and then you shut the front door and you got it out and you can move a little bit further on."
'B', early 30s, one child

Another mother, who had also received support from Home-Start stated:

"It was amazing, I don't know how I could have coped because I was going through a really rough time, and it was incredible to have that support when there was no one else to speak to – mainly used to sit and chat – things you don't want to bore your friends with all the time. I don't know how I could have coped without her."
'P', mid 40s, two children

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[355] http://nextlinkhousing.co.uk/ - a mental health charity, Nextlink provided targeted and outreach support (including home-based) for those who had experienced domestic abuse: commissioned by BCC to provide domestic abuse services for women and children in the city.
[356] https://www.homestartbristol.org.uk/ - provides trained volunteers to give help, friendship, advice and support for struggling families with young children: BCC contributed to the charity but there is no published material on the legal relationship, ie, whether they are delivering public services on behalf of the authority.

Access to these services was said to have made a significant difference to some of the women in terms of developing their capabilities to take care of their children as well as providing some emotional support, with one participant saying:

"Sometimes I still wish I had Home-Start. They help you to learn to cook and they helped me get my [child] off jarred food … I couldn't cook chicken or vegetables – I can now. [She] used to come for 2 hours … and chat … [I] miss the adult company sometimes."
'M', mid-20s, one child

Another participant had help from Nextlink to cope with a custody dispute following separation from her partner, and said:

"I had one or two women who were brilliant from the beginning. They could see that I was a good mum and my potential – it gave me that bit extra, knowing that they were there. They went to court with me, phoned up and listened, and saying things will get better … There were crèche facilities and we went on a day trip … they didn't make me feel downtrodden, more empowering me on the way to getting established."
'R', mid 20s, one child

External support was particularly valued where the individual concerned was seen to have gone beyond their remit, assessing a situation which the participants may not have been fully aware of (or completely in control of) at the time, and continuing to provide support even where this was not explicitly requested:

"The health visitor was a rock – she kept turning up even though they usually sign you off … she saw the situation [with a partner] who was classically abusive – who isolated me and was eventually violent…"
'F', early 30s, one child

Factors which caused support services to be less favoured were that some can be reactive rather than preventative, for example, the Survive[357] courses. A one-stop-shop for different types of relevant support was seen as being the ideal, rather than everything being with different organisations. An advantage of this, as one mother said, was "*that you can become part of a community, and that's so*

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[357] Survive DV, survived.org.uk offers a range of services and support to women and children in Bristol and South Gloucestershire who have experienced DV.

important …" because it was seen to create a link with others, and the means to access other types of support.

4.2.2.7 Mental health issues

Experiences of mental health issues (past and present) were shared with me in interviews by many of the participants. These included depression, anxiety or other issues for which they had sought treatment (in some cases counselling) at one point. As outlined previously, some were going through relationship break-ups or custody battles at the time of our discussion. Those who externally could be seen to have achieved more stability, still described sometimes struggling on a day-to-day basis with the responsibilities of lone parenthood. Several spoke of having low confidence, and all described the experience of constant stress of managing on a daily basis, with very little time and often severely constrained financial resources: a typical comment was that life was "*a bit crazy*". For one, being a single mother was "*like being a manager*" rather than a mother because you have to stay on top of everything by yourself. These factors were indicated by participants as having an impact on their ability to find and request or access the services and support which might improve their circumstances, for example:

"I think [my child] and I haven't used too much in the way of support groups
because I've been desperately trying to go to work, get him to school, everything
like that. I try to do stuff myself. Because I work I don't have the time to network
that some other mums have."
'B', early 30s, one child

Participants had accessed mental health support from a range of sources in addition to NHS provision, supplemented by local charitable organisations such as Womankind[358] and the Bridge Foundation[359] which provided counselling and psychotherapy services, and Second Step[360] who provided specialist help returning to the workplace for those who have experienced poor mental health. There was agreement that these had been very helpful in developing equilibrium.

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[358] https://www.womankindbristol.org.uk/ - a therapy centre for women in Bristol.
[359] http://www.bridgefoundation.org.uk/ - a counselling and psychotherapy service for families, children, young people, parents and couples.
[360] https://www.second-step.co.uk/ - a charity offering housing support to individuals with mental health issues.

4.2.2.8 Social isolation

The theme of social isolation was recurring throughout the interviews, and was a factor in service use. Some participants described the loneliness and isolation they experienced, often because their activities were constrained by lack of childcare or financial resources. This, then had the effect of eroding their self-confidence:

"When you're a single parent … social situations get harder … the front room is my little world and I've got my spot on the sofa."
'C', late 30s, two children

"I can spend all weekend without speaking to another adult if I've got the kids for the weekend. I won't see anyone. It's the bank holiday next weekend and I'm desperate to arranging something with someone. Because I know I'll spend three days with the kids and it's really hard…"
'P', mid 40s, two children

A lack of childcare support was experienced as continually constraining, particularly when their children were young and had to be taken everywhere, with a typical comment being:

"I couldn't even go out for a pint of milk – once you've packed to go out they need a nappy changed then you have to re-pack … If you have a partner you could just pop out."
'F', early 30s, one child

A lack of adult company seemed particularly pernicious. Some participants described how they only had one or two nights out with friends a year with most of their contact being via social media. The limited amount of time to go out or socialise also meant that it was difficult to make friends, especially for those who worked, with one mother saying:

"The park is so depressing, you sit on your own. As a working mum you don't get a chance to make those friendships – they all bring friends already and go off for tea."
'W', late 40s, two children

Noticeably, this type of isolation was identified by both participants who worked and those who did not. As identified in previous studies, such 'localised' lives

could lead to restricted access to support networks[361]. All of those participants who identified this as a constraining described ways it undermined their confidence and willingness to interact with others.

4.2.2.9 Experiencing stigma

As explained earlier, experiences of feeling stigmatised were commonplace, a situation that has been identified in previous research with single mothers[362]. The women themselves and family support professionals involved in this study identified the amplifying effects of isolation in eroding self-esteem which further intensified any effect that stigmatisation might have on seeking support. Despite being a different demographic to the 'stereotypical' teenage mother, almost all of the participants described how they felt the stigma or "*shame*" of their lone parenthood in some ways and identified a range of causes for this. Although they were mostly older, often well-educated and/or in employment, a high proportion of the participants described experiences of being judged and stigmatised by individuals including teachers, health practitioners and members of the family justice system. Some participants felt that this was exacerbated by media portrayals and related negative discourse surrounding 'typical' single mothers, and from their perspective appeared to be linked to perceptions of single mothers as a drain on public resources, in particular their claiming state benefits. Health centre professionals were also said to regard the mothers with doubt regarding their ability to cope. 'N', for example described her feeling that any difficulties her child might have would be automatically attributed to the fact she's a single mother, saying:

"… every time I go there they ask me, 'do you have enough support, who's looking after everything at home? And I say 'well, me'! A silly question but I guess it's normal for them to ask that…"
'N', mid 20s, one child

Another stated:

"As a single parent they judge you for what you are rather than who you are … [at my child's school] there has been snobbery from the other parents … I felt I

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[361] See Attree, ibid; and Dearlove, ibid.
[362] See Duncan and Edwards, ibid.

had to work harder and assert myself…"
'R', late 30s, one child

However, she also said that:

"You come across lots of different attitudes and everything is a bit of a struggle and a battle. But if you get one person within a service who can help, it makes a difference"
'R', late 30s, one child

Even family spaces were not always free from judgement, with some participants reporting having relatives who exhibited "*Daily Mail attitudes*" and make overt comments about "*single parents on benefits*". Several participants reported that people felt it acceptable to ask intrusive questions about their child's father or their family life. The media, in particular, was identified as playing a role in their stigmatisation, with one mother stressing that:

"The media has got a lot to answer for … You always feel bad … that was my biggest battle – to stay on top of things because I was worried about the perceptions…"
'J', early 40s, two+ children

During the interviews, some participants drew a clear social distance between themselves and the 'other' types of single mothers which they "imbued with negative value judgements"[363]. Though they themselves felt the stigma of being the 'other', arguably they may also have helped to perpetuate the idea of single mother as 'other', disassociating themselves from stigma by setting themselves apart from a perceived 'inferior' category of single mothers in ways which echoed the DiLapi's 'hierarchy' of motherhood. One participant stated, for example:

"I didn't know other single parents who were similar to me – only the 'Daily Mail' type".
'W', late 40s, two children

Another argued that it was only possible to access services if you were seen to "*fit a certain type*", mentioning single mothers with drug addiction as being first in

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[363] Lister, ibid, p. 101.

the queue for housing, etc whereas she – who did not fit this category - stood no chance of being housed.

Interestingly, however, one of the participants became a single mother at 20 and now, at 39 was a family support professional herself. She felt that there had been a significant improvement in attitudes from her own experiences with health care and other professionals as a single parent, and that there was now greater understanding and sensitivity as well as support for this group. Indeed, despite feedback that they had faced stigma in terms of specialised service provision providers had often been very supportive.

4.2.2.10   Structural constraints and enablers - conclusion

Single mothers relied upon a diverse range of services, the majority of which were delivered by the local authority or by the charitable and voluntary sector. These were often commissioned by the local authority and therefore covered by the requirements of the Equality Duty. These included housing, childcare, play and leisure facilities and travel. Constraining factors were identified which limited access to services and community space, including: financial hardship which impacted on the majority in some way; location, because of a concentration of local authority services in specific areas; lack of access to public transport and parking costs.

Amenities for play and leisure were generally described as well-provided, though cuts to these, or increasing costs were beginning to be noticed. Experiences of childcare availability varied, and though provision was described as adequate for supporting employment, managing this around a job was extremely stressful at times (with some experiencing this stress on a daily basis). Information, advice and guidance were described as key for accessing services and understanding benefits and other entitlements. Though a range of information sources was identified it was widely thought that some more centralised methods of sharing information would be helpful particularly because single mother participants often had very limited time and/or were not always able to access networks for information because of some of the constraints already described.

Participants also identified services which had served as important enabling structures providing invaluable emotional and practical support through specialist charitable and voluntary organisations. These services were described as being more helpful if they provided home-based support and were particularly appreciated for providing objective advice from a supportive stranger who created

a sensitive and non-judgmental space. Other support which was discussed, such as developmental help, for example, education on parenting or DV support courses, was also valued for addressing preventative measures and providing an environment to meet with like-minded people. Though the single mother participant group were often at different stages of a transition, those in a more settled situation with some independence still sometimes needed access to help and support, indeed, three were facing upcoming potential crises as they were in precarious situations with their housing.

Feelings of social isolation and loneliness were commonplace, for both those in employment and those who were not, and this was exacerbated by financial constraints and lack of childcare support outside of working hours. This was also an ongoing problem, ie, those who had settled into a more settled lifestyle still continued to suffer with depression and anxiety. This could sometimes feed into a cycle which led to a loss of confidence, and a reluctance to socialise and fear of interacting with the state (or local authority) services or support which were described, on occasion, as judgemental. Consequently, some single mothers became increasingly 'hard-to-reach', ie, difficult for service providers to connect with, sometimes fuelled by their feeling a need to maintain appearances as a 'good' parent, and, as a consequence, being reluctant to ask for help. A continued stigma surrounding lone motherhood was perceived to contribute to this situation and was potentially a barrier to engaging with and accessing services and support.

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These findings demonstrated constraining and enabling factors which potentially impacted on participants' ability to engage with supportive, state-funded structures. Some of these factors were tangible and concrete, whereas others were less straightforward to understand or address. This begins, therefore, to build a picture of the difficulty of meeting the needs of a reflexive legislative framework within the myriad elements which shape service delivery. The next section addresses some of the ways in which the single mothers engaged with particular practices of agency, to further explore strategies they engaged and the interactions between service user and the structures in place.

4.2.3   Practices of agency - enabling tools and strategies

As discussed in the literature (see 1.5.1), dominant discourses around single mothers often positioned them as a social threat, linked to reliance on benefits and associated with poor parenting[364]. But even though the mothers in this study reported experiencing negative and stigmatising attitudes at times, they generally presented themselves as resilient and resourceful, intent on improving their own and their child(ren)'s situations through their practices of agency. As highlighted by the work of Tischler and others[365] who researched single mothers' experiences, the participants for their study adopted a range of strategies which included developing support networks, education and employment and developing 'good' parenting skills.

4.2.3.1 Support networks

A key strategy for some of the participants in combatting isolation and meeting childcare needs was to develop their own support networks, for both practical needs (primarily childcare) as well as emotional support. Most had a degree of informal childcare support where needed (ie, if their children were still young enough) from their child(ren)'s father(s). Just over half had parents, other family members or a current (non-cohabiting) partner who were able to help with childcare, though for the majority this was occasional rather than on a daily, or even weekly basis and often limited due to geographical and travel constraints. A small number were able to rely on a close friend, for example for last-minute childcare if they fell ill or other mothers from school for 'swaps'. Two were involved in sports clubs, which provided an existing structure and within which they had supportive friendship groups.

Several participants actively sought out the company of other single mothers because "*you realise you're in the same boat*", and can understand the circumstances they face. One participant enthusiastically described a community centre which held occasional 'single parent days' providing activities as well as information and advice sources for lone parents[366]. Some social environments were identified as "*a bit smugly married*", and one mother summed it up as follows:

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[364] See Duncan and Edwards, ibid; Roseneil and Mann, ibid.
[365] See, for example, Tischler, ibid, and Ponsford ibid.
[366] This was a single parent's 'fair', originally organised by a local, voluntary church group which is free and aimed at all lone parents (offering crafts and activities for parents and children as well as stalls providing financial and other advice).

"You feel like the odd one out … so [it's] really good to hang around with people in the same situation, get some advice and hear that other people go through the same thing as you … because I do have problems with my ex and access issues and all those types of things and I'd love to be able to chat to somebody about the situation – all my friends are happily married … talking to single mums would be incredibly helpful".
'P', mid-40s, two children

Some participants engaged actively in seeking out women in similar situations, explaining how important it was to interact and network for information-gathering. I would argue that this could be viewed as an example of social capital in action, which previous studies identified as an important strategy for developing support networks for access to childcare and other resources[367]. Several had found ways to link up with other single mothers across Bristol, particularly through Facebook groups and (to a lesser extent) through single mother groups organised by local children's centres or childcare facilities. As well as being a source of emotional support, these provided a practical purpose, for example, one was involved in a support group relating to her child's disability. Through networking with other single mothers, they were able to share useful information about resources, as well as establishing their own structures which included meet-ups and babysitting swaps.

Two of the participants had no family or a partner who would/could help with childcare or other support. However, those with very limited social contacts, or living under special circumstances such as caring for a disabled child described how they were too constrained by time and meeting the needs of their children to explore any substantive opportunities outside of their immediate locality. Some, though were able to find local and low cost/free solutions, with one participant involved in organising a parent-led, after-school club and others active in their locally-organised 'playing out' sessions - where a street was closed off for local children to play safely[368].

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[367] Duncan and Edwards, ibid.
[368] www.playingout.net – this initiative started in South Bristol in 2007-8 where some streets are officially closed off for a period to allow children to play safely.

4.2.3.2 Education and employment

Education and employment were identified as key ways for participants to take some control over their lives and try to resist aspects of poverty and reliance on the state. Paid work and study were described in positive ways which revealed that these activities not only provided a way out of poverty, but also as ways to maintain self-esteem, and to be (and be seen as) a 'good' role model for their children. Some had received state or local authority financial support such as help with university fees and to retrain, although this type of support would no longer be provided if they had applied at a later stage, following the introduction of austerity measures.

Those who had continued to work for less than they could claim in benefits, or for little more than the cost of covering childcare, described how they had felt happier working and wanted to maintain their 'pride', also saying that this was an important way to encourage their children, with two mothers saying:

"I want my [children] to see that you can have a career as a woman and that just because I'm on my own it doesn't mean I can't work – for the children's sake I want them to see me as a working person with a career"
'P', mid-40s, two children

And:

"…you have a close bond with your child, a unique relationship. Your child has seen you go through terrible times so when they see you doing something useful you hope it will inspire them…"
'R', late 30s, one child

One participant, who had an arts background, was working on establishing a studio at the bottom of her garden for when her youngest child begins school at 5 years of age:

"I will keep the job and do the [arts] work the rest of the week. It's taken all the time since I've been single to put the roof and doors on. I've been taking time and doing it as I can afford it…"
'P', mid-40s, two children

Previous research on single mothers' employment circumstances found a concentration of single mothers working in low-paid sectors such as retail or

caring work[369]. Some participants in this study worked in these sectors, for example, one was employed as an adult day-care assistant primarily and stated this was primarily because this fit with her responsibilities. However, there also appeared to be some resistance to this type of role. One participant described how she was being forced to apply for jobs for which she was over-qualified – retail roles in particular – though she was exploring options for self-employment to circumvent this and find a way which allowed her to better manage her work/childcare responsibilities. Job-seeking was more problematic for her as the pressure to constantly apply for jobs was extremely stressful, and though she had a good range of work experience in office jobs, she had found that such roles were not generally available for people with childcare responsibilities. This reflected the findings from previous research that initiatives established to find routes into employment regularly fail to account for their diverse needs[370], and also that a 'culture of fear' remained evident for single mothers who faced benefits sanctions[371]. This participant was one of the cohort who were compelled to seek work or face possible sanctions – as described in section 1.3.4.3 - which might include non-payment of her benefits. At the time we spoke, her GP had diagnosed her with depression and she was 'signed off' for several weeks which she said had temporarily alleviated some of the stress.

Another participant, 'F', was a self-employed artist, and confirmed that "*if I have to work for someone else I'd struggle with childcare*" – as she would only be able to take a job with flexible working hours she would *"end up in Tesco's with a master's degree"*. 'T' had also retrained, becoming a childminder as a way to develop self-sufficiency and have flexible working conditions, saying:

"When I had my [child], it was better for me to become a childminder and look after [them] myself, with the money we made looking after other people's children than it would have been to get separate childcare and me go back to work full-time: it suits me"
'T', late 30s, one child

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[369] For example, Haux et al, ibid, and Dutton et al, ibid.
[370] Dewar, ibid.
[371] www.parliament.uk, ibid.

4.2.3.3 'Good' parenting

The participants were keen to emphasise their positive parenting skills, describing, for example, the care and attention and planning put into their children's educational and emotional development, which may have been a reaction to the discourse of lone parents as 'poor parents' and links with a 'troubled families' discourse as discussed in section 1.5.1[372]. Examples of activities included specialist child development classes, fitness such as swimming and martial arts and intellectual activities including libraries and museums. A small number reported that they had asked for help from parenting helplines, generally portraying this as a positive action which helped to alleviate their stress and manage their children's advancement and behaviour through learning skills and techniques. One participant had also had focused help from a family support worker, who had accompanied them on family trips which helped increase the 1:1 time she spent with some her children. Another mother described her struggle to provide for her children and, in a manner similar to that adopted by single mothers involved in other studies, who used consumption practices to express resilience and show competent parenting,[373] her self-described "*single parentitis*", ie, trying to prove that she's a "*super-parent*".

4.2.3.4 Enabling tools and strategies - conclusion

As evidenced in the previous section, the participants described constraining and enabling structures which were factors in the services they accessed. Not all support can be provided by state and local authority structures, and the women, often seeking out other single mothers, had practised agency in relation to seeking and building support groups for networking, sharing information; and informal childcare groups which overlapped with and filled gaps in local authority provision. They also described accessing third sector and other social institutions (such as sports clubs and church-based organisations) which had played an important role in providing them and their children with activities, emotional and childcare support and advice.

In addition, the participants were general enthusiastic about for study and paid work as ways to achieve some independence and self-esteem. There were, though, a small number who said they accepted or were expected to look for low-

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[372] As discussed, for example, in relation to the Department for Communities and Local Government report, ibid.

[373] Kirkman et al, ibid.

paid caring or retail work that was below their capabilities to fit with their childcare needs, and they described this as a source of stress, particularly as their eligibility for essential state support was impacted by their employment status. Participants also described the importance to them of working as a way to be a 'good' role model for their child(ren). Furthermore, the women described their positive parenting skills, and highlighted a range of support and services which had helped them with this, including the availability of formal parenting support services and leisure and educational activities. The way in which these positive activities were presented, I suggest, supported a narrative which other work with single mothers has identified, ie, a desire for them to refute the negative stereotypes which they had sometimes encountered. Furthermore, I would also argue that in keeping with other research findings on this group, driven by a feeling that they lacked power these women often saw no choice but to resolve these issues themselves[374].

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This section explored some of the ways in which participant's lives were affected by local authority service delivery. The themes emerging from fieldwork carried out with single mothers identified some key constraints and enablers to them accessing those services including a need for practical support, such as childcare and access to information, as well as the impact of less tangible factors such as confidence. The ways in which the participants described their activities and drew on their stories showed how they practise agency in a variety of ways as they developed networks for support and used opportunities within employment and study for self-development, often motivated by a desire to be 'good' role models for their children. This was despite, in some cases, paid work not necessarily being a route out of poverty.

In the next section I discuss findings from service providers and stakeholders involved in service delivery. This presents a further perspective on the way single mothers typically interacted with service provision and begins to assess ways that the Duty and equalities considerations can impact on service provision.

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[374] See Yerkes et al, ibid.

4.2.4   Findings from service providers and other stakeholders

4.2.4.1 Introduction

The following section describes and explores the findings resulting from the 10 stakeholders, who were interviewed to provide expertise relating to service delivery for single mothers from a practitioner perspective. These participants represented organisations providing childcare, housing, employment support, education and training as well as campaigning and advocacy organisations working specifically on behalf of women. Further details of demographics relating to this group are provided in section 3.5.2.1.

4.2.4.2 Service provision and single mothers

Service provider participants often described circumstances and challenges which they felt were usual when working with single mother clients. Family support workers (FSW), for example, listed the barriers which they had seen single mothers encounter when engaging with services, which included low self-esteem leading to lack of confidence and being time and cash-poor, any or all of which might stop them attending or engaging with support mechanisms. An FSW working within a childcare provider setting also highlighted loneliness, isolation which leads to dwelling on problems, as well as other issues which included domestic violence and working with social services as creating a "*fear barrier*". One interviewee, based at a popular children's centre, emphasised how crucial it was for some of her clients simply to have a safe space to talk and socialise.

Another stakeholder, involved in advising on childcare and supporting service delivery, described the complexity of the childcare system as a potential barrier for some:

"… the complexity over fees, legislation, childcare tax credit, free entitlement to nursery places – are mind-blowing. Particularly where they have barriers to face or hurdles to overcome, where they're a single parent juggling childcare and working … you need to stack up one lot of criteria against another and work out that you may be eligible for help with your childcare cost. It's difficult."

Others working in childcare provision agreed, describing difficulties that they had experienced and witnessed in communicating some services, for example, the availability of government-funded childcare which was complex. From their perspective, word-of-mouth, or via health visitors and GPs was the best way to achieve this. There were also examples of early years settings creating

partnerships to share information and advice, such as nurseries which brought in financial and debt advisors for drop-ins. FSWs at children's centres also explained that they develop working relationships with health visitors and can confidently 'sign-post' services for more complex needs such as mental health support.

A further stakeholder whose role had involved helping people into employment as part of a government work programme stated:

"I always say if you want a hard client group to work with, it's single parents: we've worked with ex-offenders, people going through drug rehabilitation, and I think single parents are harder to work with, because they have unique issues around confidence. They are convinced that no one will want to employ them. They've got tiny worlds… they live in a very narrow bubble: their bubble is their local neighbourhood, the school gates, the local supermarket, their friend's houses – it's very limited"

It was recognised that childcare needs could be a barrier to participation in some types of support, such as job-seeking help, though stakeholder organisation representatives mostly thought that this was a known issue and that provision was made wherever possible.

4.2.4.3 The impact of austerity measures

A recurring narrative for service deliverers and stakeholders was one of cuts to funding, and their struggle to maintain service levels with reduced resources. In interviews with service providers and other stakeholders a catalogue of cutbacks was described, including the closing down of a specialist (help to) work programme for parents which included mentoring and training through an enabling fund; the closure of a helpline and signposting service specifically for single parents and the reduction of structured, professional support services for lone parents at a nursery to a "*coffee morning culture*". Some organisations had been forced to withdraw financial support for those who were struggling. A childcare support organisation, for example, described how some providers had historically charged single parents on a staggered fee basis to help spread costs but were no longer able to do so.

The support which had been available to parents to help them sign up to government-funded childcare, and to monitor their progress had also been cut. Time was no longer available to follow up and "*get to know people … now it's just paperwork – we don't have to do those [face-to-face] reviews any more*". These

meetings were often crucial for finding out the needs of single parents in particular: "*the first of the 6-weekly meetings was cagey … but then you built a relationship … if you found issues you could do some research for them*". Furthermore, service level agreements with the local authority required service providers such as children's centres to extend their reach to greater numbers of service users though did not always receive a proportionate increase in funding.

One organisation which supported childcare service delivery described their response to cuts to their funding which mirrored the way that some other service providers had dealt with fewer resources, with their strategic manager stating:

"This year our funding has been cut 1% which is a great result for us. Last year it was cut by 9% which wasn't' so great … we took a 5% hours drop across the board … and one of our staff took voluntary redundancy … we're providing less 1:1, face-to-face support … doing more 'long arm' support – email and telephone … more social media support, we've put more on our websites…"

Despite these reductions in services, however, a family support worker who was a single mother herself reported that support had still improved because staff were better trained and there was more awareness of the impact of lone parenthood – "*Now there is multi-agency working, someone who understands what it's like to be a real single parent, people who've got nothing or no one*".

4.2.4.4 The role of the Duty

4.2.4.4.1   Service deliverers

Equalities issues, particularly ensuring services reached excluded and disadvantaged groups, were seen as an important part of service delivery, although the was little awareness of the Duty as a piece of legislation on the 'front line'. Despite concerns about changes because of funding cuts there was a strong focus on equalities considerations and repeatedly the aim was to make services (childcare in particular) accessible and inclusive both through making parents aware of what's available and supporting children's access to them. In terms of inclusivity, children from minority ethnic groups, those with special educational needs, and those from poorer backgrounds (including those with lone parents) were identified as potentially disadvantaged or excluded. One children's centre strategic stakeholder stated:

"No, I don't know about [the Public Sector Equality Duty]. [But] Staff are involved in fair recruitment training. We have a learning community contract, everybody's

signed up to it and we have a very strong ethos of equality and inclusion. The children's centre agenda is all about inclusion, single parents, fathers, and people that could be more excluded – our whole agenda is about working with marginalised groups."

Some service providers and stakeholders identified a genuine willingness within the local authority to make services accessible, whilst also recognising that this was a struggle due to a lack of funds. A stakeholder organisation involved with supporting childcare services, though aware of the Duty and its requirements, thought it had little effect on their day-to-day delivery, saying:

"In a lot of respects, it's very difficult: the Equalities Act and the Equality Duty came at a lousy time and hit as soon as recession started to kick in, therefore LA funding is dramatically being cut and reorganisation within the Authority is almost happening on a daily basis, plus with the Coalition government, all of a sudden their ideas on childcare and the regulation of childcare and OFSTED, early years education all changes dramatically. And so to be able to say that the Equality Duty has actually changed in terms of what we are doing or childcare providers are doing, I don't know that it has."

4.2.4.4.2   Other stakeholders

A small number of stakeholders interviewed were involved in community campaigning and had used the Duty to call budgetary and other priorities to account[375]. One senior representative from one such organisation identified the usefulness of the Duty, though also thought that it had less power than the previous, Gender Duty, stating:

"… [though] public sector organisations are no longer required to produce gender equality schemes … the Duty is useful for reminding the council about EqIAs[376] and protected characteristics … We have found that though gender is a protected characteristic it is seldom picked up by those responsible for EqIAs.

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[375] See, for example, Bristol City Council (2014f). Budget Consultation 2014/17 feedback report, https://democracy.bristol.gov.uk/Data/Cabinet/201401161800/Agenda/0116_5_App2a.pdf [Retrieved 12/5/2015]: response from community, voluntary and self-organised groups, p. 38: Bristol Women's Voice remind the Council of their responsibilities under the Equality Act 2010 and request reassurance that the 'Brown principles' are being met.
[376] A common acronym for Equality Impact Assessments (EIA).

Without specific gender equality schemes it is much harder to get gender issues into the agenda."

A further stakeholder participant whose role was as a community worker, was particularly negative about the Duty, contending that because of austerity measures:

"… the culture has changed at the local authority and the focus is now on financial outcomes. There has been a real move away from the Equality Act – nobody talks about it anymore and it is seen as a burden".

4.2.4.5 Stakeholder and service provider influence

Some of the stakeholder and service provider participants described examples of potential for impact, in their capacity as local actors, on the delivery of an equalities agenda. One way was through campaigning and advocacy. Bristol's 'voice and influence' organisations, for example, were funded by the local authority and tasked with providing an independent platform for consultation and feedback. They were also able to feed into local decision-making processes through membership of VOSCUR[377] – the support agency for Bristol's voluntary community which allowed for some interaction and joint working with the campaigning groups who focused on other protected characteristics. The representativeness of these groups did not go unquestioned, however, with one stakeholder arguing from the perspective of another community group, depicting some tension in the relationships between such advocacy organisations, stating:

"… it is hard for voice and influence organisations to challenge local authority decisions, as they are in partnership. Though they are an independent body on paper, it's hard to identify anywhere they have challenged the local authority".

The role of influencing social change was not, however, confined to organisations which focused on campaigning. A representative of one service delivery organisation supporting childcare providers, for example, described how they had acted to influence change and further an equalities agenda, saying:

"At a local level, we're kind of 'lobbying' all the time, really, because we have a very good working relationship with the local authority and the departments that

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[377] https://www.voscur.org/about

we deal with … but we are continually trying to nudge and suggest and direct the authority to focus on areas that we think are important … particularly in the case of minority groups … ethnic minority or the needs of disabled kids… I guess it's 'subliminal lobbying'?"

Furthermore, some service providers talked of the relationship they had with individuals working for the local authority through various partnerships and service delivery agreements which also allowed an opportunity for productive, informal feedback to BCC.

Interviews with stakeholders emphasised the importance of 'interest groups', particularly the voluntary and community sector, in reminding the public sector about its responsibilities, not least the needs of single mothers. Some stakeholders described equality impact assessments as particularly important in balancing out equality needs and a focus on budgetary concerns stating that with without a mandatory EIA process there would be an overreliance on BCC managers having an interest in equality issues.

4.2.4.6 Measuring equalities outcomes

Each of the service delivery organisations monitored their client base in terms of equalities groups, some of which was to meet the requirements of the local authority. Measurement and monitoring was particularly prevalent for identifying and driving progress in childcare settings. Both qualitative and quantitative measures were used. Some elements of this were compulsory, as the local authority-funded childcare providers were required to formulate an outreach plan, and single parents were a prescribed target group for all of the early years and workfare organisations involved in this study. Data was therefore required on the diversity of those in their catchment areas, as one strategic employee of a children's centre stated:

"… we get lots of reports from the local authority … single parents, teenage parents, workless households ... We get the number and quarterly reports on how many of them we're working with. We do a lot of looking at the data, and that's one thing that OFSTED would judge us on…"

The children's centre employee further described how progress was measured in a way that identified individual children's progress rather than through external benchmarks:

"They're all evidence-based programmes which measure distance travelled … every family would have an action plan which is very solution-focused, and led by the family. You get a baseline and review regularly, and an exit where you measure distance travelled – we use qualitative and quantitative data. It's all about impact – we use 'learning stories' with the children and the parents. It shows they have a voice, everyone comes here with a story to tell and a journey they've been on. Whether they've come from Bristol, Somalia, Holland, wherever they've come from it's a journey and we really value that … and some of the parental programmes are scored as well."

One nursery described their involvement in the Bristol Standard[378] – a self-evaluation framework which supports best practice in provision and was widely promoted and used in early years settings. Although they have Ofsted requirements to meet, they also wished to move beyond these and set themselves a mission statement to improve on their offering from a general equalities perspective conducting outreach work, for example, with local refugee and black and minority ethnic (BME) communities as this was perceived as best practice and "*because it's a positive thing to do*".

Another organisation which supported service delivery also maintained more of an equalities focus than was required of them, for example, choosing to collect equalities-related data despite there being no requirement from the local authority or elsewhere. One, for example, prompted the service delivery organisations they support for an annual 'snapshot' of gender, ethnicity, disability and single-parent families as they felt these helped with understanding the client base and becoming more responsive.

4.2.4.7 Service providers and other stakeholders – conclusion

Stakeholders and service providers representing a wide range of organisations from the public, voluntary and charitable sectors provided support for single mothers from childcare through to employment and job-seeking training, in addition to campaigning and advocating on their behalf to ensure these services meet the women's needs. Participants from within those organisations who took part in this described a number of challenges which they encountered when working with single mothers as a client group, which correlated with the themes

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[378] Bristol City Council (2014g). *The Bristol Standard*, https://www.bristol.gov.uk/resources-professionals/bristol-standard [Retrieved 9/4/2016].

that emerged through the interviews with the women themselves, being time and/or cash-poor, a lack of confidence, and, particularly where they faced additional issues such as domestic abuse, fearfulness which fed reluctance to involve local authority intervention. Service providers who worked with single mothers, such as family support workers, said that this could have a cumulative effect when combined with the practical constraints of time, finance and the restrictions of a highly localised existence prohibiting some individuals from seeking the help they need. Service providers also cited how the complexity of the childcare and associated benefits system was problematic, and this was confirmed by some service users who had identified a lack of clear information and the difficulty of negotiating the benefits system as a barrier for them leading them to miss out on financial and other support because they were unaware of their entitlement.

In Bristol, the austerity measures have presented a major challenge from a delivery perspective and service providers described the erosion of specialist 1:1 support, the removal of financial subsidies and a move towards providing more help online. From single mothers' perspective the picture described by service providers was not encouraging. In addition to some services simply no longer being available, cuts to resources meant less time and opportunity for professionals to build rapport with service users, or to design services which were tailored for single parents which in the past had provided an environment conducive to them in overcoming any personal barriers.

Although it was likely that any targets and monitoring requirements were set in place to support BCC in meeting 'due regard' for the Equality Duty, the interviews with stakeholders and service providers revealed little knowledge of the Duty's existence as a legislative requirement on the ground. When asked, no one had heard of the Duty, with the exception of one service provider, and all of the stakeholders involved in campaigning for women's/single mother's rights. Voice and influence organisations, along with the voluntary and community sector were seen to have an important role in reminding the Council of its duties relating to the Duty and providing accessible services.

Nevertheless, equalities and inclusion were a strong theme in all of the work which was discussed, and the organisations involved also described ways in which they went 'above and beyond' any mandatory requirements placed on them by the local authority or Ofsted. Measuring and monitoring equality-related data was one

way these organisations set priorities, some of which were to meet local authority targets but others to help them better reach a more diverse client base, including single mothers.

Several service providers described the genuine desire on the part of the local authority to deliver services in a fair way. In addition, some providers described how they had tried to exert a positive influence beyond their own organisation. However, the wider, structural constraints caused by austerity measures were depicted as beyond the control of either the local authority or any single service provider. Some service delivery organisations expressed concern that equalities outcomes would be undermined as financial considerations increasingly took hold.

Section 1 of this chapter has presented the qualitative findings. Firstly, these demonstrated the experiences of the single mother services users and the structures which enabled or constrained them and ways in which they might practise agency to improve their situations. Secondly, it identified where service deliverers and stakeholders might provide a deeper understanding of practices therein. In section 2, I consider the findings further to explore some ways in which single mothers' individual practices of individual agency were exerted which may have impact on surrounding structures. This is particularly of interest because of the passive way in which single mothers are usually portrayed, and also to begin consideration of ways in which the structures of the Duty might be an enabling force for single mothers' activities.

4.3   Section 2: Practices of agency

In the following section, I provide more detail regarding the second, key theoretical framework, which has been adopted in this thesis alongside the first, systems theory, which was described in chapter 2. Systems theory was introduced as the most appropriate basis to explain and critique the legislative framework for the Public Sector Equality Duty in the context of my case-study area. As discussed in section 3.3.2, I additionally employed Giddens' theoretical framework in order to develop a more nuanced understanding of activities at the level of individual social interactions and the structures within which they operate. As a way to better understand some of the ways that participants practised agency, the next section considers them as reflexive agents.

4.3.1 Theoretical analysis - agency and reflexivity

Giddens uses structuration theory to explain ways in which social systems are reproduced and either continue unchanged or are transformed. Central to the idea of structuration is the theorem of 'duality of structure', ie, that agents and structures are not independent – a dualism – but rather a duality where structures are *both* a medium and an outcome. Reflecting a construction of modernisation that is characterised by detraditionalisation of society against a backdrop of declining certainty[379], Giddens portrays the individuals who interact with these structures as increasingly reflexive, knowledgeable agents[380] "freed from traditional ties of location, class and gender"[381]. In the absence of defined, traditional identities and stable 'anchor points'. An individual, he argues, has the ability "to construct … her own biographical narratives"[382], and even those with "constricted and arduous" lives will be aware of the wider factors influencing their lives which, in turn will impact their actions[383].

Giddens also proposes that despite experiencing disadvantage, it is still possible for individuals to reflexively shape their lives, and adopt modes of activity and to creatively construct a lifestyle through resistance[384]. His[385] notion of the postmodern society and self 'in flux', with identities "routinely created and sustained in the reflexive activities of the individual" was evident in the accounts of many of the service user participants. Miller[386] has also described a "heightened and intensified reflexivity" for mothers who are experiencing transition and attempting to "assert or retain individuality and control". I would suggest that this can be amplified for some single mothers. The participants' described lives that were, or had been, in various states of transition and periods of crisis and sometimes disadvantage, nevertheless, they could be seen to adopt modes of activity to creatively construct a life and lifestyle which challenged the stereotypical view of single mothers as passive recipients of assistance.

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[379] Adkins, L. (2002). *Revisions: gender and sexuality in late modernity*. Buckingham: Open University Press.
[380] Giddens (1984), ibid.
[381] Walkerdine, V. (2003). Reclassifying Upward Mobility: femininity and the neo-liberal subject. *Gender and Education*, Vol. 15, No. 3, September 2003.
[382] Lash, S. (1994), in Beck, U., Giddens, A. and Lash, S. (1994). *Reflexive Modernization. Politics, Tradition and Aesthetics in the Modern Social Order*. Sandford: Stanford University Press, p. 111.
[383] Giddens (1991), ibid, p. 86.
[384] Giddens, ibid, p. 86.
[385] Giddens, ibid, p. 52.
[386] Miller, T. (2005). *Making Sense of Motherhood. A Narrative Approach*. Cambridge: Cambridge University Press, p. 141.

The following section uses Giddens' conceptualisations of reflexive, knowledgeable agents in order to explore some of the circumstances within which service user participants practised agency. I therefore look at some of the ways in which single mothers who, acting as knowledgeable agents constructed their lives amidst structural constraints in ways which shaped their individual lifestyle and also impacted on a wider scale. This will support later discussion around the ways in which this group can practise agency, the limitations which societal structures might impose and where the Duty might have a role in these processes.

Finally, the discussion from these sections is used as a basis of analysis for developing an understanding of the contextualised 'illustrative examples' and feeds into the exploration of reflexive law in chapter 6.

4.3.2   Single mothers as knowledgeable agents

The single mother participants described and engaged in a range of strategies which helped them maintain a more positive sense of self in defiance of 'typical' single mother stereotypes. The data showed that they engaged in a range of activities which could positively influence their lives and the ways in which they felt viewed. Some participants described how it had taken time to rebuild their lives following the transition they had been through once they became a single parent and how they had adapted. 'W', for example, described how she had initially felt confused and upset about suddenly being a single mother in an affluent, conservative neighbourhood, having to fulfil a new role by taking over the jobs that "*a man usually does*" (such as putting out the bins) which she felt did not fit with the local 'types' of couples-based households in her area, stating that:

"…it was not a good time having to work out who I could be."
'W', late 40s, two children

'W' recounted how, at this early stage of being a single mother, she felt concerned about attracting stigma because her family did not conform to what she felt were perceived norms. In keeping with Giddens' assertion that in postmodern society, "the signposts established by tradition are now blank"[387], she described how she struggled to fit within her changed circumstances, and had tried to do things to be "*normal*" such as getting a family dog. However, she then related how, as time passed she began to feel comfortable in a new role, engaging a range of activities

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[387] ibid, p. 82.

and challenges which she and her children overcame through embracing being a family which differed from those around them, and described how on one occasion:

"I got [some camping equipment] which was so heavy I had to get the postman and the next-door-neighbour to help lift it onto the car ... I kind of enjoyed it – like being in a film about a single mum!"
'W', late 40s, two children

Eventually, 'W' described, she felt able to assert herself as a more independent individual, joining in with the local 'playing out' session she felt happy to engage with neighbours as one of the community and, "*sit with a cuppa and chat and take turns to guard the end of the road*".

Other participants also depicted how they had engaged with single motherhood and felt, on reflection, this had given them an opportunity to build a new life. One example was 'O' who, when her child was young had joined in with a charity supporting young single mothers, whom she described as a kind of family unit. 'O' related how she had become an advocate and peer educator for youth groups earning small amounts of money for recounting her story to teenagers about the difficulties she had faced. She also described how, despite needing to move location and live in isolation at a safe house to escape an abusive partner, she had drawn on this advocacy role as a source of strength and rejection of victimhood, stating that this experience:

"…made me stronger and I [went on and] worked in DV [domestic violence] support giving help and advice".
'O', late 30s, one child

'O' then depicted how she later trained as a family support worker and felt that the empathetic approach she was able to show other single parents made her a more effective professional. She was very proud of what she had achieved from such a difficult start, telling me:

"... a single mum is the strongest woman you'll ever find – raw iron".
'O', late 30s, one child

A fear of stigma appeared to drive some of the women to strive harder, and awareness of the way they might be viewed had actively influenced them to improve their circumstances in a positive way. In this respect, with one, for

example, successfully moving to a new area and becoming more independent because, as she described:

"I didn't want to live on a council estate because of the image of a single mum on a council estate!"
'C', late 30s, two children

Furthermore, several participants related how they found it hard to ask for outside help and had put themselves under considerable pressure to continue alone with little financial or childcare support:

"[I] Was struggling on tax credits and maintenance payments. There were a couple of points where I thought it would pay me to stay home and not go to work. But I'm not the sort of person to do that, I couldn't do it."
'B', early 30s, one child

Those participants who appeared to draw on negative stereotypes – with associated societal expectations and perceived moral codes, of 'other', undesirable categories of single mother, such as 'Daily Mail' stereotypes - as internalised references which appeared to give them strength: they knew subjectively what they were *not* and did not want to be seen as.

One participant, however, described experiencing mental health problems which she attributed to the stress of appearing to cope, stating:

"I thought everyone would judge if I stopped working, I had to look like I was being successful … you hear expressions like 'dole dossers, sponging' … I felt the need to be well-dressed and the kids looking good…"
'J', early 40s, 2+ children

'J' recounted how she had had gradually found other ways to cope with her concerns about stigma. She and her family, for example, regularly joked that she was Vicky Pollard – a well-known British television comedy character showing an exaggerated stereotype of a teenage mother with several children, all of whom have different fathers. This, I would argue, was and adoption of a 'reverse

discourse'[388], reclaiming the derogatory stereotypes in a humorous and defiant way, changing a negative category for one of positive identification.

In addition to some of the strategies which single mothers used to maintain a more positive sense of self, the data also showed that some engaged in a range more 'outward looking' activities which are discussed in the next section.

4.3.3   Practising agency through civic and political engagement

Some of the participants described how they had been involved in 'political and citizenship' activities since becoming parents, the majority of whom were becoming politically engaged for the first time. As identified in earlier work by Naples and Hyatt[389], this appeared to be motivated by participants' concerns as mothers. Driven by some challenging circumstances, they depicted ways in which they had attempted to influence wider change in a range of non-confrontational political activities where the issues addressed particularly affected their children's well-being or their ability to provide for them, for example around benefits and tax-credit changes, library closures and design of local park facilities.

Some participants discussed how they had engaged with and challenged their local MPs to address issues they had faced as single mothers; one over her dire and precarious housing situation and another with questions about child support. One discussed how this had led to her MP raising questions in parliament about the services she was able to access in Bristol[390]. A further participant detailed the ways in which she had been involved with a local charity campaigning to publicise the struggles she associated with lone parenthood and how she had been part of a delegation which went to meet with a group of politicians in parliament for this purpose.

This activism was an area in which participants utilised social media, which, as previously described fitted into their regular methods of socialising and interacting (ie, online when their children were in bed), and through this they were able to contribute to local consultations and campaigns against the cuts in particular through online petitions and questionnaires. Childcare needs were cited as a key

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[388] Foucault, M. (1998). *The history of sexuality, Vol. 1, The will to knowledge*. Harmondsworth: Penguin.
[389] In Lister, ibid.
[390] Although we can't know exactly what impact this intervention had, it is clear that affordable housing is being kept on this MP's agenda as she continued to actively campaign in this area, http://www.kerrymccarthymp.org/news/bristol_news/news.aspx?p=1091432.

source for constraining face-to-face participation, though one participant, who had been "*campaigning strongly*" to keep the local library open had also tried to involve her children, stating:

"I've been around the local shops and keep going back to get the signed petitions. I've knocked on doors and been to some meetings with the children … our local MP has been involved too"
'P', mid 40s, two children

The participants who described being engaged in these types of activities also related a general understanding of a wider agenda of the austerity measures, and the cuts to which they were being subjected, though they did not make any reference to this in any broader context of fairness or rights to equal treatment. Those who discussed the Government did so in the context of how they had managed to survive with so little state support. This suggests a limited understanding of wider context of equalities, which was understandable given the need for most to focus on survival. Whilst there had been civic and political participation in a number of areas, these were primarily focused on concrete service provision. Therefore, as Giddens proposed, these women were aware of wider factors which impacted their own and their child(ren)'s material circumstances and acted on these. However, just one of the participants had specifically campaigned with organisations advocating lone parent rights and one other cited experience of a single mother acting as an advocate in a civic role, as her friend had served as a school governor and been vocal on the needs of single mothers. The participant herself, though, felt she would not have the time or necessary childcare support in place nor the confidence to be active in this way, which perhaps also reflects on a reluctance to be seen as an advocate for single mothers given the stigmatised perceptions this might invoke.

These factors can be linked to the Duty as they could arguably lead to single mothers being less able to access services and support, because of the constraints identified and discussed throughout this chapter: time, financial constraints, distance from community hubs, transport and lack of access to up-to-date information were all potential limitations to service users engaging with local authority structures which could enable them to participate in ways which supported reflexive regulation to operate as it should. Less tangible, but equally important were the other constraints to single mothers' involvement which could arise such as low confidence with more complex underlying causes, like social

isolation. Furthermore, where there were barriers to civic participation, this may have impacted on their ability to contribute to consultations and other aspects of the Duty's 'deliberative' functions. I discuss this further in chapter 6.

4.3.4   Practices of agency - conclusion

These examples of activism and other practices of agency, which focused on improving aspects of lives lived in challenging circumstances, showed the different ways that single mothers could act as knowledgeable agents amongst a series of constraints. These included class- and gender- bound structures of 'normality' and the constraints of dealing with isolation and fear of stigma, or more immediate trauma such as domestic violence (DV). The examples described also indicated the diverse range of personal constraints and enablers which exist when considering support needs, which could include feeling isolated and needing emotional support - regardless of social background; a need for peer support and opportunities for self-development; and recognition that a fear of being judged may act as a significant barrier to becoming involved or requesting help. Moreover, a number of enabling support structures, such as refuges or DV support were apparent in these stories, showing the crucial role of some types of the services delivered by the local authority or other providers.

Arguably, the experiences described by the participants demonstrated a duality of structure and agency as the women described operating as individual and collective agents to either mobilise and reinforce existing structures, or to challenge and reshape them. By trying to maintain a 'normal' lifestyle, ie, that which fits with local families, for example, 'W' had attempted to perpetuate an existing, familiar dual-parent structure. Through joining in with community events as a single mother she felt she had challenged the existing social structure and reshaped these; creating a more diverse set of families. Similarly, the participant, who had joined a delegation to parliament to give her testimony on the struggles she had faced as a single parent attempted to challenge conceptions about single mother as passive victim and contributed to positive change in government activities. These experiences showed how practices of agency could challenge, and potentially change, existing community and political structures.

However, the women's stories also challenged Giddens' notion of individuals as untethered reflexive and knowledgeable agents. Although at times they engaged in practices of active or heightened agency, as single mothers they could not completely avoid or remain unaffected by the constraints and expectations of their structural location. Their experiences challenged Giddens' assertions that

postmodern subjects are free from traditional boundaries, and reflected the views of some critics[391], who highlight both his failure to address the reality of how social influences and economic factors could impact women's lives; and the overly subjective nature of his emphasis on individual's knowledge and reflexive monitoring[392]. Amongst these critics was Lash, who also saw limitations to the idea that personal agency has been progressively separated from structure. Lash, though, drew on and reinforced entrenched, negative stereotypes of single motherhood, asking "how 'reflexive' it is possible for a single mother in an urban ghetto to be?" and labelling them as a group amongst "whole battalions of 'reflexivity losers'", left behind to form part of the lower and underclass[393].

I would argue that, although the single mother participants were able to actively change and improve their lives this was not totally without constraint, as the existing structures contained elements which supported activity but also constricted it. Some had been held back by their structural location, which was hugely exacerbated by austerity measures in the current UK context. Nevertheless, they asserted themselves to find ways to improve their own and their children's situations and challenge the prevailing, negative discourses of dependence and social threat or social problem. Single mothers from diverse backgrounds and circumstances therefore, appeared able to exercise a wide range of agency sometimes as a reaction against the stereotypes of 'undesirable' single mothers which were perpetuated by the media and implicitly supported by government as well as wider society. I would also argue that, for some of the participants, becoming a single mother was the catalyst for a period of reflection and reshaping. The data from this study showed clear commonalities in the women's experiences as single mothers, despite them being of different ages and from a range of backgrounds, which may reflect the rigidity of some social norms, or existing economic and political structures, for example, the mechanism based on successive government's policies to move lone mothers into work.

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[391] Murgatroyd, L., 'Only half the story: some blinkering effects of 'malestream' sociology, in: Held, D. and Thompson, J. B. (eds). (1989). *Social theory and modern societies: Anthony Giddens and His Critics*. Trowbridge: Redwood Burn.

[392] Archer, M. (2010). 'Morphogenesis Versus Structuration: On Combining Structure and Action', *The British Journal of Sociology – The BJS: Shaping Sociology over 60 years, pp.* 225-52. [Originally published in 1982 British Journal of Sociology, 33(4), pp. 455-483]; Kilminster, R. (1991). 'Structuration theory as a world view, in: Bryant, C. G. A, and Jary, D. (eds), *Giddens' Theory of Structuration: A critical appreciation*, London: Routledge.

[393] Lash, ibid., p. 120.

Exercising the ability to reflect and then act accordingly to shape their lives was not something reserved for those who are socially and economically privileged, and, as this section has demonstrated a high proportion of the participants had battled stigma, isolation and (in some cases) financial disadvantage rather than become victims to their circumstances. The women in this study neither wished nor needed to be viewed as passive victims, describing many ways in which they operated to positively influence how they and their children were viewed and to have a sense of (some) control over their lives. Ultimately, whilst it was important to acknowledge the constraints which some structures imposed, it must also be recognised that women living in these situations could actively engage in practices of agency and in doing so could have some impact on their environment, operating within and influencing existing structures, but also creating new ones.

This section has explored some of the findings through the perspective of single mothers' practices of agency and the social structures within which they operated. The focus of this analysis was on service users as individual social actors, how they were impacted by enabling and constraining structures and also some ways they might have power for the agentic reshaping of these structures. It showed ways in which single mothers could interact with service delivery as recipients, whilst exploring their opportunities to initiate change and improvement.

As discussed in chapter 1 of this thesis, there was little existing research to help us understand single mothers' experiences as service users (particularly as individuals with positive rights). Findings relating to single mothers' interactions with service delivery, therefore, were of interest for this study, as a step towards understanding how single mothers could operate to engage with the structures which BCC put in place to comply with the Duty, and in turn, how reflexive structures might better work to deliver services which meet their needs.

Also discussed in chapter 1 was the research on policy relating to lone mothers being generally focused on evaluating government interventions for escaping conditions of poverty. The qualitative findings presented here moved beyond this narrow, mainly problematised focus of single mothers instead positioning their experiences and practices at the centre of the discussion. Moreover, despite the constraints which these women encountered, there were ways in which they were able to practise agency and have some impact on the social structures around

them. I would argue that as a piece of reflexive legislation, which allows a role for local actors, the Duty has potential to enable this.

To understand ways in which this might work, a contextualised understanding of the Duty 'on the ground' is developed in the next chapter. Firstly, the organisational structures established by BCC are described and secondly, two 'illustrative examples' draw on wider organisational perspectives. These include the role of BCC and stakeholders as well as the individual one of single mothers to show how the Duty operates 'on the ground' in a real-life policy decision.

Chapter 5: Delivering the Duty

5.1   Introduction

Having described and explored the findings relating to single mother service users from my qualitative study, the following chapter addresses the local authority structures within which they lived. It comprises two sections. Section 1 develops an analysis of findings based on the content analysis of desktop data along with the qualitative data collected from an interview with a BCC equalities practitioner. This analysis develops understanding of organisational structures which BCC put in place to comply with the Duty, to positively promote equality, rather than simply avoid discrimination. To explore the way that these mechanisms can work 'on the ground', it was important to show how the Duty operated when required for a real-life policy decision. Section 2 therefore examines two contextualised, 'illustrative examples' of policy decision-making, with a focus on children's centres and play facilities. These draw upon the experiences described by the service users and stakeholders, whose lives and work were impacted by these policy changes.

5.2   Section 1: Delivering the Duty - Bristol City Council's operational structure

The following sections describe the key structures in place which were either obtained through a content analysis of material available via online searches; or discussed during an interview with a senior member of the BCC Equalities and Community Cohesion Team.

5.2.1   The Equality Plan and performance indicators (PIs)

Building on a previous gender equality plan[394] and a subsequent Single Equality Scheme (SES)[395] introduced in 2010, BCC put an Equality Plan in place in 2012 to cover the period 2012-2015[396]. This reflected the single Duty and the need to incorporate those protected characteristics which were not already covered by the previous duties.

A set of equality *themes* and *objectives* were set out in the plan, and the priorities established using data from existing performance (based on the previous SES);

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[394] Bristol City Council (2007). *Gender Equality Scheme and Action Plan 2007-10*. Bristol: Bristol City Council, as required by the Gender Equality Duty which came into force on 6th April 2007.
[395] Bristol City Council (2010). *Bristol City Council's Single Equality Scheme, March 2010-2013*. Bristol: Bristol City Council.
[396] Bristol City Council (2012c), ibid.

needs identified through equalities impact assessments; consultation with a range of BCC stakeholders which included annual conferences in 2010 and 2011; input from an Equality Framework for Local Government assessment; and a specially-commissioned research project on the views and priorities of women across the city[397]. Performance indicators (PIs) were set to measure and track performance against the objectives, with the aim that these were built into council directorate/service plans and 'owned' by specific managers and officers with responsibility for co-ordinating actions and improvement[398].

The Equality Plan objectives were based around a set of themes to cover: transforming and developing a diverse workforce; providing effective, accessible services that reduce inequalities and meet the needs of the most vulnerable communities; supporting engagement and participation of equalities communities (which, it was argued within the BCC documentation, was vital for community cohesion); and improving satisfaction levels for council services and participation rates in various aspects of public life for people from equalities communities (See Appendix X for an overview). None of the PIs directly referenced single mothers, though some covered issues which could identifiably impact on some of them. The service provision theme, for example, included metrics on the number of children in poverty, though this did not contain targets for improvement set. Other strategic plans for the city were *linked* to the 2012-15 Equality Plan which incorporated activities to address disadvantage. These included the Bristol Child Poverty Strategy[399] and the Children and Young People's Plan[400] whose strategic priorities covered aims to tackle the unusually high numbers of poor children living in single parent families and the disproportionate impact on women of austerity measures

Further objectives were set down in these linked strategy documents containing more qualitative objectives around issues which might also relate to single mothers' needs. These included recognising the potential for those with lone

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[397] Gem Consultancy (2011). *Enabling Women's Voice and Influence in Bristol*, https://www.bristol.gov.uk/documents/20182/33163/BCC%20Womens%20Voice%20Final%20r eport.pdf/8380a3c9-2a3e-4482-94be-70500748e86b [Retrieved 9/9/2013].

[398] Bristol City Council, ibid.

[399] Bristol City Council (2012b), Ibid.

[400] Bristol City Council (2011). *Bristol Children and Young People's Plan 2011-2014*, https://bristolchildren.files.wordpress.com/2012/04/cyps-childrens-plan-web3.pdf [Retrieved 4/6/2014].

caring responsibilities to experience social isolation, ensuring a broad range of services to support learning (for example, libraries and museums)[401] and ensuring non-stigmatised access to high quality services[402]. In addition, objectives to address worklessness amongst single mothers were included, with the affordability and availability of local childcare recognised as a major barrier to finding work[403].

5.2.2 Internal governance

The Plan was approved by the Bristol council cabinet, which had ultimate responsibility for its delivery, in March 2012 with its senior leadership team being given responsibility for any under-performance. In addition, an overview and scrutiny management commission was given the role of assessing and challenging performance against the Plan on a six-monthly basis. Finally, a strategic equalities group held responsibility for different parts of the council taking ownership of the Plan, giving strategic direction and oversight to its delivery.

In terms of specialist support and advice, the council also had an Equalities and Community Cohesion Team consisting of several equalities officers with expertise across the protected characteristics. This was an inward-facing team, acting as advisors to staff and management internally with responsibility for a small budget for proactive initiatives which the team considered important, eg, myth-busting materials around social housing allocation[404]. At the time of this study, the team had faced recent reduction in their number and was also scheduled to be cut further in the future[405].

5.2.3 Data collection and monitoring

In addition to collating data to measure progress on the Equality Plan objectives, BCC had published several reports which included data disaggregated according to the protected characteristics under the Duty. This reflected requests for such data from BCC stakeholders who argued that service user need is better

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[401] Bristol City Council (2012b), Ibid.
[402] Bristol City Council (2011), ibid.
[403] Bristol City Council (2012b), Ibid.
[404] Bristol City Council (2015b). *Progress against the Equality Plan 2013-14*, https://www.bristol.gov.uk/documents/20182/33163/Equality%20Plan%20indicators%202013-14.pdf/c075003d-c0bd-4463-8b85-f54565ca39b7 [Retrieved 23/11/2015].
[405] Bristol City Council (2014c). *Bristol City Council Equality Impact Assessment Form: R-PL-022 – Reduce Equalities and Community Cohesion Team*. https://www.bristol.gov.uk/ [Retrieved 9/7/2016].

understood if intersectional data is available. These data were published online for 2013 and included an equalities breakdown (for example, gender, ethnicity, and marital status) of the 2011 Census[406] and an annual population report[407], and more detailed neighbourhood breakdowns which included analysis of lone parent households, housing tenure, employment, education and deprivation[408].

5.2.4 Equality impact assessments

Equality impact assessments (EIAs) were intended to be used "*as a mechanism for considering the likely effects of … policies and programmes on people with relevant protected characteristics and to ensure … due regard to … Public Sector Equality Duties*"[409]. This process was available to staff involved in policy change, to prompt them into considering the likely of impact any decisions. The assessments consisted of guidance (along with examples), with a template requiring: data collection for evidence of impact; prompting for any data gaps; requesting details of how communities and affected groups would be involved in the process; and seeking mitigation of any impacts and an action plan[410]. Results were expected to be published online on the BCC website[411].

EIAs were in place to act as a key way of ensuring the 'due regard' standard was met when new policies were introduced, and a way the Council aimed to address the requirements of case law, including the *Brown* principles, for paying due regard[412]. Internal staff and management guidelines also stated the need for completion of an equalities impact assessment early in any project or policy revision and urged staff to obtain specialist advice from the internal equalities

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[406] Bristol City Council (2013c). *Key Statistics About Equalities Communities in Bristol*, https://www.bristol.gov.uk/documents/20182/34008/2011%20Census%20Key%20Statistics%20About%20Equalities%20Communities.pdf/2c59eeae-b5fa-431d-87b8-f629c241dff6 [Retrieved 4/6/2014].
[407] For example, Bristol City Council (2014a), ibid.
[408] Bristol City Council (2013d). *Neighbourhood Partnership Statistical Profile 2013: Ashley, Easton, Lawrence Hill*. Bristol: Bristol City Council.
[409] Bristol City Council (2015c). *Equalities impact assessments*, https://www.bristol.gov.uk/people-communities/equalities-impact-assessments [Retrieved 1/2/2015].
[410] Bristol City Council (undated). *Equality Impact Assessment Form.* Bristol; Bristol City Council; Bristol City Council (undated). *Equality Impact Assessment Form – Guidance and Examples*, Bristol; Bristol City Council.
[411] Bristol City Council (undated). *Equality Impact Assessment Form*. Bristol; Bristol City Council.
[412] Senior member of the Equalities and Community Cohesion Team, Bristol City Council (2014h). Interview transcript 31/3/2014.

officers[413] The involvement of community members in preparing EIAs (as an indication of the diversity of input into the decision-making processes) was measured, and showed a decline over recent years from 72% in 2010/11 to 53% in 2013/14.

5.2.5   Consultation

Consultation with BCC stakeholders was the remit of a specialist Consultation Team, and distribution through several types of media was apparent, with evidence of input from a range of forums and organisations and individual citizens available online. Examples of methods for obtaining feedback included online consultations via private response forms on the BCC website or in paper copies through the library services; public meetings and conferences, social media monitoring (eg, via Twitter) and the provision of an e-petition facility online[414].

As described previously, the council funded several 'voice and influence' (V&I) organisations[415], to act as "*critical friends*"[416] in relation to policy development. These consisted of representation from a range of equalities groups including BME, LGBT, older and disabled populations. A specific women's group had been established - Bristol Women's Voice (BWV)[417], based on recommendations from the report commissioned by BCC[418] in 2011. BWV and the other V&I organisations existed to act as consultative bodies and to "*have their ear to the ground*"[419], and it was acknowledged by both BCC and BWV[420] that investment in these structures was specifically to meet a need for consultation on equalities issues and comply with good practice in relation to the Duty[421]. These were able to facilitate discussions between individuals and those designing and implementing policy, maintaining contact through consultation events, regular updates (for example,

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[413] Bristol City Council (2014i). *Equality and Community Cohesion Policy*, https://www.bristol.gov.uk/documents/20182/32815/PP%20Equality%20%20Community%20Cohesion%20wef%203%2011%2014.pdf/7db046b8-480a-4780-99da-f1f01ec19fbb [Retrieved 13/5/2015].
[414] Bristol City Council (2014f), ibid.
[415] Bristol City Council (2012c), ibid.
[416] Senior member of the Equalities and Community Cohesion Team, Bristol City Council (2014j). Interview transcript 31/3/2014.
[417] https://www.bristolwomensvoice.org.uk/
[418] GEM Consultancy, ibid.
[419] Ibid.
[420] Email from stakeholder organisation, 16/9/2014.
[421] Senior member of the Equalities and Community Cohesion Team, Bristol City Council (2014j), ibid; Bristol City Council (2012c), ibid.

email and newsletters), and partnerships with other women's campaigning and support organisations[422].

5.2.6   Additional equalities input

In addition to internal governance structures, there was potential for input from other structures which were established to bring in a wider viewpoint. Neighbourhood Partnerships (NPs) were in place, each of which included a small neighbourhood committee containing a number of local councillors with delegated authority to make decisions[423]. These provided a structure for individuals to meet regularly at a local forum and participate in decision-making and setting priorities for their own area, for example, prioritising spending on community spaces or play areas to increase inclusion, or developing links with local businesses to increase employment opportunities[424]. In addition, each NP was intended to contain one or two equalities representatives with the role of championing equalities issues and helping the NP meet the needs of those locally with protected characteristics[425]. Furthermore, the mission of the Women's Commission has a strong focus on equalities and, though it was not required to give oversight, could nevertheless exercise influence on the strategic direction of the city's policies.

5.2.7   Leadership and capacity-building

Several structures were also in place which aimed to reinforce understanding of equality and diversity issues within the council's organisational structures and provide leadership on equalities initiatives. Firstly, a Corporate Equality Group (CEG) had been formed to lead and improve on workforce diversity[426]. In addition, staff-led groups (covering BME, disabled, LGBT and younger employees) were

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[422] At the time of interview, BWV had approximately 1,000 signed-up members and partnered with around 250 different women's organisations.

[423] Bristol City Council (2012d). *Neighbourhood Committees Terms of Reference*, https://www.bristol.gov.uk/documents/20182/34308/3.b+Neighbourhood+Ctte+TOR+-+old+%28EM+-+HA%29.pdf/65680838-d28a-4a83-9dff-56dce8cafdda [Retrieved 1/12/2015].

[424] Ashley, Easton and Lawrence Hill Neighbourhood Partnership (2015). *Neighbourhood Plan Prioritisation*, https://democracy.bristol.gov.uk/Data/Ashley,%20Easton%20and%20Lawrence%20Hill%20Neighbourhood%20Partnership/201503111830/Agenda/0311_7.pdf [Retrieved 13/5/2016].

[425] Bristol City Council (undated). *Equalities Representatives on Neighbourhood Partnerships*. Bristol: Bristol City Council.

[426] Bristol City Council (2015d). *Human Resources Committee. Agenda Item No 11 – Improving our approach to equality and diversity – Staff-Led Groups*, https://democracy.bristol.gov.uk/Data/Human%20Resources%20Committee/201506251400/Agenda/0625_11.pdf [Retrieved 14/7/2016].

formed to develop their own programme with measurable outcomes and annual reporting[427].

The Equality Plan set out objectives for staff development which included e-training and more advanced learning on managing diversity. An equality and community cohesion policy[428] also outlined responsibilities under the Duty for council employees, managers and trade unions. This included a set of guiding principles for meeting the Duty, as well as management decision-making, buying in services and consultation processes. A list of responsibilities was made available for employees which included guidance on improving their knowledge of equality, diversity and community cohesion through the staff intranet, e-learning and accessing available training.

In addition, a senior member of the Equalities and Community Cohesion Team described how they networked and maintained contact with a series of organisations to hear new ideas and share best practice. Examples discussed included an equality network for the south-west which consists primarily of local authorities and a forum for 'Core City'[429] equality practitioners. These forums made available benchmarking resources and sources of advice and feedback, including comparators of other councils[430].

5.2.8   Equalities practitioner feedback

Finally, several points regarding the introduction of and operation of the Duty were discussed with the Equalities and Community Cohesion Team member during our interview. They described, for example how, from a practitioner viewpoint, the Duty was perceived to be useful, in that: "*it's a tool that we can use particularly well where there are issues of conflict or resistance around equalities practice. But it shouldn't be the reason that we do equalities practice and it shouldn't be the end in itself*".

Furthermore, the Duty was perceived to be a useful lever for encouraging the prioritisation of equality issues within policy-change or budget-setting because, "*as soon as you say: 'there's legislation' or 'here's the case law' then suddenly it*

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[427] Bristol City Council (2015e). *Improving our approach to equality and diversity – Staff Led Groups*,
https://democracy.bristol.gov.uk/Data/Human%20Resources%20Committee/201506251400/Agenda/0625_11.pdf [Retrieved 14/7/2016].
[428] Bristol City Council (2014i), ibid.
[429] See fn69 on 'Core Cities'
[430] Bristol City Council (2015b), ibid.

starts to make people think…". Equality Impact Assessments, although not specifically required by the legislation, were also described as important as "*we do need to have to have some sort of mechanism to demonstrate how we integrate our equalities thinking into our decision-making and how we follow that up*".

BCC stakeholder consultation was described as essential for the operation of the organisation, to understand service user needs, as well as implementation of the Duty. This, it was stated, underpinned the decision to fund the V&I organisations such as Bristol Women's Voice and engagement with other BCC stakeholder groups (which included specialist representation for single mothers from other organisations such as the Single Parent Action Network (SPAN)). However, the experience described by the BCC Equalities and Community Cohesion Team member was that, generally, "*individuals [ie, service users] don't have a high level of interest in what we're doing. Because it's quite abstract*".

In terms of sanctions related to the Duty, the threat of judicial review was described as a strong motivator for compliance and the "*teeth*" of the legislation. The EHRC, however, was described as having less impact than judicial review as a prompt for action because of a perceived lack of resource and consequent inaction as they "*don't use any of their enforcement or compliance powers, from what I can see – ever*".

5.2.9 Delivering the Duty – conclusion

In conclusion, a content analysis of BCC organisational and procedural documentation, in addition to an interview with a member of the BCC Equalities and Community Cohesion Team demonstrated that the Council had introduced a comprehensive set of internal governance documents and procedures to comply with the Duty. In addition to addressing a need for eliminating discrimination and advancing equality of opportunity, some elements of their processes focus on wider considerations which may impact single mothers as a vulnerable or disadvantaged group and addressed socio-economic disadvantage, for example, through inclusion of the Child Poverty Strategy or worklessness among single mothers; or draw in other factors which can contribute to unequal access to services such as social isolation and stigmatisation.

The Equality Plan had been formulated through use of existing data and widespread consultation and resulted in a set of statistical performance measures aimed at monitoring and driving improvement in a range of areas. Moreover, a

'chain of command' was apparent through the Bristol cabinet, down to senior leadership then service managers given responsibility for their own areas and a separate scrutiny commission were given the role of challenging internal decision-making, supported by the expertise of an equalities team.

Furthermore, extensive arrangements existed for consultation exercises with a range of diverse individuals on ongoing policy development, including online for individual citizens, input from representative 'voice and influence' organisations across the protected characteristics and structured, neighbourhood forums which contributed to decision-making as well as providing an additional base for consultation. Within the workforce, an equalities group structure was formed to lead on diversity issues, with support from internal guidelines and leadership provided by a specialist group comprising senior officers. In addition, a system to promote good practice through seeking advice and feedback from external networks and benchmarking resources was in place.

BCC had established this set of governance structures as mechanisms to embed awareness of the Duty across different areas of the organisation, however, this material was restricted to the structures in place *within* the BCC 'subsystem'. In the next section, I explore the ways these were applied 'on the ground' in using 'illustrative examples' based on a widespread budgetary consultation and drawing on data from single mother participants, service providers and other stakeholders presented in chapter 4.

5.3   Section 2: 'Illustrative examples' of children's centre provision and play-facilities – the Duty 'on the ground'

5.3.1   Introduction

The 'illustrative examples' in the final section of this chapter are used to develop understanding of where the Duty intersected with, and was incorporated into, delivery 'on the ground'. They combine qualitative findings from single mothers, service providers and other stakeholders with material from the desktop review and content analysis which explained Bristol City Council's structures to meet the requirements of the Duty. The examples drew on fieldwork data relating to two areas of service delivery: children's centre provision and play facilities. I selected material based on policy decisions which were subject to the processes that BCC implemented to meet the Duty, and also were shown from fieldwork to impact significantly on single mother service users. The detailed selection criteria for these illustrative cases was provided in section 3.7.6.

Both low-cost and free childcare support, and play/recreation facilities formed a significant part of single mother participant service needs. The following illustrations related to funding decisions regarding children's centres and a popular play-park and I used a similar structure to explore and analyse the decision-making processes, as follows: i) The circumstances of each are described, followed by ii) a summary of where this decision might fit within the strategic structure of the Equality Plan, then iii) the ways single mothers' needs were considered and finally, iv) the potential impact on them as a service user group.

5.3.2 Theoretical analysis – structure and structuration

As a way to further frame the structures that were in place to implement the Duty, I use Giddens' conceptualisation of social structures and structuration to explore the ways in which the policy decisions acted as constraining or enabling factors and so develop a better understanding of the impact of changes on service users, particularly single mothers.

As discussed in section 3.3.2, Giddens uses structuration theory to explain ways in which social systems are reproduced and either continue unchanged or are transformed, theorising that agents and structures act together as a 'duality' with structures acting as *both* a medium and an outcome. Giddens theorises structures as enabling reproduction of social practices in a systemic manner[431], and constituting: "recursively organized sets of rules and resources"[432]. 'Rules' are conceptualised as both memory traces within individuals which direct their actions or solidified structures which can become institutionalised over time. Examples might be an organisation's language rules, which employees and other stakeholders internalise, moral codes or cultural expectations. Any of these might have a profound impact on general life and the way in which individuals interact. In addition, Giddens identifies 'resources' which make such actions possible by the exertion of power and are allocative or authoritative. 'Rules' and 'resources' can exist across three structural dimensions: signification, legitimation and domination as follows:

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[431] Giddens (1984), ibid, p. 24.

[432] Bryant, D. and Jary, C. G. A. (1991), cited in: Slater, J., Sevenhuysen, G., Edginton, B., and O'Neil, J. (2011). 'Trying to make it all come together: structuration and employed mothers' experience of family food provisioning in Canada. *Health Promotion International*, 27(3), pp. 405-415.

Signification	Domination	Rules of legitimation
The basis for interpretation in communication	Resources which allow the exertion of power	Actors draw on norms to apply sanctions or rewards
For example, metaphors, myths, symbols which agents use to make sense of social interaction	Allocative resources: material objects and power over processes and money, which can include language and cultural skills; authoritative resources: immaterial objects, including gaining power over individuals by granting status, income or resources which can include belonging, solidarity, and friendship	Using legal, social or organisational norms to determine whether an action is suitable/inappropriate or allowed/forbidden

Table 2: Overview of dimensions of rules and resources
(Source: Giddens, 1984, pp. 25-31)

Furthermore, rules – which are learned and internalised, can have a variety of characteristics. They may, for example, be discursive, openly discussed 'rules' which are likely to lead to conscious decisions or tacit 'rules' which influence individuals on a sub-conscious level.

Agents are conceived as applying rules and resources which have become inbuilt in their actions. These actions, in turn, both reinforce and mobilise structures in dynamic relationships. As outlined in section 3.3.2, social structures and human actions therefore produce one another mutually, with structures *constraining* the thoughts and actions of social agents and *enabling* them in day-to-day interactions and strategic decisions which reproduce and/or challenge those structural dimensions[433].

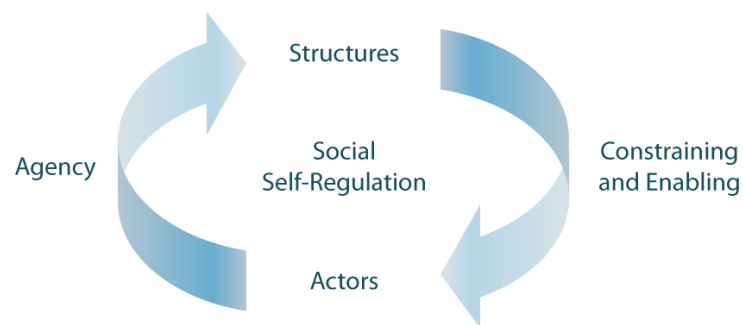[433] Giddens, ibid, p. 25.

Figure 4: Social self-organisation
(Source: Fuchs, ibid)

This section was used to describe the aspects of Giddens' theories, which conceptualise ways in which human actions and social structures can act as a 'duality', and therefore produce one another mutually. This is now used to further explore the 'illustrative examples' which follow, and bring together findings from the qualitative study with service users and stakeholders with those which have explored the structural dimensions of BCC mechanisms to deliver the Equality Duty.

5.3.3   Illustrative examples

Following a reduction in grants from central government, Bristol City Council was required to make significant cuts to services, amounting to £90 million over the three years 2014 – 2017[434]. Over 60 changes to policy and service delivery were suggested as a means to achieve these cuts which potentially impacted every area of public services in the city[435]. One of the proposals was to reduce funding to children's centres in part by "targeting services to families and children in greatest need … [and] a reduction in the funding … for the training and

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[434] This was part of the exercise to agree a budget which dealt with a funding gap of £90m over the years 2014-2017.
[435] Bristol City Council (2013e). Summary of Savings Proposals, www.bristol.gov.uk

qualifications of the Early Years and Play workforce"[436]. Another proposal to change service delivery was to cut supervision services at a large, supervised public play area – Hengrove Park.

Once the set of funding reductions were proposed, Equality Impact Assessments (EIAs) were carried out (as described in section 5.2.4) on all 60 proposals as a way to collect evidence and, as described by BCC, to pay 'due regard' to the equalities considerations required by the Duty. In addition, a widespread public consultation exercise was held in Bristol relating to *all* the budget cut proposals. This incorporated public meetings, which were attended by over 1,300 individuals; web information which received 10,000 views; a survey which received almost 3,900 responses; and 25 additional submissions from community and voluntary sector groups and self-organised groups. Furthermore, BCC hosted radio phone-in discussions, live web chats and direct email between citizens and council staff (including the mayor). Consultation responses to all proposed budget cuts were ranked, and priority given (ie, greater attempts made to avoid cutbacks) to those "listed in the top 30 public concerns raised through formal surveys and issues highlighted as having particular impacts on different equalities groups"[437]. (The final results showed that reductions to older people's services, such as wardens or floating support, were the least popular proposals.)

Feedback from the consultation and the EIA formed part of reports which were then reviewed and commented upon by the Council's scrutiny commissions. These commissions were able to seek further information and make suggestions for improvement. The children and young people scrutiny commission, for example, explored whether the children's centre savings could primarily be made through streamlining management and re-shaping services to meet the needs of the most vulnerable. Finally, the information was collated and fed into a report and recommendations for the mayor and cabinet, for approval and ultimate agreement. It was notable that a requirement to adhere to the Duty was made explicit in the materials provided to the decision-makers throughout the process, in the EIA documentation, and examination of the data and other internal

[436] See, for example, Bristol City Council (2014k). *Updated budget proposals 2014/15 – 2016/17*. Bristol: Bristol City Council, www.bristol.gov.uk.
[437] Bristol City Council (2013f). Budget Consultation 2014/15 - 2016/17, Feedback Updated 12 Nov 2014, https://bristol.citizenspace.com/bristol-city-council/budget-consultation-2014-17/ [Retrieved 9/11/2015].

reporting, thus ensure that non-equalities specialists were regularly reminded of the need for compliance. These decisions were used to set the budget for council spending from 2014-2017[438].

In relation to the proposal on children's centres, the final decision made by the cabinet was to impose a level of cuts but avoid any closures, rather to "*remodel the management and support of services … [and] … match the service to the demand, making sure it focuses on those who really need it … [also] using more in-house training*". With regards to Hengrove Park, because of the general unpopularity of this funding cut plus a wider commitment to the importance of parks and play which had previously been made by the city's mayor, the decision was made to continue with play supervision albeit with some minor changes to make unsupervised play safer. In the following sections I have outlined the decisions and the evidence obtained during fieldwork, then followed this with analysis and discussion to better explore the structures involved and their impact on single mother service users.

5.3.4   Review of children's centre services and staff training

5.3.4.1 Background

The first example selected to illustrate a policy decision which was subject to the processes in place to meet the Duty, and also impacted on single mother service users was the proposed reduction of funding to children's centres in Bristol. Children's centres had, historically, been a 'one-stop-shop' for some of the service user participants in this study, who described a wide range of support they had received in addition to childcare provision. These covered a variety of purposes including baby and toddler groups, parenting courses, cookery classes and breast-feeding support groups. The stakeholder interviewees involved with the centres confirmed that a high proportion of their service users were single mothers, most likely reflecting the fact that these centres were originally established as part of a wider goal to end child poverty. Children's centres provided a certain level of government-funded childcare, free to service users and many also provided universal childcare which allowed those who needed

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[438] See: Bristol City Council Cabinet (2014). Agenda Item 5: Supplementary report to the 2014/15 Budget and 2014/15 to 2016/17 Medium Term Financial Strategy, https://democracy.bristol.gov.uk/Data/Cabinet/201401161800/Agenda/0116_supplementary.pdf [Retrieved 14/11/2015].

additional hours for example, if they worked, to have an element of paid childcare under the same roof.

The centres were confirmed as useful points of contact for some of the service provider and stakeholder organisations involved in this study and recognised as a place to connect with 'hard-to-reach' clients, (some of whom, stakeholders confirmed, were single mothers), for reasons which included providing targeted job-seeking advice and support (such as preparing a CV), giving information on benefits entitlements, and legal and housing advice in addition to providing a space for parental contact visits. Children's centre strategic staff described collaborating with a range of community and voluntary groups, local schools and charities and social care teams to bring in a broad knowledge base and to provide a platform to connect with as diverse an audience of service users as possible.

The cuts planned to the services provided by Bristol's children's centres would lead to a reduction in universal services (ie, open to all) and reduction of services for the children in the most advantaged bandings, with services being targeted at only the most disadvantaged[439]. Savings would be achieved through the resultant reduced management costs and concentration on a narrower remit. In mitigation, it was argued that specialist support services would remain to help families develop skills and move out of poverty, and that affordable and flexible childcare should continue through linked early years settings in the private, voluntary and independent sectors and through childminders. Each children's centre was responsible for identifying localised community priorities in line with statutory frameworks and guidance with a range of measurements and benchmarking used to establish priorities and monitor progress.

The proposals also included a reduction in overall funding for early years staff training and obtaining qualifications. The aim, however, was to maintain work force development priorities (which were likely to include statutory minima for staff qualifications). In mitigation, early years practitioners were to be supported in accessing apprenticeships and student loans (in line with central government policy), and a model of systems leadership was being developed to provide continuing professional development and tailored support in partnership with the

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[439] based on levels of deprivation and linked to postcode areas

National College for Teaching and Leadership[440] and the Bristol Early Years Teaching School[441].

Training and development for staff in Bristol were identified by service delivery professionals as an important part of the fabric to deliver equalities outcomes. In addition, the Bristol Standard[442] quality framework which was adhered to in the early years sector involved an evidence-based assessment of a range of 'dimensions' that included 'Staffing, Leadership and Management' and 'Equality Diversity & Inclusion' (ED&I)[443]. The ED&I dimension set out requirements for childcare settings to ensure all managers, staff and volunteers were supported in learning to value and celebrate difference, promote positive images of diversity, challenge discriminatory behaviour and explore ways to be inclusive through on-going programmes of equalities awareness and continuing professional development[444].

The EIA paperwork which was collated for the budgetary decision-making process did contain recognition of lone parent households as a potentially vulnerable group[445] in respect of the potential loss of children's centre provision and the budgetary consultation feedback report[446] also referred to lone parents being predominantly female (and therefore a disproportionately affected protected group under the provisions of the Duty). Improved parenting skills, support and confidence building were acknowledged by the Council as crucial areas in which the centres gave support.

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[440] https://www.gov.uk/government/organisations/national-college-for-teaching-and-leadership

[441] Now Bristol Early Years Teaching Consortium http://beytc.co.uk/

[442] Bristol City Council (2014g), ibid.

[443] Bristol City Council (undated). How to do the Bristol Standard Birth to Five, https://www.bristol.gov.uk/documents/20182/239034/How%20to%20do%20the%20Bristol%20Standard_0.pdf/8fdee6be-6020-4620-881c-9fe71b5a65ec (Retrieved 9/4/2016).

[444] Bristol City Council (2014l). Quality Improvement Framework for Family Support, https://www.bristol.gov.uk/documents/20182/289934/Quality+improvement+framework+for+family+support/2bb33e27-6c5f-4274-8a88-ad5d459ac923 [Retrieved 9/4/2016].

[445] Bristol City Council (2013g). Review of Children's Centres and Early Years Support - Bristol City Council Equality Impact Assessment Form R-PP-003 https://www.bristol.gov.uk/sites/default/files/documents/council_and_democracy/R-PP-003%20Children%27s%20Centres%20and%20Early%20Years_0_0.pdf [Retrieved 30/4/2015]

[446] Bristol City Council (2014f), ibid.

> Statistical evidence shows that children who are disabled, who are from BME communities or who live in ==lone parent households== and teenage parents (most commonly with mothers) are pre-dominantly living in areas of disadvantage.
>
> The Children's Centres in ==areas of high deprivation== are highlighted below. Also highlighted is data which shows significantly high numbers of children under 4 or parents with children under 4 who are within the scope of equalities communities.

Figure 5: Excerpt from Equality Impact Assessment
(Source: BCC EIA R-PP-003, showing inclusion of lone parents in decision-making criteria (highlights author's own))

Quantitative data was used as an evidence base to prioritise decisions about cuts, categorising those who were the most in need according to a set of criteria such as teenage mothers, lone parents, etc and grouping these together within the 'Reach area' of the different children's centre sites (as shown in figure 6, below).

Reach Area	Teenage Mothers	Lone Parents	Workless Households	BME Children	Disabled Children	Disabled Parents	Fathers	Total 0 - 4s
Broomhill	5	94	190	121	75	60	361	715
Burnbush, Hengrove & Whitchurch	8	244	405	153	175	96	749	1,601
Compass Point	8	184	230	179	105	62	843	1,720
Four Acres & Bishopsworth	14	230	455	108	130	95	567	1,274
Hartcliffe	45	243	665	86	145	105	506	1,138
Ilminster Avenue	6	141	270	143	125	85	454	1,060
Knowle West	17	179	405	91	125	116	338	826

Figure 6: Excerpt from Equality Impact Assessment to show areas of high socio-economic deprivation and children under 4 years of age
(Source: BCC (highlights made by author of the EIA))

Finally, completing the EIA process required consideration of any potential adverse effects arising from the policy decision, and methods identified to mitigate risk. The following excerpts show a key potential adverse impact identified in relation to this decision along with proposed mitigation.

Step 3: Who might the proposal impact?
Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

The reduced budget for Children's Centres and Early Years services will impact on the offer of services to 0-5 year olds and their families. However, any new offer would ensure a greater targeting of resources. Any significant change to provision will require statutory consultation. The greatest impact could be on the sustainability of some Children's Centres which are positioned in pockets of deprivation but are delivering to mixed communities and this could affect the range of service delivery for these families.

A greater focus on targeted services and a reduction in the universal offer could lead to a public perception of stigmatisation with a lower voluntary take up of services by families that need them the most and missed opportunities for prevention and early intervention.

Figure 7: Excerpt from Equality Impact Assessment outlining potential adverse impacts of policy decisions
(Source: BCC EIA R-PP-003)

3.2 Can these impacts be mitigated or justified? If so, how?

Changes in funding for Children's Centre services

The mitigations of the effects of reductions in Children's Centre budgets are difficult to assess at this stage, as each Centre is responsible for identifying their community priorities and how these will be delivered, in line with statutory frameworks and guidance. Staffing will be reviewed to accommodate these changes and where a management of change is indicated, a separate EqIA will be conducted and full community consultation will take place. This is already in progress at 4 Villages Children's Centre, Burnbush, Whitchurch and Hengrove Children's Centre and St Anne's Park Children's Centre.

Changes in funding for training and qualifications

The Early Years Service, in partnership with the National College for Teaching and Leadership and the Bristol Early Years Teaching School, is developing a model of systems leadership, building on the expertise of the early years sector to provide continuing professional development and tailored support for early years practitioners and settings. This will strengthen the CPD training to be re-commissioned and mitigate against the impacts of reduced funding.

Figure 8: Excerpt from Equality Impact Assessment outlining considerations around mitigation
(Source: BCC EIA R-PP-003)

5.3.4.2 Impact on single mothers as service users

The policy decision to cut children's centre services was likely to have significant impact on single mothers as a service user group. In terms of overall equalities strategy for the city, children's centres were part of the infrastructure in place which could deliver some of the broad aims of the Equality Plan[447], ie, to ensure effective, accessible services that reduced inequalities and met the needs of the most vulnerable communities[448]; and support engagement and participation of equalities communities[449]. Furthermore, children's centres were a key way to deliver on priorities to: address worklessness for lone mothers (including providing the necessary childcare) and tackle the unusually high numbers of poor children living in single parent families; compensate for the disproportionate impact of austerity measures on women; and deliver non-stigmatised services, all of which were part of the Child Poverty Strategy[450] and Children and Young People's Plan[451].

One way this could be achieved was through helping reduce worklessness amongst lone mothers through providing free/affordable childcare, job-seeking support or other learning and developmental interventions and opportunities for participation which can build confidence and esteem. The centres could also have addressed other aims of these strategies, including reducing social isolation and providing a broad range of services whilst being mindful of the potential for stigmatisation.

Indeed, restrictions to these services would clearly have made a big difference for two of the single mother interviewees who took part in this research, and who had periodically been heavily reliant on services provided by children's centres. One mother, who was still a regular visitor to the centre nearby for childcare support stated:

"The [children's centre] staff were really good when my partner left me when I was six months' pregnant … taking me different places for different things like help with benefits, they really gave me advice and support. I think they're

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447 Bristol City Council (2012c), ibid.
448 Equality Plan Theme 2 – see Appendix X.
449 Equality Plan Theme 3 – see Appendix X.
450 Bristol City Council (2012b), ibid.
451 Bristol City Council (2011), ibid.

fantastic, from personal experience."
A, early 30s, two children

Another, who was no longer able to travel to a centre (as the nearest one to her had been shut down under a previous round of service cuts) described the support she had obtained in the past:

"They [at the children's centre] do a lot, the staff work really hard there. They helped me a lot [with study support, getting into work, parenting classes, cooking], but I can see a lot of other families are benefitting as well. They had dad's groups, and different groups for different things, designed for speech, bonding, and things like that"
P, late 20s, one child

Other participants spoke of the centres being invaluable for meeting with other mothers and having some rare time with adults whilst providing a range of play facilities and toys for their children which they would not be able to afford elsewhere. Stakeholders and service delivery professionals also emphasised the importance of the centres for providing an adult space as a means to combat isolation. Another essential role was to provide a gateway for centre staff to provide advice and practical support such as childcare and the tools needed to engage with seeking employment.

However, at the time of this study the gradual paring back of services was already taking place, and though allowing for a range of services to be maintained the time available to staff for engaging with individuals on a 1:1 basis was being reduced. This had adversely impacted on staff's ability to build the trust and rapport needed in some instances to ensure single mothers' full engagement and continued attendance. In addition, there were further limits to accessing service provision. Provision of resources by postcode could exclude some individuals in need, and as discussed by service user interviewees this had impacted their access to children's centre provision. Secondly, for some women who *were* able to access the centres, having two or more children that were of different ages could also be a barrier to service use. Some baby groups, for example, did not allow older siblings and had no crèche corresponding provision, which meant these women could be excluded.

5.3.4.3 The public consultation

In relation to the proposals for Bristol children's centres, the focus of concerns raised during the consultation process from the voluntary sector submissions

included the high reliance that many single mothers have on children's centres "for improved parenting skills and support and confidence building", and the impacts that this would have on mental health and employability[452].

Feedback from the wider, online consultation received on the local authority's consultation website (which allowed for free-text comments in addition to a Likert scale of agreement/disagreement) attracted 100+ responses, of which over 75% either 'disagreed' or 'strongly disagreed' with reviewing children's centre services as part of the proposed budgetary cuts. Consultation feedback showed that this was ranked highly as number 13 on the 'list of unpopular proposals'.

There were several mentions within the public's feedback of the need to maintain services for the poorest and most vulnerable families which some might consider to include single mothers (though respondents did not mention this specifically). A small number of respondents also expressed concern that two-parent families, or those who were not considered disadvantaged (ie, not in receipt of state benefits, a single parent or with a disabled child) could lose out as children's centres in the past have provided invaluable support and access to community for new parents of all backgrounds who may also be isolated or not have access to family or friend networks. Another respondent stated that limiting services provided by the centres to the most disadvantaged meant that many parents would not use the services as this would cause a stigma to be attached[453]. Specific concerns about the needs of single mothers were raised, in particular the removal of wraparound childcare options which was seen by one consultation respondent as "*disastrous for getting parents (especially single parents) back into work – you can't find a job that only covers 15 hours a week over 5 days!*[454]". Not all responses were supportive, however, as a small number of responses made specific to single mothers and appeared resentful that they should receive targeted support, arguing that not all of this group were disadvantaged.

Finally, a number of organisations which advocated and campaigned on behalf of women made submissions to the public consultation which included arguments on the need to protect the centres because of their crucial role providing a safe

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[452] Bristol City Council (2014f), ibid.
[453] Ibid.
[454] This is a reference to the availability of 15 free hours of childcare to which all 3 and 4-year olds are entitled (and 2-year-olds for those receiving state benefits), GOV.UK (undated). Help paying for childcare, https://www.gov.uk/help-with-childcare-costs/free-childcare-and-education-for-2-to-4-year-olds [Retrieved 16/10/2016].

space for women to access services and support. One of these organisations was interviewed for this study as a stakeholder and discussed their submission. They felt that their contribution had created some mutual learning and achieved some impact on the final outcome in the following respect:

"It's already disproportionately unequal in Bristol [for women] and the reduction of funding was going to increase poverty and make things more difficult for single parents … we felt we'd had partial success [in influencing the decision]. They'd listened and utilised our response and changed some of the original proposals … They reduced the cut they were going to make on children's centres – there was a cut but it wasn't as much as we originally thought. So we generally saw it as being a success – we felt we did influence the service provision for women and single mothers, though nothing's perfect"

5.3.4.4 Review of children's centre services and staff training – discussion

Children's centres were important for addressing both the equality of opportunity and the increasing participation aims of the Duty for vulnerable and excluded groups, some of whom were single mothers. As discussed in section 1.3.4.1, research had shown children's centres as remaining resilient through previous rounds of funding reductions, and some of the service user group from my study had been able to rely on these centres for job-seeking support, childcare, development with parenting skills, and to combat isolation. However, there were existing concerns about the ability of children's centre staff to continue engaging sufficiently with some single parents to support their needs, and any reduction had a potential impact on their well-being and ability to develop independent lives.

In section 3.3.2 I described Giddens' structuration theory, and how, within this, social structures and human actions can act as a 'duality', with structures able to both constrain and enable/be a medium for activity. I now use these ideas to explore more closely the structures put in place, and how these might impact on single mothers.

The illustrative example relating to funding cuts for children's centres firstly shows a number of structures which constrained activity, ie, those put in place by the council to cut costs and remove resources for management and funded childcare and support services for all but the most disadvantaged. However, though acting as limiters the structures which remained also enabled some families who would receive more targeted support. The programmes delivered could imbue those service users with a set of valuable parenting and practical life-skills, provide

some legitimation for them as 'good' parents and offer them more opportunities to engage in civic and economic activities which, may have been transformative for them. As single mother service users described in section 4.2.3.2 and elsewhere, opportunities for development and engagement could be a positive way for them to confront stigmatisation, overcome isolation and build confidence. Conversely, targeting support at the poorest could potentially also be constraining, as using such services may have been signified as attracting stigma. Focussing services in this way may, then have adverse impact on service users who decided not to take up the services offered for this reason, leading to greater isolation and fewer opportunities for participation and civic engagement. Moreover, I suggest that by restricting children's centres to less advantaged areas there was an implication that these did not *belong* in more affluent areas which may have led to increased stigmatisation of this service.

Such potential for single mothers' participation and civic engagement could have important implications. Firstly, because engagement with services through the children's centres would allow service users to be 'counted' and their needs registered by the local authority which fed into a wider picture of service need. Secondly, because it could facilitate their participation in community activities, thus to develop a sympathetic network which can have practical purposes – such as sharing childcare; training and job-seeking support; and learning skills to improve their parenting all of which were identified as key factors for wellbeing.

The removal and reduction of training budgets demonstrated the council's ability to limit material resources, though in mitigation they attempted to put some replacement enabling structures in place by supporting early years staff in obtaining alternative financial help. This meant, however, that there would be greater reliance on the agency of individuals, for example in their needing to take out student loans. This would be constraining for those unable to afford the costs and potentially limit entry to the profession. This had implications for service users in terms of the range and levels of support which would be available to them in the future: as discussed in the context of the city council and service delivery in general, where training and development were an important enabler for communicating and reinforcing cultural norms which supported equality.

Finally, the EIA process revealed some potential areas of conflict in resource allocation. The data relating to 'reach' areas, for example, showed a stark picture of socio-economically deprived groups which were in competition with one another to retain local authority services. In addition, the EIA identified that the

families from "mixed communities" (ie, those not necessarily experiencing deprivation) would lose access to some children's centre services. The erosion of services for this group was also flagged as a concern in feedback to the consultation process. Furthermore, the ranking of the proposals indicated how services which support children (and therefore lone parents) were competing in the wider field with other equalities groups, such as older people. A discussion relating to conflict for resources and how these relate to the Duty is covered further in chapter 6.

In summary, though children's centres played a key role in delivering some of the Duty's aims, particularly for single mother service users, a series of cuts was introduced. Overall, these imposed a restrictive structure, however, as well as being able to identify how this constrained individual women it was also possible to identify other ways in which structures acted as enablers. For example, opportunities were still available for single mothers to engage with the services as active agents and draw on these to transform their circumstances. The narrowing of these services meant, though, that some would consider them stigmatising and only available to those who were poor. Consequently, they might avoid using them. In the next section I have described a second illustrative example which explores a budgetary proposal for a different type of service which was of value to single mother service users.

5.3.5   Hengrove Play Park supervision

5.3.5.1 Background

The second example chosen to illustrate how policy decisions were subject to the Duty and also impacted single mothers was the proposed reduction in free supervision at Hengrove Play Park in South Bristol (BS14). This was a large play area which was established originally to have 7-day staff supervision. As a free amenity, which included water and sand play, a skate park and climbing dome as well as a café, the council recognise it was highly valued, not least because of the play supervision which the LA provided free of charge

A proposal was made to discontinue supervision as part of the city-wide budget cuts. The EIA carried out to inform this decision contained recognition that single parents were a specific group of service users (see figure 9, below), though there was no exploration of any potential adverse impact on this group.

Figure 9: Excerpt from Equality Impact Assessment showing inclusion of single parents in decision-making criteria
(Source: BCC EIA R-PL-010 (highlights author's own))

In addition, there was no specific data available on any service users who used the park, though there was, mention of "*equalities groups*" and "*equalities communities*" (which, in the Equality Plan is often used interchangeably with the term 'protected characteristics'[455]). In terms of potential impact, it was recognised that the staff currently at the site on a 7-day basis give a sense of safety and security, and that parents and children from "*all equalities groups may discontinue using the site if they have a perception of feeling less safe without the council presence*"[456]. Other than these statements, therefore, no qualitative or quantitative data about the profile of user groups was used in the assessment.

5.3.5.2 Impact on single mothers as service users

In terms of the Hengrove Play Park decision needing to meet the aims of the Equality Plan, there were no specific performance targets which would be affected. I would suggest, though, that when considering the Plan's objectives, it related to providing effective, accessible services that reduce inequalities and meet the needs of the most vulnerable communities and is also likely to address

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[455] Bristol City Council (2012c), ibid.

[456] : Bristol City Council (2014n). *Bristol City Council Equality Impact Assessment Form: R-PL-010 – Discontinue Hengrove Park Supervision*. https://www.bristol.gov.uk/ [Retrieved 9/7/2016]

concerns within child poverty strategic goals to widen access to developmental and play facilities[457]. Given the use of this park as a place for adult socialising – and potentially developing networks (possibly with other single mothers) - the council's commitment to tackling social isolation experienced by those with lone caring responsibilities, as detailed in the Child Poverty Strategy was also relevant. Furthermore, a mayoral commitment to the importance of parks and play was also likely to impact on any decision.

The decision to cut supervision in the park had potential to impact the lives of single mothers within my case study areas. Most of the single mother service user participants had included parks as an essential, free activity for them and their children, and the suitability (or not) of different parks in meeting the needs of a single parent was a point of discussion during some of the interviews, in particular, whether the facilities could keep children of different ages interested and whether a suitably gated and secure area was provided. Participants with more than one, differently-aged child had reported it "*a struggle*" to find activities for them in the same location as "*it's too difficult to watch them both*". Participants highlighted play areas as one type of facility where it might be more difficult for single parents to use than two-parent families. For example, where equipment was large, some felt that they needed to play with the children to keep them safe rather than leave them unsupervised: this was extremely difficult for those who had more than one child of different ages and sizes or, as in the case of one participant, one of your children has a disability.

Hengrove Park was, therefore, highlighted by some of the single mother participants (from both BS3 and BS4 areas) as being particularly suitable for them compared to other parks. In addition to the supervision available, reasons included that it was gated and secure, had equipment which catered for children of different ages and a café which provided a site to meet with other adults, which was particularly important to those who felt socially isolated.

5.3.5.3 The public consultation

The proposed change to park supervision was significantly impacted by the city-wide consultation which prompted a considerable response on this subject. Consultation feedback showed that this was "number 21 on the list of unpopular proposals"[458], notably in the top 30 despite affecting a facility in just one area of

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[457] Equality Plan Theme 2 – see Appendix X.
[458] Bristol City Council (2013f), ibid.

Bristol, in comparison to the children's centre changes which were city-wide. Through involving the public in the decision-making process, the consultation supported engagement and participation of equalities communities, particularly meeting the measure under the Equality Plan to improve the role of equalities stakeholders in the development of EIAs[459]. Feedback received about this proposal on the council website attracted close to 100 responses which were broadly spread across 'agreement' and 'disagreement'. There was no feedback on any particular needs that single mothers/parents might have, though some identification that providing supervised play sets this park apart from others and may be of greater value to those who were economically or socially disadvantaged. Some who responded to the consultation were sympathetic to this, stating that supervision helped keep the equipment safe, particularly for children with special needs, and made them and their parents feel more secure. There were, however, a small number who felt that "*parents should be expected to supervise their own children during play – not rely on free child minding*"[460].

Furthermore, this particular proposal triggered additional community activity which was not led by the council. This activity included a large number of complaints via social and traditional media, a Facebook page which, at its peak, received 11,162 likes and an e-petition introduced by a member of the public opposed to changes to the park in part because it was used "*by children of all ages, many from deprived backgrounds*[461]". Though it was not strictly part of the overall consultation process, it nevertheless was monitored by the council and included "as useful context" in the final report for the cabinet[462]. The outcomes from the consultation formed part of the evidence for the final decision and, as outlined above, this contributed to the decision by the cabinet to maintain park supervision in its existing form.

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[459] Equality Plan Theme 3 – see Appendix X.
[460] Bristol City Council (2014f), ibid.
[461] Ibid.
ibid.

> 4.1 How has the equality impact assessment informed or changed the proposal?
> - The EqIA has been updated to reflect issues raised during the budget consultation.
> - Budget proposals have been reconsidered by Cabinet after the consultation, with particular weight given to any equalities considerations.
> - In light of the feedback received during the consultation and as part of the wider commitment to Parks and Play proposed by the Mayor, the Hengrove Play facility will continue to operate with supervision, altering the proposal to keep the £120k cost in the council's budget. The remaining £180k moves in to the new Parks and Play fund. (£300k savings proposal removed).

Figure 10: Excerpt from Equality Impact Assessment showing decision to maintain supervision at Hengrove Park
(Source: BCC EIA R-PL-010)

5.3.5.4 Hengrove play park supervision – discussion

The decision-making process carried out in relation to the proposal to reduce supervision at this play park provided some useful examples of the how the Duty has been implemented 'on the ground', particularly in relation to the consultation process; use of an evidence base and the service user perspectives.

The consultation process for this policy decision showed a lively and multi-faceted deliberation process which involved a variety of participants from the wider community. A small number of participant comments revealed tensions related to the way that resources were distributed. However, the space for self-organised and other groups provided a platform which individuals and groups used to support equality of opportunity for disadvantaged groups in terms of them having access to play facilities. As with the proposals for children's centre service reduction, it was also important to recognise that there were competing interests within the decision-making process. The Hengrove Park exercise was notable for both the prominent campaign to 'save' it, and the additional support which the mayoral priorities garnered. This demonstrated some of the complex, and potentially unequal, power balance which can exist within such environments, and these are discussed further in chapter 6.

Although single parents were noted in the EIA as typical service users of the park facilities there was a lack of meaningful data for this group. In this case I would argue that 'single parents' were used as a by-word for poverty and disadvantage. This left no room for understanding that there was nuance in different groups'

motivation for choosing certain facilities or services, and therefore little opportunity to usefully mitigate any impact from removing or reducing supervision services. This presented a further example of where collecting qualitative feedback from service users would help focus service delivery in ways which met the needs of specific, equalities groups. For instance, from the perspective of single mothers, the supervised park can be amongst other things, a much-needed social space which might enable them to participate in community activities as well as form or strengthen essential social networks. Simply providing children's play facilities elsewhere would not necessarily replace these important features.

Finally, further analysis of this illustrative example can give us differing perspectives and therefore a more developed understanding of the complexities of service user need. Supervision of the park represented the council's 'allocative' power to discontinue its support, but was also a demonstration of 'authoritative' status in that it created well-being for users by providing a safe space for the park's users. Feedback on the consultation identified that the 7-day supervision was valued by service users whose perception was that the facilities would be less safe without it, for example, concerns were raised about teenage groups who were viewed as disruptive and might visit more frequently if supervision was removed.

Changing the supervisory arrangements could have a range of different impacts on user groups, as this policy was likely to constrain the agency of some users who felt a need to stop using the site if it no longer felt safe. This was particularly relevant for some of the single mothers in this study, for whom free or low-cost spaces, where they have potential to create a non-judgemental environment are rare. However, through providing supportive structures to respond, ie, through a formal consultation, and including feedback from wider sources, such an e-petition, in their final decision the agency of service users and those advocating on behalf of disadvantaged groups was supported. This was one example of how the reflexive mechanisms of the Duty could act as enabling structures.

5.3.6   Illustrative examples: conclusion

Drawing on fieldwork data relating to the specific areas of children's centre provision and play facilities, the 'illustrative examples' brought together the concerns of service users, service deliverers and other stakeholders to describe and analyse examples of BCC processes to deal with due regard 'on the ground'. Reductions to services were considered a necessary response to a significant cut

to funding from central government, and a narrowing of services within children's centres and supervision of some play facilities were two of the proposed reductions in services.

Two key processes were in place to meet the due regard standard. Firstly, equality impact assessments were carried out for both proposals, and secondly, a widespread consultation was conducted which fed into the decision-making process that ultimately lay with the Bristol council cabinet, with some formalised organisational scrutiny carried out as part of the procedure. A larger, city-wide decision to cut back and re-focus children's centre services, as well as cut training budgets, was accepted, though the smaller, play park resources were maintained. Training formed a key part of the processes to ensure a strong equalities culture, though mitigation measures, identified during the EIA process, included providing different routes to training, such as student loans.

Both types of services were used by single mothers, and participants in this study had discussed the importance of the services and support from children's centres such as childcare, help into work, and developmental parenting support and a way to combat isolation; and their reliance on the free play amenities which could provide a secure social space for them and their children. Access to these (or a lack of it) had implications for participation and engagement with the local community; and their needs being recorded and acknowledged by service providers via the services they accessed for information, advice and support.

Local providers were given some autonomy in how they targeted service users, though within a framework set by local authority guidelines which specified particular 'equalities groups'. Single mothers were included as one of these groups, and the impact on them as a vulnerable group was acknowledged within the EIA though not explored or explained by data, though input from the public consultation provided further context highlighting, for example, the detrimental impact on mental health, confidence and employability that children's centre closures would have on some single mothers. From the findings of this study, it was also clear that single mothers had specific needs from the amenities they used which related to their being a sole carer. The consultation content also stressed concerns that narrowing service offerings could exclude others who may be less vulnerable but still need support, and may increase stigmatisation of the services. In this context, the EIA and consultation data gave a picture of ways in which different groups were in contention for resources, for example, BME groups

and single mothers may need more support from children's centres; and services for older people were competing for resources with early years provision.

The impact of the changes was, therefore, complex. Children's centres had remained resilient despite previous cuts, and whilst the new, proposed changes introduced constraints, there were also areas where individuals might benefit, eg, from support which was targeted on very specific groups. There was concern that the centres would become stigmatised, however, through the provision of developmental support and other opportunities to learn 'good' parenting skills – which this study has highlighted as motivational for single mothers, there may still be a core group who would benefit from the services. Those who argue that the Duty helps with making 'fairer' decisions might use this as an example of highly valued, but diminishing resources being redistributed to those most in need. Overall, it was important to note that the council, though diminished in respect of being able to fund resources still had a powerful remit to both communicate and give legitimacy to requirements to meet equality standards underpinned with sanctions though service level agreements and equality standards.

The 'illustrative examples' allowed a view across the structures put in place by the local authority to address the Duty, particularly through the EIA process. Despite cutbacks, the local authority had retained considerable power to allocate or remove resources, but the outcomes from delivery of these services were not always straightforward. In addition to being able to allocate money and resources and tangible items, such as play-park supervision or parenting courses, the council was also 'authoritative', in that their decisions could imbue non-tangible outcomes. These could represent Giddens' 'rules' of signification, such as shared feelings of safety and well-being or increased confidence. While not always quantifiable, nevertheless these were important considerations for the delivery of more evolved and substantive levels of equality which include recognition, respect and participation in civic life. Identifying where there were enabling structures (as opposed to those which constrain), or where there was room for increased agency within these structures allowed a better understanding the ways local actors might continue to have some impact, despite diminishing resources, in the reflexive activities of the system.

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As outlined above these contextual illustrations aimed to describe aspects of the structural and agential fabric of the processes involved in local authority decision-

making. This was done to dismantle and better understand how such processes work. Using Giddens' structuration theory, alongside examples of practices of agency, served as a useful way to break down and understand some of the structures which contributed to the production and reproduction of the social practices surrounding local authority decision-making. This was used as a basis for exploring further the way the Duty works 'in practice' as a piece of reflexive legislation, and an analysis is developed in greater detail in the following, penultimate chapter of my thesis.

Chapter 6: Legal empirical analysis and findings

6.1   Introduction

In chapter 4 I presented the analysis and findings of qualitative data collection relating to single mothers' service use, some of the structural constraints and enablers they encountered and their practices of agency within the structural environment of BCC. Chapter 5 addressed the local authority structures within which these service users operated, describing the organisational framework which BCC put in place to comply with the Duty and providing two contextualised, 'illustrative examples' of policy decision-making, with a focus on children's centres and play facilities. These drew upon on the experiences described by participants, and in particular the single mother service users whose lives were impacted by these policy changes and, therefore, by the Duty.

In the following chapter I present my findings as they relate to the legal empirical aspects of this thesis, specifically to address questions which are central to the research question relating to how the Duty has been implemented and how effective it has been.

In section 1, I explore and evaluate the processes BCC put in place to deliver the Duty. Using BCC as a 'case study', this exploration provides an analysis of the ways in which the legal processes were designed to operate 'on the ground' to meet the Duty. In section 2, I discuss the strengths and weaknesses of the Duty and its reflexive features, considering how the Duty provides enabling and constraining structures which can impact on single mothers. Where appropriate, I set BCC in the context of legal systems theory as the basis to explore the reflexive mechanisms which operated, and I also use elements of Giddens' structuration theory to further examine ways in which these mechanisms could be reproduced.

6.2   Section 1: Bristol City Council – delivering the Duty

This section presents an exploration and evaluation of the ways in which BCC applied mechanisms to address the aims of the Duty. This uses: the qualitative findings from chapter 4 based on the experiences described by service users, service providers and stakeholders; material from chapter 5, using section 1 which outlined the organisational structures BCC put in place to comply with the Duty; and the 'illustrative examples' of policy decisions from section 2. Using these, I built contextualised examples of the Duty 'in action' to provide a basis for discussion. I have again used Hepple's three interlocking mechanisms, ie, internal

organisational scrutiny, involvement of interest groups and enforcement both to provide the structure for this section, and as a way to revisit some of his (and others') central critiques of the legislation.

6.2.1   Internal organisational scrutiny

As discussed in section 2.2.4.1, Hepple argued that if reflexive law, and therefore the Duty, was to work as planned, organisations must take responsibility for overseeing their own internal structures and systems. As reflexive legislation provides legal stimuli which organisations must adapt to reflect their own unique environment, they themselves, it was argued are best placed to understand how to interpret the legal requirements and elicit change accordingly. Examples of processes for embedding the Duty's aims can include empowering individuals who have a role in monitoring or facilitating change; establishing appropriate internal governance structures and processes; and data monitoring, which might cover collecting and publishing information to measure and publicise progress with equalities activities. I address each of these in turn.

6.2.1.1 Leadership and capacity-building

Hepple argued that commitment was needed from the most senior levels of an organisation to implement reform with BCC. Leadership support for equality of opportunity was apparent 'from the top' (ie, at senior leadership team level), with much of the communication material relating to equalities, particularly for service users, disseminated via the mayor. Structures in place across all levels of seniority created potential ways to share knowledge and develop understanding within the organisation, with the potential to elicit change. One example of this was the collaboration required between specialist equalities officers and staff from across the organisation's functions to collate data for equality impact assessments (EIAs). Each set of data would, potentially require some interpretation (according to the BCC function involved), and then be communicated as contextualised information to increase senior decision-makers' understanding of the impact of their policy decisions.

Training and development were also available to build capacity and understanding of the way equalities impacted day-to-day activities, and were monitored as a PI showing mixed results whereby 75% of managers had completed managing diversity e-learning, though only 31% (against a target of 100%) had completed face-to-face equalities training. One example of this within BCC was the set of organisational principles disseminated through policy

documentation and training initiatives. These aimed to empower staff and managers through development and learning opportunities to remain up-to-date with equalities issues using the organisation's online resources. In addition, the range of staff guidance materials provided a focus for action. The Equality and Community Cohesion Policy, for instance, established responsibilities under the Duty for council employees, managers and trade unions[463]. This included a set of guiding principles which stressed a need for resources to be targeted at communities who were under-represented in public life and the importance of developing working relationships across diverse communities. In these respects, therefore, I would argue that BCC adhered to Hepple's requirements, providing structures which could support communication of the Duty's requirements throughout the local authority 'subsystem'. In systems terms, these structures had potential to improve the flow of internal communication within the BCC 'subsystem', to help staff understand how their own organisational environment should be interpreted in order to comply with the requirements of the Duty.

General decision-making for the organisation and its functions was primarily carried out from a centralised organisational power base, ie, the council cabinet. However, in relation to equalities-related issues elements of policy and decision-making structures were more decentralised. Additional internal structures were apparent which supported the BCC equality goals. Staff-led groups representing employees from diverse backgrounds, for example, were established to develop understanding of staff experience from an equality and diversity perspective. The objective of these groups was to communicate with leadership and management through programmes of activities and annual reporting. Moreover, the Corporate Equality Group (CEG) comprising senior officers was put in place to lead on and improve workforce diversity.

These staff and management structures were supported by the training and capacity-building initiatives in place. As I presented in section 2.2.4.2, local actors have an important role within the systems theory model to translate the stimuli received from the legal 'system' into their own organisation's 'language'.

Establishing structures which encouraged employees and managers to participate, take responsibility and use their initiative could contribute to the intra-organisational communication required to achieve this[464]. Using Giddens'

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[463] Bristol City Council (2014i), ibid.
[464] Nonet and Selznick (1978), ibid.

structuration theory as a basis of analysis, these structures enabled the reproduction of this particular set of legitimating 'rules', reinforcing cultural norms across BCC's 'subsystems'. I suggest that this supported the mainstreaming of equalities concerns which had an impact on service users. This was evidenced, for example, by the productive, mutual objectives established between some service providers and their BCC contacts as they agreed on ways to focus resources on underrepresented groups.

Underpinning these important management and capacity-building structures, BCC had established the overall Equality Plan, the stated purpose of which was to establish a set of objectives, as described in section 5.2.1, to meet the aims of the Duty. These are explored in the next section, where I further develop an understanding of how the Plan was applied 'on the ground' based on the 'illustrative examples' of the BCC budgetary consultation.

6.2.1.2 Governance structures

The BCC Equality Plan built on plans that had been prepared to comply with the previous duties and been further developed through consultation and engagement with a diverse range of stakeholder groups. It described the local authority's equalities objectives and, arguably set out its key equalities strategic policy. As an overall framework for action and accountability, it included a set of performance indicators (PIs) for measuring and tracking performance on a series of outcomes. Individual directorate and service managers – therefore at a senior level - were given responsibility for achieving these and were subject to internal scrutiny, for example, from the Corporate Equality Group.

A wide set of perspectives were involved in the Plan's development, which included using the media of research projects and conferences aimed at consultation, as well as existing equalities data[465]. Involving a range of groups in its design in this way, rather than simply seeking retrospective input or approval met Hepple's preferred standard of 'engagement' and participation with interest groups which, as discussed earlier, he identified as essential if reflexive legislation was to engender real and transformative social change[466].

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[465] Earlier equalities schemes were in place to meet the requirements of the previous equality duties.
[466] Hepple (2013), ibid.

This strategic document was supported by processes, in particular equality impact assessments (EIAs). EIAs which, as described earlier, were a key method to address the 'due regard' standard when new policies were introduced[467], or existing ones revised as an evaluative mechanism for BCC staff to utilise during policy development and change. EIAs were also intended to prompt the collection of evidence about the likely effects of policies and activities on people with protected characteristics to support a more informed decision-making process.

Several structures were apparent to address the concerns of the *Brown* ruling during decision-making and/or changes to policy. These included regular prompts throughout internal document templates and standardised procedures about the need to consider equalities groups. This documentation provided a framework for decisions to be recorded, and equalities made part of any decision-making process from the outset and integrated into general decision-making structures. As I demonstrated through the 'illustrative examples' in section 5.3, BCC made the decision-making process for budgetary cuts clear and transparent by publishing EIAs and supporting documentation online (for example, feedback reports on stakeholder consultations). Importantly, the scrutiny commission established as part of the organisation's procedures and committee structure was also in place to provide an internal challenge during the decision-making process.

6.2.1.2.1   Implementing the Equality Plan

The decision to cut funding on children's centres, which I presented as an illustrative example in section 5.3, impacted on a number of the Plan's objectives. These included the need to recognise the importance of accessible, non-stigmatised services and address social isolation and to provide effective, accessible services that reduce inequalities and meet the needs of the most vulnerable communities, all of which were potentially relevant for single mother service users. I would argue that maintaining children's centres was a way to fulfil all of these agreed equalities objectives. However, the aims of the Equality Plan were not used to provide this context in the EIA for this or the Hengrove Park proposal. A failure to draw on the Plan's objectives to contextualise decision-making, ie, draw on previously agreed priorities to direct senior-level decisions on policy called into question the reason for these in the first place. One interpretation

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[467] Senior member of the Equalities and Community Cohesion Team, Bristol City Council (2014j), ibid.

was to identify that there was an 'implementation gap'[468], between the plan's objectives as a strategic document and subsequent action 'on the ground'.

6.2.1.2.2   A framework for consistency

However, this did not mean that the Plan lacked any impact during the budgetary consultation process, as I would further argue that its objectives were evident within the wider deliberative process. The crucial role of children's centres in tackling social isolation, for instance was one aspect of the Plan which self-organised groups raised as a concern during discussions with the council. These groups provided a range of input about the potential impact of the cuts 'on the ground', reiterating the aims of the Equality Plan and the associated Child Poverty Strategy. In this instance, therefore, the Equality Plan objectives were used as part of a case for support by interest groups attempting to argue against service closures. Arguably, the 'buy-in' to this plan of self-organised and other interest groups was demonstrated by their inclusion of its requirements during their budgetary consultation feedback.

In addition, when exploring the submissions made by those groups towards the consultation process it became apparent that the Plan had served as an important basis to maintain *consistency* around an agreed set of values and principles. I suggest that, as a structure which BCC put in place the Equality Plan was regarded by some as a set of 'rules' which, as Giddens has argued may include cultural expectations, and therefore became established as important organisational norms. However, these were not necessarily universal. It was notable, for example, that feedback from the consultation on the Hengrove Park proposal came from many individuals who were sympathetic to the needs of disadvantaged or vulnerable groups and supported the maintenance of services which focused on these. However, this viewpoint was by no means universal, and as described in the 'illustrative examples', some participants clearly interpreted the provision of structure and safety within the Park as 'free child-minding'. They appeared resentful that the council provided this service. Although only one or two of these comments referenced single parents they were part of a small, but persistent presence in the consultation feedback which was insistent that parents should "look after their own children" without state support. Such responses may have provoked stigmatisation of and prejudice against groups, such as single

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468 Creegan et al, ibid; Ahmed, ibid.

mothers, who were more reliant on these services. However, the Equality Plan and the associated EIA process provided a consistent set of aims based on an understanding of wider patterns of disadvantage. This, I would argue, provided some protection against these needs being subsumed during public consultations which may, at times, be influenced by prejudice or the stigmatisation of some groups.

6.2.1.2.3   *A focus on socio-economic disadvantage*

As described in section 5.2.1, the Equality Plan was designed to include a Child Poverty Strategy which, I would argue introduced a de facto socio-economic duty that reflected the one previously proposed but subsequently rejected (as discussed in section 1.3.1).

From the perspective of BCC, this approach was evident not only in the inclusion of this Strategy, but also in the way in which evidence was used for decision-making purposes during the budgetary consultation. Much of the narrative explanation included in the 'illustrative examples' referenced a generalised term of 'disadvantage'. The EIA conducted for the Hengrove Park proposal, for instance, did not include any material about protected characteristics, instead using 'disadvantaged' to describe users of the park whose interests needed to be protected. A similar concern for socio-economic hardship was identifiable through the inclusion of workless households in the evidence used to support the maintenance of some of the children's centre services.

As I stated earlier, other public authorities had also chosen to include socio-economic concerns in their planning as they were reluctant to separate out disadvantage from the protected characteristics established by the Equality Act. I would suggest, however, that a move away from recognising need for those with specific protected characteristics, which may differ according to each group, and simply focusing on those who are poor presents a risk of creating further exclusion. This may impact different groups, including those who cannot be immediately categorised as being in poverty and may, therefore, be 'hidden', such as individuals living in areas perceived as middle class, and those who suffer from types of social exclusion other than poverty. The Duty aimed to encourage participation in public life for groups whose engagement was disproportionately low. The aim of this was to support cultural and participative equality and end marginalisation, rather than simply address socio-economic inequality and I would suggest that to focus solely on socio-economic concerns can lead to a failure to achieve the Duty's wider goals.

Moreover, if socio-economic concerns were to be fully incorporated into the Equality Plan, arguably, those identified as being disadvantaged in this way, including single mothers might also be considered 'equalities communities'. This would allow them to achieve some representation through their civic activities be measured (eg, through performance indicators) as it was for other equalities communities. I would argue that there was a case to include single mothers within this remit as they were identified as a group which faced isolation and other forms of disadvantage. As discussed in section 5.2.7, BCC guiding principles stressed a need for resources to be targeted at groups who were under-represented in public life, and this form of inclusion would at least establish a basis for understanding their needs and stimulating organisational change at the council level which cannot be addressed by individual service providers.

I suggest that a more nuanced understanding is needed of how groups can be differently disadvantaged, to ensure that services and support are focused on those who could most benefit. This may be achieved through the collection and monitoring of data. Having explored some of the organisational structures which BCC established to comply with the Duty, the next section discusses the types of data BCC used and how these might be used to better deliver the Duty's mechanisms.

6.2.1.3 Data monitoring

In addition to leadership, capacity building and governance structures, collecting and publishing data was an important element of organisational scrutiny and a key principle underlying the Duty[469]. Recording and reporting on data such as an equalities breakdown of service users or the BCC workforce was arguably needed to justify priorities with a published evidence base, could support a range of activities to enable implementation of equalities-related objectives, allowing for identification of inequality between groups, prompting decisions about where to target resources and equalities-related initiatives and evaluating progress.

6.2.1.3.1   Data collection to identify service needs

In systems theory terms, data collection and monitoring were important for facilitating communication. This was important for local actors to understand and interpret 'events' within the localised conditions of the BCC 'subsystem', and act accordingly. Data collection was, therefore, an essential element of reflexive law

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[469] Equality and Human Rights Commission (EHRC) (2012), ibid.

which might be used to identify inequality within and between groups, and BCC's processes utilised equalities data in several ways, including the provision of performance indicators and to support policy decisions. However, I would contend that the use of some data for policy-making could be problematic.

Firstly, as I detailed in the 'illustrative examples', statistical data relating to BME children, disabled children and lone parents was presented alongside workless households as evidence to support the decision-making process for children's centres, and to emphasise these as disadvantaged groups in need of children's centre support. The use of qualitative service-user data was not discernible and supporting data was primarily quantitative which did not support any further awareness or discussion around the service needs of particular groups. This, as I have stated, simply showed the concentration of groups who were recognised as disadvantaged, for example, BME people, single mothers, etc. I would argue that, without any nuanced understanding of the reasons individuals engage with a service - which can differ according to their circumstances - it was impossible to plan how the impact of service cuts might be mitigated in the way which BCC EIAs required.

Single parents were identified as a specific service-user group within the EIAs for the 'illustrative examples', and by differentiating them it was implied that they have different needs from other types of family. However, no qualitative information was used to identify ways in which, as a group, the loss of particular services might impact them. As I identified earlier, when discussing those who were categorised as a generalised 'disadvantaged group', within which I identified single mothers, such categorisation can be problematic, as it potentially creates a stigmatised group by labelling them without any further contextualisation. As this study has identified, single mother service users were able to describe a range of features which made facilities more useful or accessible than others due to a combination of barriers. I would argue, therefore, that it was important to develop some understanding of service use needs for this group which could only be gleaned with some detailed qualitative enquiry and which allowed some exploration of the complexities of constraints and enablers to service use.

Furthermore, the imposition of 'top-down' systems for resource allocation, such as the use of postcode, restricted some data collection to specific areas and excluded others who might be in need. As identified in section 4.2.2.2, this impacted on single mother service users for whom postcode was not a true indicator of their circumstances. Those affected were arguably a type of 'hard to

reach' group, as they are not identified within any quantitative assessments. As a result, there were likely to be fewer structures in place to identify if these women were in need, and also, fewer mechanisms available to support outreach to make those living in the locality aware of any support which *was* available to them.

Finally, stakeholders involved in deliberations for the Equality Plan[470] had identified a need for monitoring the numbers of members of protected groups to identify patterns of need and better target resources, recommending the use of disaggregated data for achieving this. Such data was published in 2014, for example, an equalities profile of men and women outlined disaggregated data around women, men and lone parents[471]. The council subsequently published annual population reports which highlighted key demographic changes, although these did not provide disaggregated data showing the relative positions of individuals within and across protected groups which might show progress or identify areas where action was needed. Should BCC publish the objectives needed for monitoring equalities strands, to be within the required range for compliance with the Duty, ie, four years, the next set would be due in 2018. If this is produced, it would meet the requirements of the Duty, however, arguably it would not be a useful comparator for analysis of progress in achieving greater equality given the considerable shift in the economy and change of political and economic landscape and given the extensive organisational adjustments which local authorities have undergone since 2013/14. Therefore, I would argue that these statistics are not sufficient to drive action which is effective and responsive to organisational needs.

A similar concern was shared by other public authorities who implemented a more frequent, two-year reporting cycle to be better able to respond to the changing environment[472]. In respect of data monitoring and publishing, therefore, I would argue that, despite complying with the Duty's requirements and adhering, to an extent, to Hepple's mechanism which relates to self-scrutiny, data monitoring and

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[470] Bristol City Council (2012e). Draft Equality Plan Feedback from stakeholders 2012, https://www.bristol.gov.uk/documents/20182/33163/Draft%20Equality%20Plan%20Feedback%20from%20stakeholders%202012.pdf/f9b61220-d794-46e7-a588-e2547fd2aa27 [Retrieved 15/10/2015].

[471] Bristol City Council (2014m). Equalities Profile, Men and Women Living in Bristol, https://www.bristol.gov.uk/documents/20182/33107/Equality%20Profile%20Men%20and%20Women%20(Sex).pdf/13970c78-7353-4cac-8c86-11641123c0b3 [Retrieved 7/10/2015].

[472] See, for example the Care Quality Commission, http://www.cqc.org.uk/about-us/our-strategy-plans/equality-human-rights

publishing are areas which BCC could better develop to support a greater understanding of service user need.

6.2.1.3.2   *The use of performance indicators (PIs)*

BCC also used data collection to monitor equalities-related activity through PIs. These were established within the Equality Plan and applied to a range of functions, including the monitoring of internal functions such as, improving workforce diversity and external indicators such as satisfaction levels of specified groups with protected characteristics and the services they used. In addition, measures were included to reflect the Duty's aim of supporting participation for underrepresented groups in public life, recording one metric, for example to collect data on the percentage of people who felt they could influence local decisions.

As discussed in relation to equalities data in the previous section, metrics may provide an indicator to monitor areas of concern, but I maintain that qualitative data are also needed to understand underlying reasons for change. The PI relating to the percentage of people who felt they could influence local decisions, for example, increased from 24% in 2012 to 26.9% in 2013/14. Although this showed a slight improvement, overall it also suggested that there are some issues with citizen involvement which cannot be understood by metrics alone. Moreover, as for equalities objectives, progress on PIs was published online in 2013/14 and would not be due again until 2018, with this long gap meaning that the available figures were outdated and therefore even more difficult to interpret.

That is not to argue that these metrics had no value: if there were no measurement at all in place, there would be no basis for understanding where gaps might be to provide a focus for action. As no PIs were set within the BCC Equality Plan for single mothers, for example, there were no means by which any gaps in service need could be measured; goals set for remedial action; nor any progress monitored to address these. Furthermore, by putting in place indicators for a particular group, I would argue that this establishes them as a higher priority which underpins the embedding of important cultural norms and encourages a focus of organisational aims.

At the level of the council, then, there were some limitations to the type of data that was being used. This included reliance on high-level, quantitative data for use in decision-making which did not necessarily inform decision-makers on the ways in which different types of service user might need to access services; top-down

mechanisms of allocating resources which excluded some groups from data monitoring; and the rapidly changing landscape which means that objectives can become out of date. Performance indicators highlighted areas of concern, and though published infrequently were still of value for identifying gaps and providing a focus for action. Having looked at the data at the level of BCC which was produced for those purposes, I now address the use of data which was produced, 'on the ground' to target service user need more closely at the level of individual service provider.

6.2.1.3.3 Localised data and reflexivity

Data collection and monitoring were used regularly by service providers at a localised level to provide targeted support at individual provider level for groups facing disadvantage, though the data was not published or made available outside of these organisations. The local authority, for example, required children's centres to collect ongoing demographic data on disadvantaged or marginalised groups within their locality, and this was used to direct day-to-day operations, allowing service providers to better understand service-user priorities and therefore drive localised policy. Within this data collection, single mother service users were included and prioritised as a target group. The local authority requirement to produce these reports was one way to stimulate a localised approach at the level of the service delivery organisations. This, I suggest created a 'ripple effect' of reflexive mechanisms, ie, that the Duty sent stimuli to BCC who reacted by establishing a structure for service provision and reporting. This structure was then communicated to service providers and, in turn, acted as stimuli for provision of services which met local need.

The data collected by the early years service providers involved in this study primarily comprised quantitative equalities data, for example, a breakdown of gender, ethnic group or single parent status. Some qualitative feedback was also collected in relation to day-to-day progress, such as feedback on personal development interventions with service users and 'learning journeys' of individual children. Service delivery organisations reported using this data to provide personalised support based on individual circumstances and also to better identify their target groups and improve their outreach activities.

BCC set the boundaries around the locality within which children's centres operated. However, the centres had some control over their own community priorities and in this respect were also able to reflexively adapt to meet local need rather than simply deliver standardised services. As evidenced by this study,

service delivery organisations also took a role in feeding suggestions for activities back 'up' to the local authority, which they described as being a proactive response prompted by their desire to further promote an equalities agenda. These actions impacted on the council's priorities on occasion, when they redirected resources to support additional initiatives in support of particular disadvantaged groups. One provider, for instance, secured additional funding, with examples of the target for this work including outreach activities and educational workshops for a local refugee group whom they had identified as needing additional support.

As I discussed in section 2.2.3, a key mechanism within systems theory describes legal rules as being introduced into other 'systems' to act as 'irritants' which can trigger a set of new 'events'. I would argue that the formalised requirements introduced by BCC through service delivery agreements acted as such 'irritants' for the service provider systems to change organisational behaviour. In addition, I suggest that this shows an example of duality, in that the activity triggered within the service provider organisations prompted them to further identify localised disadvantaged groups, whose needs were not being adequately met. As a response, they delivered a reciprocal 'irritant' to the BCC system, and re-configured BCC resources showing how such reflexive mechanisms can operate to transform existing structures.

Interviews with individuals involved in early years service delivery emphasised how they interpreted much of their work through an equality 'lens', with inclusivity and accessibility for potentially vulnerable groups, such as children from particular BME groups or single parent families, as a central concern and a prevailing discourse of the importance of 'fairness'. Some stakeholder interviewees pointed out that a need to be inclusive was a long-standing principle in the early years sector. From a systems theory perspective, this indicated that, when the positive duties were introduced, the early years sector was already sufficiently sensitised to equalities issues to have internalised cultural norms and therefore a 'language' in place relating to equality and inclusivity. Drawing on Giddens' concepts, this may have demonstrated the importance of existing, discursive 'rules' which involved visible structures such as quality standards, a statutory framework, equality standards and targets; as well as tacit norms which had become internalised by those working in the sector through leadership and training. The sector was therefore able to interpret and absorb the requirements of the duties. I would further argue that this showed where adaptive, reflexive mechanisms

could become embedded with existing organisational processes and operate more successfully than the imposition of rigid, 'top-down' structures.

Although data collected by service providers was not in the public domain, it fed into BCC data collection to monitor its service provision functions internally and, I suggest, constituted a further form of internal scrutiny as it allowed the local actors to monitor the sectors of the population being reached by their services. Data relating to the BCC overall, was published online. In exploring this it became apparent that statistics relating to the local authority's performance and progress could be a prompt for action as these served as a way to translate 'events' 'on the ground' and could be useful 'evidence' for campaigning or other interest/self-organised groups. In the next section I look at this and other roles which interest groups and local actors might play.

6.2.2   Involvement of interest groups

Returning again to Hepple's required mechanisms, the involvement and engagement of 'interest groups' were identified as important for reflexive law to operate successfully. In the context of BCC, these included employees (for example, through staff-led groups) and service users but also community groups and other bodies who took a role and advised, educated, or acted as watchdogs. Such involvement was important for bridging the gap between institutions, providing local expertise and challenging existing assumptions, as well as providing forums for equalities communities to participate in decision-making processes. The following sections explore the role of interest groups and other actors in these contexts. Firstly, the discussion focuses on the BCC budgetary consultation exercise.

6.2.2.1 Local expertise

McLaughlin[473] cited a lack of informed, local-level experts as a potential barrier to effective, reflexive deliberations. This did not appear to be a concern in the case of BCC as the decision-making processes for the consultation presented a platform through which individuals and groups could provide feedback on the budgetary proposals. A wide range of organisations contributed to the deliberations, and the process in place provided the means to feedback at consultation events or through written/online submissions as an individual; or through a considerable spectrum of self-organised community groups and

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[473] 2014, ibid.

networks which were in operation at that time. These included representatives of children's centres, youth groups, parks, and specific, identity-based groups such as older people or those with disabilities; campaigning and advocacy groups such as Bristol Fawcett and Single Parent Action Network; and the council-funded 'voice and influence' (V&I) organisations.

Those involved in the consultation process provided essential local knowledge which challenged the council's actions, for example V&I organisations questioned the council's proposed cuts to children's centre provision drawing on local knowledge from their membership base in preparing their submissions. Using systems theory as a perspective, therefore, the consultation acted as 'stimuli' by introducing the means for local actors to contribute to a deliberative process. It also provided essential channels of communication across 'subsystems', and the structures established by the council's BCC Consultation Team to support feedback provided a successful 'structural coupling' mechanism.

As demonstrated in the illustrative example of Hengrove Park, input through less 'formal' structures also had some impact on decision-making, with individuals utilising social media and press campaigns to engender greater public interest and protest about this particular budget cut. The campaign to save Hengrove Park was, I would argue, a further example of activity triggered by the Duty acting as an 'irritant'. In this case, the initiation of the formal consultation process relating to Hengrove Park set in motion the unexpected 'event' of a petition and publicity actions by members of the public. In response, the BCC policy was adapted and the funding for this service reinstated.

6.2.2.2 Involvement in decision-making

As discussed in section 2.2.4.2, engaging with (as opposed to simply consulting) stakeholders had been shown to support greater claims to legitimacy in decision-making, increased trust and an opportunity to connect with and include hard-to-reach groups[474]. These factors, arguably, could be especially important where there was a compulsion to make difficult choices about resource allocation and cuts to services.

The space BCC created for consultation provided a medium for a wide range of expertise and opinions to inform decision-making. However, this process did not involve engagement but instead largely constrained individuals to a passive role.

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[474] Hepple (2013), ibid; McLaughlin, ibid; Office for Public Management (OPM), ibid.

Although the consultation incorporated some public meetings which inevitably involved an exchange of ideas, all other feedback obtained was online or paper-based and therefore 'one-way', which limited the extent of any discursive interaction to develop shared understanding or reciprocity. Therefore, although the importance of engagement was stated in the BCC Equality Plan, in fact, the opportunities provided for contributing to forums and decision-making structures lent few opportunities for individuals to influence service design and delivery, other than through providing reactive feedback.

Some stakeholders who contributed to this study, however, felt that their organisations had an active and effective role in contributing to local authority decision-making, for example, through reminding the local authority of ways their decision impacted on groups such as women and lobbying for inclusion of this group in the EIA process. Furthermore, through the EIA mechanism the feedback from self-organised groups appeared to have some influence on the 'shape' of the eventual service design, for example, the cuts to children's centres were reduced following process, albeit that some services and staff training were still reduced or discontinued. On this basis, therefore, and on Hepple's terms, the decisions made regarding children's centres on a city-wide scale and Hengrove Park on a smaller scale can therefore claim a level of legitimacy through incorporation of interest group's input into the final outcomes.

6.2.2.3 Service user engagement

Moving away from the budget consultation, there was one area in which engagement with service users – rather than consultation - did take place, and this was through Neighbourhood Partnerships (NPs), as these were designed to help set local authority priorities according to local need. These facilitated some engagement with service users and stakeholders which went beyond consultation and sought input to priorities before they were established. NPs were intended to establish collaborative and long-term relationships and partnerships, albeit on a localised scale in terms of budget, scale of projects, etc. The outcomes from the committees informed council cabinet decisions, which, I would suggest demonstrated a way in which the BCC system remained 'cognitively open' ie, accessible to influence from the external environment.

The use of engagement of potential service users through mechanisms such as NPs, in principle, supported Hepple's contention that this was a necessary part of a successful reflexive process. I would argue that such engagement was a way reflexivity can operate effectively: through involving service users and interest

groups in shaping services as a 'front end' process which ensures that the 'end product' is the best fit. However, in practice representation of equalities communities within the Neighbourhood Committees was low. During 2013/14, for example, only 26.9% of proposed equalities representative roles were filled having fallen from 46% the previous year, (though no reasons for this fall were presented in the available documentation[475]). BCC identified this type of engagement as valuable and measured it with a PI, though no target was set for improvement. Therefore, despite the committees being in place, the lack of equalities representation arguably raised questions about the legitimacy of these mechanisms to deliver support engagement in a representative way.

6.2.2.4 Routes to participation

Increasing participation in public life for under-represented groups was an aim of the Duty, and the exploration for this study showed several ways in which such 'participation' might be viewed. These included: having the means to contribute opinions to public discussion and to make their needs better understood (whether as an individual or through a group); and the ability to take part in civic activities, examples of which, I would argue, included civic and political engagement and a range of diverse activities from museums and city farms to 'single parent days'. I would further contend that being able to access services and support and enjoy some human interaction was a form of 'participation' which BCC could facilitate. All of these were important, but access to/participation in services played a particularly significant role as this also gave service users an outlet to make their needs and opinions known, so that these activities, services and support would be shaped accordingly, to be accessible, available and fit for purpose.

The decision-making processes that BCC put in place to meet the Duty gave disadvantaged groups, including some single mother service users, potential to be represented and practise their agency by expressing their views and specialised needs. These included consultation processes around policy change; V&I organisations or self-organised groups which provided forums for civic activity; or involvement with local decision-making mechanisms such as the Neighbourhood Partnerships. However, as was apparent from this study, barriers to engagement remained for some single mothers, such as time constraints, lack of access to childcare, lack of confidence, fear of stigmatisation, etc.

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[475] Bristol City Council (2014e), ibid.

In systems theory terms, where any group was unable to fully participate, there was arguably a failure within the 'subsystem's' communication mechanisms, which acted as a constraint on the deliberation needed for effective reflexive law. This is discussed further in section 6.3.3 which relates to the mechanisms of the Duty that consider the importance of representation and legitimacy in decision-making processes. In the next section I discuss the need for enforcement to ensure the Duty was effective, and the range of mechanisms which fulfilled this function.

6.2.3 Enforcement

As Hepple further argued, and also as discussed in section 2.2.4, if reflexive law is to be effective enforcement agencies are needed to guard the public interest. Furthermore, a regulatory agency is needed to build capacity and provide back-up in the form of guidance, with the ability to impose sanctions if other, softer sanctions fail. The following section considers a range of mechanisms which operated to enforce the Duty within BCC, and the roles these played.

6.2.3.1 Enforcement mechanisms

The Equality and Human Rights Commission (EHRC), as the enforcement agency for the Duty was mandated, and had special statutory powers, to fulfil the role of both providing guidance and imposing a range of compliance requirements which could ultimately result in sanctions. As discussed previously, however, there were concerns that the Commission was not provided with the resources to fulfil this[476] or that despite having these powers, they were rarely used[477]. The failure of any judicial review to overturn any decisions on policy also suggested a serious weakness in the implementation of the Duty's enforcement mechanisms[478]. Arguably, a lack of potential for sanctions can make the Duty vulnerable to the possibility of non-compliance, as public authorities are less likely to feel under threat.

During the discussion with a BCC equalities practitioner it became apparent that BCC did perceive a gap in the enforcement mechanism, primarily due to the cuts made to the EHRC which had reduced capacity for implementing necessary action to deal with non-compliance. However, they also described how, for BCC, the possibility of judicial review posed a realistic and effective sanction.

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[476] Hepple (2014), ibid, p. 8.
[477] Blackham, ibid.
[478] Manfredi et al, ibid.

Furthermore, they confirmed that the existence of legislation and case law relating to the Duty gave equalities practitioners within BCC sufficient leverage to demonstrate to colleagues internally that it was necessary to incorporate the Duty into their procedures[479]. Therefore, from the BCC perspective there was still effective compulsion to comply through existing enforcement mechanisms.

As an additional form of enforcement, some service providers carrying out public functions on behalf of BCC were also subject to regulatory measures which operated as enforcement mechanisms. Children's centres, for example, needed to comply with the requirements of Ofsted, whose requirements to observe equality measures were included in its framework acted as another avenue of enforcement of the Equality Duty. For the early years organisations featured in this study Ofsted represented a significant 'authoritative' and 'allocative' power structure and a strongly enforced mechanism, which included the power to impose sanctions or even close down an organisation.

6.2.3.2 Softer methods of enforcement

In addition to the sanctions already described, additional structures existed which, I would argue, worked as a form of 'softer' enforcement. These related to the 'persuasive' sector of Hepple's regulatory pyramid, which I described in section 2.2.4.3, operating to hold BCC to account in their activities and which could bring some pressure for change despite not having any power to 'escalate' and impose. Firstly, as described, Neighbourhood Partnerships were one example of an organisation with a remit to address policy from an equalities perspective. By containing councillor members alongside members of the public who were representative of the various protected characteristics and fulfilled a consultative role, these structures added an additional forum for public participation and deliberation. In this way, these structures contributed to BCC self-regulation and internal scrutiny as well as fulfilling a critical role of bringing interest groups in to discussions on how to allocate resources. One example of this was where members of the Ashley, Easton and Lawrence Hill Partnership influenced a consultation on changes to local outdoor space and road layouts to involve local women and the BME population more fully and ensure that any changes met the

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[479] Senior member of the Equalities and Community Cohesion Team, Bristol City Council (2014j), ibid.

wider community's needs[480]. Although such examples show that NPs could act as a constraining force, the lack of representativeness might cause some concern with regard to the legitimacy of this input.

A further example of softer enforcement I suggest may also have been in place through benchmarking exercises and sharing ideas, for example with other 'Core' Cities which can act as a persuasive force through the organisation's desire to maintain its reputation. The value of this type of activity for improving the deliberative process was recognised by Hepple who advocated the introduction of a duty to consult with other organisations to further ensure that reflexive mechanisms were effective[481].

6.2.3.3 Interest groups as monitors

As Hepple also argued, interest groups had a key role in monitoring and contributing to implementation of the Duty. I would suggest that this could be either a proactive or a reactive role. One way in which these have been proactive within BCC was in challenging the performance of the local authority where there was non-compliance. The Single Parents Action Network (SPAN), a grassroots organisation based in Bristol, for example, challenged a local authority decision to move them from their premises and, asserting that this move was in violation of the Race and Gender Equality Duties were consequently allocated replacement premises[482]. Other ways in which they might have prompted BCC to comply with the Duty would be to establish their own initiatives and ideas in support of protected groups. V&I organisation Bristol Women's Voice were an example of an organisation which worked with other women's groups to develop and disseminate a 'zero tolerance to gender-based violence' policy, the campaign demands for which might impact on BCC infrastructure, or require local authority funding. The ability to challenge BCC, including that of applying for judicial review, remained an important role of interest groups.

Interest groups could also be reactive, responding to requests for input to consultations such as the budgetary exercise discussed in this thesis. In all

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[480] Ashley, Easton and Lawrence Hill Neighbourhood Partnership (2015). Minutes Monday 30th November 2015, https://democracy.bristol.gov.uk/Data/Ashley,%20Easton%20and%20Lawrence%20Hill%20Neighbourhood%20Partnership/201511301830/Agenda/1130_mins.pdf, [Retrieved 12/7/2016].

[481] Hepple B (2012) Agency enforcement of workplace equality. In: Dickens L (ed) Making Employment Rights Effective: Issues of Enforcement and Compliance. Oxford: Hart, pp. 49–66., cited in Blackham, ibid.

[482] Sigafoos, ibid.

respects, EIAs and other published data supported such local actors and interest groups' activities by providing data for them to check on progress and a basis upon which to call the Council to account for any failure to meet equality objectives. Returning to earlier argument, where there is a lack of available data, if this is out of date or not made available in sufficient detail there is no evidence or measures for interest groups to use in holding BCC accountable.

Moreover, I would argue that the essential role of interest groups as monitors and local actors was becoming constrained by the prevailing economic environment. Their role, as argued by Hepple and McCrudden, was to bring local expertise as well as challenging the views of public authorities, which I have identified as both reactive and proactive. These roles instead appeared increasingly to be subsumed by the need to fight a rear-guard action, attempting to protect existing resources rather than proactively challenging existing thinking or addressing the wider needs of their constituents. As their energies became increasingly focused on addressing cuts to their constituents' services it was likely this limited their capacity for proactive monitoring. Consequently, reflexive mechanisms of deliberation, which may have operated successfully because of input from local actors, would be likely to suffer a severe limitation on the quality of discussion and discourse, and any role which interest groups had played in enforcing the Duty become undermined. In this respect, therefore, this important enforcement mechanism was likely to be adversely impacted by austerity measures.

6.2.3.4 The 'business case' as motivation for change

Finally, in considering the ways in which reflexive mechanisms are maintained, I would also include mechanisms which *motivate* compliance as a type of 'enforcement'. Professional standards, such as the Bristol Quality Standard included significant elements of equality measures which, although not directly attributable to the Duty, nevertheless were shaped in a public sector environment and therefore within its sphere of influence. The Quality Standard was not strongly sanctioned, in that it was not compulsory but was nevertheless a widely recognised and respected benchmark for early years providers, and having significant 'reputational' influence. This may have appealed as an aspirational workplace equality standard (rather than one which imposed punitive sanctions), and these have been shown by previous research to have a positive motivational

influence on staff[483]. The standards, therefore, were key ways in which processes to work towards equality aligned with the aims of the Duty were 'spread' throughout the early years 'subsystem'.

The role of internal motivational forces was not widely addressed in Hepple's arguments which instead focused on external enforcement, albeit at a level of gradation which begins with reputational concerns and the provision of guidance. I would argue, however, that such external enforcement can sometimes operate as a 'top-down' perspective and run counter to the need to promote equalities values in individuals' daily working practices. Standards which motivated management and staff to comply and ensured that equality perspectives became part of their everyday, mainstreamed activities were an essential element in successfully changing and maintaining organisational norms. These built upon Hepple's 'first mechanism' of internal scrutiny, providing an externally validated framework to prompt action.

Hepple claimed "enlightened self-interest"[484], ie, a 'business case' as a key motivator for employers and service providers to deliver equal outcomes. Whilst this may apply to private sector, profit-making organisations which have a particular interest in a business rationale that, for example, identifies a diverse workforce as better positioned to innovate and understand their market, this approach is less obviously applied to public sector organisations. As Bristol City Council's role was to deliver services to a diverse range of communities based on need rather than profit, its drivers would differ from organisations in other sectors. Nevertheless, as previous research showed, a 'business case' could be used as a positive motivator for those responsible for embedding equalities into processes through equality standards[485] by acting as an incentive for improvement.

In their role as an employer, BCC had also emphasised the value of a 'business case' when encouraging employees to adhere to equalities objectives. They highlighted the importance of developing and managing a diverse workforce to foster creativity, innovation and flexibility. Also, they linked this to service use through suggesting that this would lead to more responsive and appropriate services, encouraging managers to develop a workforce which 'matched' the

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[483] Conley and Page (2010), ibid.
[484] Hepple et al, ibid, p. 57.
[485] Conley and Page, ibid.

diversity of the city population as best placed to deliver effective services to diverse communities[486].

I would also argue that austerity measures provided a driver to focus on business efficiency, and the processes in place to implement the Duty might have supported this type of 'enforcement'. Such considerations included improved communication channels with service users through the consultation process; and a requirement for greater deliberation in decision-making which would mitigate a need for retrospective changes and therefore save on cost in the longer term. The strength of this approach was also apparent in interviews with early years stakeholders, who had not heard of the Duty but nevertheless were keen to work with equalities standards which, they perceived, were a positive practice that helped them focus their service provision.

In summary, several mechanisms were in place to enforce, or in other ways encourage, activity on the Duty, ranging from 'hard' mechanisms from an external agency (such as the EHRC or Ofsted) and the possibility of judicial review, through to those related to reputational concerns, for example being held to account by local interest groups who might escalate their action if necessary. Whilst the 'harder' enforcement mechanisms were undermined by austerity measures, for example, with the cuts to resources faced by the EHRC, more 'motivational' ways of encouraging compliance existed which included involvement in quality standards based on a 'business case'. Erosion of the mechanisms to support 'hard' enforcement, however, may impact on incentives for compliance. This is explored further in section 2.

I now draw together the key arguments from section 1 to evaluate how Bristol City Council (BCC) implemented the Equality Duty.

6.2.4   Bristol City Council delivering the Duty – conclusion

In section 1, I provided an evaluation of and discussion on the organisational processes that BCC had established to implement the Duty, using contextual examples from my study to illustrate their practice 'on the ground', reflecting the need for public authorities to develop culturally aligned responses that embedded change within their organisational structures. As a set of organisational procedures and standards, I would contend that the Duty was a way to drive ongoing change through mainstreaming equalities; and also, as an arbiter and

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[486] See, for example, Bristol City Council (2014i), ibid.

measure of fairness during policy-making and change to those structures with, as Hepple argued, attaining 'transformational' equality. This section, therefore, uses these two perspectives, to evaluate how BCC has implemented the Duty 'on the ground'.

There were several ways in which the mechanisms for the Duty were used to change organisational structures within BCC. Collaboration between the Equalities and Community Cohesion Team and other functions, for example, during equalities data collection activities, would arguably encourage translation of the equalities standards for non-specialists resulting in increased localised understanding of equalities goals. This was underpinned by training and development materials which were designed for wide dissemination across the BCC functions, and the existence of staff-led groups and other structures which resulted in sharing knowledge, thus informing those who had a role to embed the Equality Plan requirements. There was some service user involvement when policies were being reviewed, through a consultation process. A key way for service users to be involved was through a series of neighbourhood committees, though the latter were poorly attended by those from equalities communities. These were ways in which, arguably, BCC addressed a requirement within the Duty to increase participation of underrepresented groups, in addition to providing the means for service users to take part in activities or access the services and support they needed.

The Equality Plan performance indicators addressed a range of aspects of day-to-day organisational practices, which incorporated the Duty's aims to increase participation in public life as well as measures relating to service delivery. However, as discussed these were not required to be published frequently enough to mobilise regular management commitment and therefore unlikely to act as a driver for action. Statistical metrics, however, were arguably of use as a way to establish a benchmark and also for BCC to make clear their priorities.

The BCC mechanisms for compliance with the Duty were also used in decision-making processes. The local authority had established leadership and management structures which supported the embedding of equalities concerns into policy decision-making processes, as evidenced by the involvement of all levels of management in the discussion and internal mechanisms relating to the budgetary exercise. This arguably demonstrated, through the allocative and authoritative power which senior management were able to display, that equalities

were a central concern of the organisation and gave 'legitimation' to these concerns as appropriate cultural norms. This was formalised within decision-making processes by the requirement for EIAs, which, in the 'illustrative examples', were not guided by Equality Plan objectives but nevertheless acted as a framework for data collection which ensured that the equalities aspects of any policy change were considered. The publishing online of EIAs (along with supporting data) was a key part of a process intended to make decision-making more transparent.

The consultation process which BCC had in place played a significant role in decision-making and supporting the involvement of interest groups (along with individuals) to contribute expertise. The Equality Plan played a role as a benchmark which those contributing to the consultation process were able to draw on, and a consistent set of organisational values against a possibility of shifting public priorities which may have been subject to some prejudices. Although there were very limited opportunities for engagement, ie, interest groups contributing to plans rather than simply being 'reactive', nevertheless some stakeholders reported that their contribution had achieved an impact.

I would argue that in some respects, the ways in which BCC implemented mechanisms for the Duty raises some questions. Firstly, socio-economic concerns were positioned as a central priority which was particularly apparent from the budget deliberations. Although this may, understandably, be driven by concerns about the impact of austerity measures on the poorest, I suggest this also raises questions about what needs those with protected characteristics as required by the Duty may have, as those who face exclusion for reasons other than poverty may be ignored. In this respect, to address issues of poverty *instead of* focusing on the protected characteristics was arguably not, paying 'due regard'.

Moreover, I suggest that there is an inconsistency, in that socio-economic concerns clearly became a high priority for BCC, as evidenced by the budgetary consultation, but not all groups who generally face socio-economic disadvantage such as single mothers, are clearly prioritised as 'equalities communities'. There is an argument, therefore, that those who do face such disadvantage should be highlighted as such within the plan's priorities and included in performance indicators, encouraged to join neighbourhood partnerships, etc.

Secondly, data used as evidence within the 'illustrative examples' was primarily statistical, and not supported by qualitative data which would support a better

understanding of service-user need and how to mitigate any cuts. Furthermore, I argue that focusing on single categories can support generalisations and lead to labelling and stigmatisation. Although statistical data may be simpler (and less costly) to collect, qualitative feedback from service providers could provide a more nuanced account of patterns of service use including, as has been found with single mother service users within this study, an understanding of the constraints to service use which they face. Extending this line of argument, I suggest that the use of high-level, statistical data can also lead to the imposition of 'top-down' structures which can create exclusionary areas, as identified in the use of postcodes to allocate resources which excluded less affluent single mothers living within the boundaries of more affluent postcodes. Conversely, the data collected by service providers appeared instrumental in improving understanding of service delivery at a localised level, and at times helped providers draw attention to potential areas of need which, due to an ability to adapt at the local level, they had some opportunity to deliver upon.

Although BCC recognised that there was a gap in the key enforcement mechanism, ie, EHRC, nevertheless they perceived that judicial review remained a tangible threat for local authorities, and maintained that this was sufficient motivation for compliance. Furthermore, those responsible for service delivery were impacted by the Duty through other public authorities, which included Ofsted. Moreover, existing quality standards, the compliance with which were arguably a reputational concern, had shown to be a motivational force for staff and management in embedding equalities concerns within organisational processes. This, I argue, is one aspect of a 'business case' for implementing the Duty which, despite BCC being a public sector organisation is increasingly meaningful given the need to address austerity measures with increased business effectiveness.

As established in this section, the Duty had positive impact for some mothers by contributing to fairer and more transparent decision-making processes that had preserved support services upon which they relied. Although not a specific requirement of the Duty, nevertheless BCC put in place an Equality Plan and included the needs of single mothers in several respects. This was supportive of single mothers in that it provided a consistent structure which viewed them sympathetically and could be called upon for support during policy decision-making. In terms of reflexive, localised approaches to service use, BCC structures

established requirements for service providers to include single mothers as a key focus.

However, there was also a tendency to include single mothers within decision-making processes in ways which simply labelled them as 'poor', which both ignored any other disadvantages they might face as service users as well as potentially contributing to further stigmatisation. These concerns might be addressed by collecting more qualitative data around their service use patterns, as well as including them in 'equalities communities' activities which included representation on neighbourhood committees, inclusion in data monitoring mechanisms, etc.

The work from this study identified some of the typical constraints to service use which this group faced, and these might also be barriers to greater participation in public life. These included lack of time and money, limited childcare and also personal constraints to interacting outside of the home, which included low confidence. However, as discussed in chapter 4, these women had also shown great resilience and determination, and in addition to structures which constrained them, it was possible to identify enabling structures which could be utilised to support these women with greater engagement.

Finally, austerity measures may well impact the ability of the local authority to operate the 'mechanisms' fully. Viewing BCC as a system, the downsizing of parts of the organisation such as the Equalities and Community Cohesion team, could erode an essential 'structural coupling' and translation role within the organisation. As the numbers of staff from that team were reduced, it was likely to interfere with the communication within and between the BCC 'subsystems'. Therefore, though processes such as the EIA process may remain in place, without the specialist skills to collect and interpret appropriate data and communicate how decisions could impact, the quality of the impact assessment is likely to suffer. This may result in its value to the organisation as a decision-making tool being significantly hampered, in addition to being a less useful contribution to the deliberative process. Moreover, reductions in other staff may also result in the loss of valuable organisational memory and erode the reproduction of essential norms and cultural values. This could have a negative impact on the way in which equalities norms are passed on, and erode the content of the processes which support meeting the 'due regard' standard.

Having explored and evaluated the organisational structures which BCC put in place to comply with the Duty, in the next section I present a discussion on the features of the Equality Duty itself, the key strengths and weaknesses which have emerged through the BCC case study and 'illustrative examples', and the role of single mothers within this as a service user group. In order to do this, I draw on findings from chapters 4 and 5 to give a contextualised critique, addressing arguments from both Hepple and other commentators.

6.3   Section 2: Reviewing the Duty's effectiveness

As discussed in section 2.3.2, there have been several key criticisms of the way in which the Duty was implemented and how it has operated in practice. A major concern, which was aimed at the previous duties - and that the subsequent, simplified single Duty was intended to address - is that implementation 'on the ground' has been overly concerned with paperwork and procedure rather than results[487] ie, that it is simply a 'tick-box' exercise which has little impact. A second key criticism which is also aimed more generally at reflexive law is that the Duty's focus on deliberation and communication can fail to account for political and economic interests, and that in failing to provide a mechanism to deal with this the Duty is not, therefore, generally equipped to deal with the tensions between different protected characteristics and potential for competing priorities. As an extension of this argument, I also maintain that there is over-reliance on local actors if the Duty is to achieve positive outcomes. Finally, a further criticism is that the 'due regard' standard is too weak[488], and that with no particular outcome required it is possible to meet this standard by simply following an adequate procedure without delivering equal outcomes.

Despite criticism, however, existing research, as shown in sections 2.3.1 and 2.3.2, also identified that the positive duties have been valuable enablers for initiating organisational responses, allowing practitioners to mainstream equalities and provide a mechanism to address previously hidden disadvantage. The positive duties were demonstrated as having some resilience over time[489] despite the existing concerns which I have discussed regarding a lack of support from

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[487] See, for example, critiques of the previous duties which include: Creegan et al, ibid; Equality and Human Rights Commission (EHRC) (2011), ibid.
[488] Fredman (2010), ibid.
[489] See, for example, Schneider-Ross for the Government Equalities Office, ibid; Conley and Page, ibid.

government, the reported weakening of equalities structures such as the EHRC and uncertainty about what was needed to deliver compliant organisational structures. There was also evidence that some public authorities failed to implement the Duties in consistent ways[490]. Nevertheless, there were many examples of successful implementation of engagement, consultation and more considered decision-making that led to changes 'on the ground' by, for example: opening up services to minority groups; improved interaction and communication; as well as providing a basis for other actors to challenge decisions. The following discussion addresses these key criticisms whilst also evaluating some ways in which the Duty has been successful in delivering equalities outcomes 'on the ground' within the BCC context.

6.3.1   The Duty as a 'tick-box' exercise

A key focus of criticism of the previous duties was the requirement to implement detailed action plans. These were deemed too arduous, based on the argument that practitioners' efforts were more focussed on planning and putting structures in place than working to make change 'on the ground'[491]. Equality plans were not, therefore, a requirement of the single Duty when it was introduced. However, as I discussed in earlier sections, BCC had established a plan which set out their equality objectives for 2012-15.

Within the 'illustrative examples' I presented, and as discussed in implementing the Equality Plan when making decisions on budgetary cuts BCC did not present any of the Plan's objectives, appearing instead to give greater importance to the consultation process. In contrast, self-organised groups drew heavily on the objectives of the Equality Plan for their arguments to preserve services. As well as showing the value of an Equality Plan as a benchmark for local actors to draw upon, this aspect of the consultation demonstrated how involving interest groups was a strength of the deliberative processes as their expertise, supported by the Plan, acted as a counter-balance to some of the less sympathetic views which were given through the city-wide consultation process and which had advocated the removal of services for some groups, such as single mothers. The case of BCC, therefore, demonstrates how an Equality Plan, whilst not necessarily directing all that the authority would do is still a valuable benchmark for

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[490] See, for example, Equality and Human Rights Commission (EHRC), ibid.
[491] See, for example, Ahmed, ibid.

establishing an agreed set of organisational norms and standards and has some impact 'on the ground'.

An area of the legislation which did present a weakness, however, was that which involved data monitoring. Previous studies[492] had identified that data collection and monitoring could provide a robust evidence base with which to address inequality and prompt some action. However, I have argued that the limited requirement to report activity every four years meant that data monitoring was not a particularly effective tool to drive organisational change nor to supply local actors with the data they might need to understand and potentially challenge the local authority's actions. This was demonstrated within BCC, where PIs and targets were set within the Equality Plan to improve equalities outcomes, and figures were published for 2013/14 though no updates were required for the purposes of compliance until 2017/18 and this left a long gap in the information available to assess progress on equalities objectives. Furthermore, there were no sanctions for non-compliance with targets, so they risked having little meaning. Without mandatory targets and internal enforcement/scrutiny mechanisms, the Plan risked being no more than a statement of objectives and guidance. Therefore, although the Equality Plan set standards and – particularly as shown, by local groups - was of greater use than a 'tick-box', it was not demonstrably a strong force for embedding organisational change.

More positively, based on the evidence of the 'illustrative examples', although there were limitations on the range of data used as evidence, the EIAs in place contributed to a more informed and transparent decision-making process. However, a lack of prescriptive or minimum mandatory requirements set by the Duty may mean that there is little protection for equality mechanisms as austerity measures become more widespread and competition for resources increases. When the BCC Equality Plan was established, a set of internal quality procedures was set in place to ensure that EIAs and surrounding mechanisms were carried out regularly. These were described as compulsory when designing or changing any policy which impacted on those with protected characteristics. However, neither EIAs nor the quality/quantity of their content were prescribed by the Duty. Therefore, I contend that with the erosion of internal resources, for example, the reduction of the Equalities and Community Cohesion Team and under the pressure of resource limitations with weakened external enforcement, the

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[492] See, for example, Equality and Human Rights Commission (EHRC) (2012), ibid.

standard of these may be eroded to the point that they become simply a hollow, 'tick box' exercise.

A significant aspect of BCC processes relating to policy decision-making was the consultation process, which formed a part of the deliberative mechanism that was essential for reflexive law to operate successfully. I discuss this in the next section.

6.3.2 The consultation process

In order for the deliberative process that enabled decision-making within reflexive law to be effective, it must include a range of viewpoints by drawing on localised knowledge and expertise. Although the Duty does not contain a specific requirement for consultation, case law suggests that public authorities are expected to do so. The BCC public consultation process, as demonstrated in the 'illustrative examples', formed a significant part of policy decision-making for the budgetary consultation. As a city with a large budget and range of self-organised and activist groups, it was likely that BCC would need to have some basis for public consultation whether the Duty existed or not. Nevertheless, the consultation structure in place was described by them as part of an established structure to demonstrate 'due regard' and operated to gather evidence and feedback for equality impact assessments. Furthermore, V&I organisations were specifically given financial support to fulfil a need for consultation and support compliance with the Duty. I would further argue that the consultation process was a positive activity in itself, as it drew on the voices of both individuals and interest groups, giving them recognition, and provided a forum for participation in an important aspect of public life[493]. Arguably, this was also a way to enhance dignity for individuals by enabling their greater inclusion in public discourse. In addition to this, involvement in the consultation process could potentially foster better relations within and between protected groups – an aim of the Duty – through promoting interaction for purposes of the consultation.

However, there were ways in which the process was problematic in terms of the Duty seeking fairer means of distributing resources. When considering the methods used in the consultation process, for example, it appeared to be *creating* and even emphasising a hierarchy between some of the protected characteristics. Arguably, simply establishing a budgetary consultation on service delivery priorities highlighted the competition for resources between groups such as older

[493] Manfredi et al, ibid.

individuals (elder care), children and families (child care), etc. This was evidenced by feedback from the public in their reaction to the focusing of resources on particular groups which showed their unease about competing priorities. For example, some expressed concern about any focus on single mothers at the expense of two-parent families who may also have suffered socio-economic disadvantage. As the consultation 'results' showed, reductions to older people's services, such as wardens or floating support, were the least popular proposals: where proposals were ranked within the 'top 30 public concerns', 3 of the top 4 proposals related to older person's services and this had an influence on the council cabinet's decision to maintain spending on this group as these proposed cuts were consequently removed from the list. Having such an openly competitive process may have increased conflict between groups and therefore may have been problematic in terms of the council meeting another requirement of the Duty: to foster good relations. I would argue that, in this respect, there was an inherent paradox within the Duty's requirements.

More positively, the consultation process contributed to a process of mutual learning, which has been identified as being a key feature of the deliberative process[494]. The effects of this were apparent in self-organised groups who contributed to the breadth of discussion within the consultation and raised concerns about lone parents, potential stigmatisation and the importance of children's centres for tackling the causes of child poverty, which supported arguments for continuing to fully fund children's centres. Moreover, the process provided forums for consultation, a small number of which were face-to-face, which included individuals with equalities expertise (for example, members of the Women's Commission). This allowed for interaction and sharing knowledge with members of the public who may be less knowledgeable about the broader equalities issues. Whilst 'mutual learning' was not an outcome in itself, it was arguably a contributory factor for embedding equalities issues as a set of norms within the structures of the community and voluntary sector and self-organised groups generally, through their being better able to act in a role to monitor and support the aims of the Duty.

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[494] McCrudden, ibid.

The consultation exercise for the budgetary proposals formed a significant part of the deliberative processes analysed for this thesis. In the next section, I consider some aspects of the process in greater detail.

6.3.3   Deliberation and the balance of power

Whilst the deliberative process was recognised as a strength of reflexive law for incorporating a wide range of viewpoints, McCrudden[495], identified concerns that this type of law was overly focussed on deliberation and communication, without a mechanism to recognise or deal with differing political and economic interests. As discussed above, with the example of competing concerns between eldercare and childcare, such differing priorities were apparent in my exploration of BCC's processes, and subsequent decision-making was, therefore, subject to a range of differing interests according to the balance of power within the BCC area.

Within such a complex environment, it was difficult to recognise and account for the balance of bargaining power between parties or to understand the impact this had on any outcomes simply from the data available for the 'illustrative examples'. However, a number of examples of groups arguably being able to exercise disproportionate amounts of influence, when others may have been ignored, became apparent during this study. Those who initiated the media campaign to save Hengrove Park's supervision support, for example, did so potentially at the expense of play facilities which were less well known or publicised. The Hengrove Park proposal attracted high levels of publicity, particularly via social media and the press, which became powerful tools for attracting attention to this cause and keeping it high in the public priority ranking amongst the proposals. This presented the possibility that the best organised groups were the most well-heard, which may have privileged larger groups or groups with more resources or skills. The council cabinet decision to maintain funding for Hengrove Park over other services may also have reflected the fact that the mayor's commitment to parks and play was more authoritative because of his leadership position in the council and this, combined with the public response led to the final decision.

Moreover, asking for the public to feed back on their priorities could, potentially, have put some types of service delivery at a disadvantage and facilitated decision-making which was based, in part, on politically 'popular' choices rather than actual levels of disadvantage or the needs of particular protected groups. In addition, the

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[495] 2007, ibid.

needs of groups viewed as less 'deserving' risked not being heard. Such opinions can often be subjective, open to a variety of influences and allow for prejudice against certain groups. The perceptions surrounding 'undeserving' single mothers which I have discussed throughout this thesis, for example have shown the wide influence of such discourses, from the way that government policy is shaped through to individual participant's responses in the BCC consultation process. This may, therefore, lead to disproportionate levels of approval or disapproval for particular resourcing decisions.

I would also argue that there were factors to consider other than political and economic interests which impacted the decision-making process. The Hengrove Park instance highlighted the way in which a simpler project can be easier to 'sell' and draw attention to than one with complex factors. Support for one, popular park such as Hengrove, for example, was easier to explain and use to create a punchy and immediate set of soundbites to publicise via social media, than the restructuring or downsizing of myriad services across the city's children's centres. Such complex interplay between different stakeholders was difficult to monitor and anticipate, and the effect was exacerbated where resources were scarce and/or there was competition[496].

Looking from a more positive perspective, however, reviewing the consultation process highlighted the potential power of interest groups. As I have argued, however, their role is becoming increasingly undermined given the growing need for them to fight to protect existing resources rather than proactively challenging policy or working to better understand and act upon the needs of their membership. The importance of this role, and its impact on the Duty is discussed further in the next section.

6.3.4   Reliance on local actors

As I discussed previously, one way in which the reflexive nature of the Duty was strengthened, was through enabling local actors to initiate change through its mechanisms to support an equalities agenda. This was evidenced in a number of ways within BCC, through the contribution of individuals and groups acting proactively or reactively and using formalised structures such as the budgetary consultation process or informal structures, as shown by the press and social

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[496] McLaughlin, ibid.

media campaign to save Hengrove Park. The Duty has therefore been identified as an important enabler for advocacy and community groups to hold authorities to account[497].

Stakeholders in service provider roles were also important local actors in the process of delivering the aims of the Duty, drawing on localised data to reshape the way in which resources are allocated and delivered. These included organisations that went beyond any contractual or legal obligations to conduct outreach work and understand the needs of their potential service user base as "*a positive thing to do*"[498], identifying the areas of greatest need and collecting data as evidence which they used to work in partnership with and to "*nudge*" the council, shaping priorities "*on developing and sustainability … being able to meet new demands*"[499].

However, this reliance on the presence of such actors and their having the resources to undertake these challenges and work for change may also be a weakness within the Duty. In the past, reliance on local leadership was identified as causal in the failure of some organisations to embed the Duty's requirements into their organisational priorities. This supported Hepple's assertion that leadership structures for internal scrutiny are a necessary element for reflexive law to operate successfully, in addition to interest groups.

There was also evidence that local actors were effective within BCC, as shown by interest groups' role in bringing expertise and consistency to the budgetary consultation. However, the reduced capacity of such groups due to a lack of resources was likely to undermine their effectiveness. Similarly, service providers increasingly had to focus on delivering to a narrower group of service users though with less time and fewer resources. This was likely to curb their activities gathering useful data or working closely with disadvantaged individuals/groups to better understand their needs. Therefore, they would be less likely to consider issues beyond a narrow remit or be adaptive to any changes in localised need. The impact of austerity measures on interest groups and other local actors, such as leaders within BCC and service provision was, therefore, likely to impact negatively on the successful operation of reflexive mechanisms which

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[497] See Conley (2012), ibid; and Sigafoos, ibid.
[498] Strategic lead, early years service provider. Interview transcript 26/11/2014.
[499] Strategic lead, service delivery organisation supporting childcare providers. Interview transcript 15/5/2014.

underpinned the Duty. Moreover, whilst exploring the role of interest groups, the importance of these being representative of their constituents also became apparent. In the next section, I consider the arguments relating to this aspect of the processes in reflexive law.

6.3.5 Representation and the legitimacy of decision-making

A review of the BCC budgetary consultation showed that around 5,000 individuals and 25 groups engaged with this process, which accounted for a tiny percentage of the City's 437,500 population. Other aspects of the consultation also identified complexity in relation to the representativeness of participants. Firstly, though self-organised groups were involved in the consultation processes to ensure broad representation, it was still possible that groups who were unable to sufficiently 'organise' would be excluded. Furthermore, the rights of some of the groups who did participate to represent the interests of their wider constituency has not been unchallenged, for instance a stakeholder involved in this study questioned the 'independence' of organisations which were financed by the Council.

Moreover, the high-profile campaign for Hengrove Park may have eclipsed other cost-cutting decisions that had greater adverse effect on protected groups but who had less powerful voices to support them, for example, minority ethnic groups who were small in number. The impact of a social media campaign like the one for Hengrove Park I would argue also raises questions over the balance of the demographic represented in some aspects of decision-making: those using social media would differ to those contributing to the consultation process in general, and would be likely to overwhelm the contribution of those who were only able to participate using paper-based responses.

I would argue, therefore, that some groups were likely to have been underrepresented in the decision-making and some service users with experience of disadvantage were less able to meaningfully engage with the process. As evidenced in this study in relation to single mothers, some had greater time constraints and had fewer resources, or faced a variety of barriers to participation. This could, I would suggest, undermine the legitimacy of the decisions which this data was used to support[500]. Where groups were not adequately represented, it

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[500] Hepple (2013), ibid.

can be argued, there was a fault in the deliberative process which, in systems theory terms would be described as a failure in communication.

Moreover, although a range of advocacy and self-organised groups were involved in the consultative process and represented their 'constituencies', it cannot be guaranteed that they represented them all as there were likely to be conflicting needs and voices *within* equalities groups. Ensuring those who contributed to deliberations were truly representative of their group could be problematic. As shown by this study, individual single mothers, for example, may have had different experiences of single motherhood and subsequently different needs because of the support networks they had in place, the number of children, their age, socio-economic background or any one of a range of factors. Although advocacy and self-organised groups existed for single parents/mothers, and whilst having some shared experiences, they were not a homogeneous group. It was not, therefore, possible to guarantee that those who spoke on their behalf were fully representative of the diverse needs of the group. As I have argued, it is essential that a group contribute to the deliberative process if their needs are to be properly understood. Any potential exclusion of single mothers from the deliberative process was, therefore, problematic in relation to both their ability to participate in public life and having a platform for their needs to be explained.

A need for different groups to be represented in decision-making processes had been addressed in the BCC Equality Plan, with targets set to further involve individuals from equalities communities in providing data to EIAs, though feedback in 2013/14 showed that these had not been achieved[501]. The low numbers of individuals who felt they could impact on change within the city, and the low numbers of equalities community members who participated in Neighbourhood Partnerships or contributed to EIAs (as evidenced by the participation statistics shown in section 6.2.2.3 also suggested a need to further examine what the constraints that limit participation might be for these groups.

In summary, where groups were excluded from the discussion or where those groups are not fully representative of their constituents, this potentially impacted the legitimacy of any decisions, impacted on quality of discourse, and limited the valuable mutual learning process which was so important for effective deliberation and decision-making and therefore the operation of the Duty's reflexive

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[501] Bristol City Council (2014e), ibid.

mechanisms. In the final part of this section I address the role of the 'due regard' standard which underpinned those mechanisms.

6.3.6   Limitations of the 'due regard' standard

A further criticism of the Duty was that the 'due regard' standard is too weak[502], and that as no particular result is required by the legislation it is possible to meet the standard by simply following an adequate procedure. This was a further area where the flexibility provided by reflexive mechanisms allowed for a proportional response which many perceived as a strength of the Duty. However, past research showed this also created confusion amongst some public authorities around the meaning of 'due regard' in practice[503]: though many considered it was simply to give 'consideration to equality', others argued that case law requires more, and this has led to significant differences in the quality and depth with which the standard is applied across different public authorities.

As discussed in this chapter, BCC had a comprehensive structure in place designed to comply with the 'due regard' standard and used the principles specified by case law, for example, the *Brown* ruling for guidance. This made a demonstrable impact on the decision-making process and, arguably, the outcomes. In the case of the BCC 'illustrative examples', for example, the proposed cut to Hengrove Park was reversed as a result of deliberations which appeared strongly influenced by the consultation results. Furthermore, stakeholder groups felt they had a positive impact on the level of services retained within children's centres and influenced the outcomes for the better. In terms of impacting the lives of single mothers as a service user group, some single mothers were likely to have benefitted from the deliberation process in place to meet the Duty and its impact on the final decisions about which services to maintain and which to cut. The Duty had a demonstrably positive effect, for example, on those in the most socio-economically deprived locations who were the focus of the decision to maintain some level of children's centre services.

However, the Duty's mechanisms did not stop cuts being made, and there were other single mothers who lost out and experienced a worsening of their support mechanisms. Using the example of children's centres, the reduction in wraparound care and the narrowing of services to the most disadvantaged would impact on working single mothers who needed childcare in place and may have

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502 Fredman, ibid.
503 Unison, ibid.

been compelled to find more expensive options or find provision further from home; and mothers who were isolated or needed parenting and educational support. Despite BCC having structures in place to address the needs of the Duty, the lack of a need to achieve results meant that equalities outcomes would not always be effectively pursued even though the adverse impacts of the changes were clear. The children's centre cutbacks arguably confirmed existing critiques of the Duty that, rather than redressing economic inequality, it can be used to redistribute poverty. The Duty may even have assisted in an attempt to show negative decisions as being fairer in the case of BCC with a widely publicised consultation than they might have been without the deliberative process. The consultation exercise was widely publicised by statements from the Mayor promising "I'm listening"[504] which supported a perception that service users' concerns were being addressed.

It is impossible to know precisely what the outcomes of these policy decisions would have been without the need to comply with the Duty and BCC's localised responses, ie, putting an Equality Plan in place, conducting impact assessments, consulting stakeholders, etc. There are weaknesses in the process relating to, for example, the deliberative process and underrepresentation of some groups meaning a lack of legitimacy. Notwithstanding this, I would argue that, against the backdrop of sweeping cuts, the processes were used to provide a framework which ensured greater 'fairness' in the distribution of resources because of greater transparency and data collection which led to an increased understanding of the issues. The work needed to identify more vulnerable groups to develop an evidence base for EIAs drew on a range of suggestions and expertise as part of a deliberation process and led to a targeting of scarcer funding in ways which aimed to reach the most disadvantaged. Furthermore, as became apparent through discussion with service providers, there were genuine incidences of BCC resources being allocated through reflexive mechanisms in ways which supported disadvantaged groups and achieved improved outcomes for equalities communities.

This section addressed some of the key questions underlying this thesis, and the extent to which the Duty has been effective as a piece of reflexive legislation and its limitations and strengths, particularly with regards to meeting the needs of

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[504] See, for example, Bristol City Council (2014k), ibid.

single mother service users. In the final, concluding section I draw this discussion together.

6.3.7   Reviewing the Duty's effectiveness – conclusion

As discussed earlier in this section, a primary criticism of the Duty has long been that it is a paper-based exercise, with reflexive law not being sufficiently prescriptive to support implementation. Whilst it is recognised that a detailed equality plan can become onerous, I would also argue that a set of central strategic equality objectives are an essential factor in ensuring reflexive mechanisms are able to operate. Using systems theory to support this, the BCC Plan was an important way for local actors to translate the requirements of the Duty into localised actions thus facilitating communication within and between the 'subsystems'. The 'illustrative examples' showed that the Plan was useful 'on the ground' as a set of principles which, having been agreed as the priorities which Bristol should focus upon, established an agreed 'language' of arguments as part of a deliberative process, resulting in a set of rules and codes to be reproduced as cultural norms. Based on the findings from this study, I further suggest that such plans risk becoming 'tick-box' only when they contain no targets for improvement or enforceable actions, and that to include this requirement in the Duty would provide the necessary impetus for structural change. In this respect, Hepple's enforcement mechanisms would also play a key role in ensuring that any targets were met.

As I presented in chapter 2, the role of the positive duties as 'proactive models' was to embed change within organisational structures. However, insufficient mechanisms existed within the Duty to send the necessary 'stimuli' that could trigger specific operational targets, such as the need to conduct comprehensive impact assessments, or data monitoring which is consistent with the changes which can occur in a large, fast-moving organisation. Furthermore, without current, appropriate data local actors were less able to understand any gaps in provision which might support them in challenging the priorities of the local authority. Therefore, in this respect I suggest, that the provisions of the Duty were inadequate for instigating lasting, embedded organisational change. From a systems theory perspective, this represented a failure in communication which, I would argue were created by a lack of specific targets within the Duty. Furthermore, I suggest this also highlighted the weakness of the 'due regard' standard, which supported such processes to be put in place but did not require demonstrable organisational change.

Critics of reflexive law and the Duty also highlight the reliance on a deliberative process which, they argue, does not sufficiently provide a structure for recognising and accounting for power imbalances. In response to critiques of this aspect of reflexive law, I would argue there are three aspects to this issue which were evident in the BCC 'illustrative examples' and which were exacerbated by a lack of direction within the Duty's mechanisms: prioritisation between different protected characteristics, which could be problematic given the rising competition for resources during a time of austerity measures; difficulty with identifying who was representative within equalities groups and had the greatest claim of legitimacy to make decisions, particularly where such groups were internally diverse; and power imbalances which could privilege the voices of some groups at the expense of others due to a range of factors which included the constraints that some groups faced that limited their participation.

These factors were exemplified during this study in several ways. Firstly, 'open competition' by the process of ranking budgetary priorities elicited some hostility between different groups who appeared to be competing for resources, eg, single mothers and two-parent families, and this was particularly of concern where groups are perceived as less 'deserving'. This could arguably have created damage to some community interaction, rather than foster good relations, and exacerbated exclusion for groups who already faced discrimination. Secondly, there may have been difficulties ensuring sufficiently wide engagement for the consultation process to be considered representative, with some smaller groups excluded because they had insufficient resources, or faced barriers to inclusion and were unable to contribute. Moreover, as exemplified by the diversity within the single mother participants for this study, there may have been difficulty in identifying who is representative of group interests when trying to ascertain the needs of a particular demographic. Thirdly, the balance of power within the decision-making process could change across different situations, and this would have ramifications for policy-making which may have countered the aims of the Duty. The best organised groups, for example, who could initiate media campaigns, or who had the support of those higher up the power structure, could disadvantage smaller, less organised groups who were the most vulnerable.

The consultation process operated by BCC appeared to be a positive medium which contributed to a more transparent decision-making process and which was arguably fairer for allowing greater participation for many diverse groups (either through individual participation or a range of self-organised and V&I forums).

However, whilst it generally appeared beneficial to have interest groups involved in the deliberation process, the complexities which can arise because of the way the parties involved are interrelated were not regulated within the Duty. Moreover, the lack of a requirement for *engagement* with interest groups, ie, a participatory and reciprocal role for them rather than straightforward consultation, as discussed, was one of Hepple's key criticisms of the way legislation for the Duty was implemented. He argued that engagement is essential for the needs of the group to be reciprocated, notwithstanding the fact that there may be conflict within groups as these are rarely homogeneous or share identical experiences.

The criticisms that the 'due regard' standard was too weak were based on arguments that this is both poorly understood and encourages a focus on process rather than substantive equality outcomes. The lack of prescriptive requirements within the Duty was perceived by some to be a strength of reflexive law as it allowed adaptation to local surroundings and a proportional response. However, I would suggest that in the absence of prescribed guidance, and minimum standards for organisational structures and standards, and in the absence of prescribed targets or goals for which to aim, public authorities are not compelled to do more than the minimum necessary to avoid sanctions. Moreover, arguably, as austerity measures further erode the resources which underpin Hepple's three mechanisms, there would be less capability or incentive to carry these processes out at a level above 'tick-box' levels; ie, deliver effective organisational scrutiny or enable input from interest groups. Furthermore, this would lead to a lessening of the 'softer' enforcement mechanisms which rely on internal standards, and less possibility of sanctions from elsewhere, which may have previously come from interested parties who have been able to challenge local authority policy and potentially threaten judicial review.

Moreover, local actors played a significant, positive role in ensuring compliance with the Duty, and as I have described within this study, their input has facilitated increased participation, provided more appropriate outcomes through a deliberated response which drew on localised expertise, challenged the local authority's actions, and facilitated the allocation of resources to previously unrecognised disadvantaged groups. However, this also meant that implementation of these aspects of the Duty could be over-reliant on the actions of individuals with a specific interest in equalities issues. Therefore, the role of local actors within the deliberative and enforcement mechanism was vulnerable to the negative impact of austerity measures which reduced the time and

resources available to them. This sequence of 'events' could be described, in systems theory terms, as the erosion of the mechanisms required for 'structural coupling' and localised translation which were required for organisations to operate and react accordingly to the legal system's stimuli.

However, as also presented within this thesis, the Duty had positive impact on outcomes within BCC in a number of respects. Through their interpretation of 'due regard', organisational priorities retained a focus on equalities concerns, as evidenced on an ongoing basis through the priorities set for service delivery, and during the time of significant organisational change due to the budgetary constraints which were imposed by central government. Furthermore, the Duty had acted as a useful lever for community and advocacy groups to hold the local authority to account for its decisions in addition to providing a medium, through the consultation process, for allowing those groups and a range of individuals to contribute to policy-making. Therefore, although the 'due regard' processes had not been able to stop the imposition of cuts which impacted on vulnerable groups, BCC had arguably demonstrated levels of accountability and fairness and lessening potential for discrimination in ways which might not have been achieved without having to meet the requirements of the Duty.

Moreover, drawing on the voices of individuals and groups, which in some cases demonstrably impacted the final decisions on budgetary cuts, allowed them recognition and enhanced their dignity through enabling participation in key decision-making processes for the City. In addition, the mutual learning and interaction which was promoted during the consultation process, was arguably a way to foster good relations between some groups. The BCC consultation process was able to highlight some of the flaws in a reflexive, deliberative mechanism. However, it also demonstrated how localised, 'on-the-ground' contributions allowed citizens to practise agency and have an impact. In summary, then, the public consultation process appeared to contribute to better quality decisions and a platform for increased civic participation.

A key aim of this thesis was to focus on a perspective which positioned single mothers as a group with positive rights: who are not simply passive recipients of assistance but who, instead, can demonstrate practices of agency and as social actors can be empowered by – and positively impact - the services support they access. Service user participants had shown a range of activities in which they practised agency to exercise some control over their circumstances and try to improve their own and their child(ren)'s circumstances. Viewing structures as a

'duality', single mother's lives could be patterned by some of the services and support they could access, but there was sometimes scope for them to initiate change and adapt them. Structures, then, can constrain and enable, as described in the context of service use for the single mothers who participated in this study.

As reflexive agents, some of the single mother service user participants had described ways in which, despite having experienced various states of transition and periods of crisis and sometimes disadvantage, they had adopted modes of activity to creatively construct a life and lifestyle, through employment, developing supportive networks, undertaking education etc which challenged the stereotypical view of single mothers as social threat, inadequate parent or be overly-reliant on the state. Furthermore, some had impacted on the wider 'political' system through their MPs or used less formal routes, such as contributing to and publicising local petitions.

In these respects, the Duty's structures could be a direct enabler for these women contributing to social change. As argued within the 'illustrative examples', policy decisions for children's centres and Hengrove Park supervision were likely to have an impact on single mother service users as impacted by the Duty, which as has been established, was a key driver for fairer decision-making processes, has been an enabling factor for single mothers through its role in maintaining levels of service at children's centres and supervision at Hengrove Park. These services, I would argue provided enabling structures which could contribute to the agency of these women by providing free or low-cost, safe activities for their child(ren) and, a space for creating and strengthening social networks. In the case of children's centres, services also included a way to developing parenting and other skills, job-seeking advice and guidance, and so on. The Duty also provided a platform for individual women to contribute to the BCC consultation process through online consultations, as well as those advocating on single mothers' behalf, as evidenced by the BWV submission to the budgetary consultation.

As this study has shown, there are also complex barriers to single mothers' participation and accessing service provision. The reflexive mechanisms of the Duty are able to address issues these issues, for example, through the involvement of service providers 'on the ground' that collected data and targeted local provision. An example of this covered earlier was children's centre staff who worked on a one-to-one basis with the women and developed relationships and an understanding of the impact of such complex factors and ways to provide the necessary support.

However, the Duty was not sufficiently strong, to protect services from closure, and some single mothers who are not the poorest or who work may lose out, for example, because of a removal of wraparound care provision. In addition, children's centre staff will have less access to training and professional development at the same time as resources are cut. This may, therefore, impact their capacity to build the type of valuable one-to-one relationships with single mothers which, in the past, have helped them better understand their needs. Furthermore, a focus on providing services to poorer service-users may stigmatise the services and make them less attractive to those who need them most. Without these enabling structures, some single mothers may be less able to practise agency and participate more fully in public life.

In this chapter I presented the findings as they related to the legal empirical aspects of this thesis, first exploring and evaluating the processes BCC put in place to deliver the Duty, and then discussing the strengths and weaknesses of the Duty and its reflexive features. Throughout, the impact of these structures on single mothers, has been assessed, along with a consideration of the ways in which they can practise agency to facilitate change. The next chapter concludes my thesis, drawing together and discussing the key themes and findings.

Chapter 7: Conclusions

7.1   Introduction

The purpose of this thesis was to examine the impact of the Public Sector Equality Duty on the lives of single mothers who were service users in the city of Bristol in the UK, with a focus of their experiences 'on the ground'. In this final, concluding chapter I discuss the contribution to knowledge this study makes, briefly revisit the rationale for this study and its limitations. A summary and some key implications of the findings follow, in response to the research questions set in section 1.2. These addressed how Bristol City Council implemented the Duty; the constraining and enabling factors for single mother service users; the impact of the Duty on the services delivered and the effectiveness of the Duty.

7.2   Contribution to knowledge

Reviews of the positive equality duties' effectiveness from previous research had so far focused primarily on organisational processes and practitioner viewpoints. Research which revealed service-user perspectives and, in particular, any assessment of the impact the Duty may have on their circumstances was limited. The outcomes the Duty achieved for service users was clearly a gap in knowledge and this was a key factor in developing the direction of my thesis.

This research therefore contributes to knowledge in a number of ways. Firstly, this work formed a response to the outcomes of the 2013 review of the Duty, which stated that, although submissions had been able to attribute "general benefits" to the Duty, there was "little hard evidence to support this or demonstrate that the Duty was leading to better decision-making and improvements in policy and service delivery"[505]. I contend that the evidence from my work relating to Bristol City Council addresses this gap, by demonstrating ways in which the Duty led to more transparent decision-making processes based on a wider range of evidence and broad collaboration; and impacted localised, reflexive mechanisms which informed service delivery to better meet the needs of service users.

Secondly, in order to address the aims of the study, this thesis presented a systematic and detailed exploration of the ways in which the Equality Duty has operated 'on the ground'. Building on a review of organisational processes, it established context for introducing a detailed sociological level that addressed a

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[505] Government Equalities Office (GEO) - Independent Steering Committee, ibid, p. 13.

deeper level of analysis than previous work which has often been based on systems theory. The legal, reflexive mechanisms were, therefore, explored from a new perspective, demonstrating some of the complex ways in which the Duty can stimulate responses and to change service delivery for individuals (in this case single mothers) on a day-to-day basis.

Finally, this study makes a further contribution to the small, existing body of research which positions single mothers as service users with positive rights, who can act as reflexive and knowledgeable agents to impact their circumstances. Through exploring ways in which, as a marginalised group, they were able to practise agency which was both enabled and constrained by social structures such as the Duty, this work offered an alternative paradigm to existing work that was primarily focused on single mothers as dependents

7.3   The rationale revisited

Two perspectives were therefore needed to satisfactorily address the research questions. In order to address the question of the Duty's effectiveness on the ground for single mother service users, firstly, an exploration was required of how the Duty operated as a piece of reflexive legislation. In addition to a desktop study of the Duty's legislative underpinning, this involved a 'process review', of Bristol City Council, to establish a context for further exploring the Duty and how single mothers were positioned within this as a case study group. Secondly, it was necessary to ascertain what the Duty's *impact* was, ie, the law in action, specifically in the lives of these women in relation to the structures which impacted on their access to those services, and the ways in which they were able to operate as social actors.

An interdisciplinary, socio-legal study was developed which combined insights and methods to address the legal and sociological perspectives. Drawing on a feminist methodology to collect the qualitative data, interviews were carried out to use a standpoint grounded in the personal interests and experiences of the women and understand their day-to-day interactions with local authority services on behalf of themselves and their children.

7.4   Theoretical perspectives

A key part of this study, then, was to understand the ways in which Bristol City Council had implemented the Equality Duty. The purpose of this was not to critique them as an organisation, but rather to understand the complex ways in which a public authority might react to the stimuli of the Duty, and how

organisational processes could be established to embed transformational activities which might promote change. Hepple's three interlocking mechanisms, ie, internal organisational scrutiny, involvement of interest groups and enforcement provided a useful structure around which to shape discussions and highlight areas of strength and weakness in the organisational processes in place and the Duty itself.

In terms of understanding the legal underpinning for reflexive law, systems theory provided a useful metaphor and a high-level framework. This was used to explain the boundaries of command and control law for dealing with equalities concerns, ie, as a limitation in communication and 'translation' between 'systems' and 'subsystems'. This theory also supported an explanation of the strengths and weaknesses in implementation of the Duty by Bristol City Council, for instance, the identifiable bridging structures in place, such as the Consultation Team, to act as 'structural coupling' between its internal and external 'subsystems'.

However, as systems theory relies on high levels of abstraction it did not allow for or sufficiently explain the complexity of social relations which operated with the Duty's environment. Therefore, Giddens' theories were drawn upon to develop a more layered understanding of the social interactions which can take place and were employed in two ways. Firstly, Giddens' notion of individuals as reflexive, knowledgeable agents allowed an alternative viewpoint to existing normative and stereotypical notions of single mothers as passive recipients of benefits, and poor mothers. This was also a basis from which to identify where participants *were* constrained by their structural location to better show ways in which they had challenged this, as evidenced by the single mothers practising personal agency through employment, educational development, etc. It was recognised, however, that there are critiques of and limitations to Giddens' theories, in their failure to address the reality of how social influences and economic factors could impact women's lives. Nevertheless, this proved a useful lens through which to carry out this part of my analysis.

Secondly, Giddens structuration theory was used to complement systems theory and better describe and understand a range of activities relating to the Duty. In particular, the contextualisation of 'rules' and 'resources' which Giddens conceptualises as underlying processes of structuration provided a useful taxonomy for a more detailed level of analysis of the mechanisms which BCC undertook to implement the Duty. It provided, for instance, a structure around which to explore some of the hierarchies, such as the authoritative council

structure, and the methods of perpetuating norms, including signification and legitimation processes, to a level of analysis which systems theory was unable to provide. Although Giddens' model did have limitations because of its simplicity, it was also a helpful way to add some layers to the systems theory analysis and understand some of the underlying ways the Duty's mechanisms might be replicated across organisations and other 'subsystems'.

7.5   Limitations to the study

7.5.1   Challenges of 'living law' and equalities as subject matter

As an exploration of 'living law' this study explored some of the interactions with services which affected single mothers on a day-to-day basis, and ways in which the Equality Duty helped shape these. This was not a straightforward task, for a number of reasons. Firstly, given the complexity of service provision within a large city like Bristol, it was not possible to show direct causality between the implementation of the Equality Duty at a 'systems' level and the day-to-day lived experience of a particular single mother trying to negotiate her way around work, childcare, and the other necessary tasks. However, the approach of creating 'illustrative examples', which drew on the experiences of a number of women enabled the identification of patterns and connections, which aligned with the pursuit of a study informed by grounded theory and fit well with subject matter which changed and evolved over the life of the study[506].

In addition, addressing issues around equality of opportunity with non-practitioners (eg, those who worked in a role to implement equality or campaign for a more equal or diverse society) presented challenges. Equality of opportunity is, generally speaking, an abstract concept, which is often better understood through the creation of procedures, organisational goals and metrics. A key feature of this thesis was that it drew on the women's experiences by examining both the constraints and enablers which the women themselves felt were important, and analysed these within the wider environment of services created within the influence of the Duty through some focused 'illustrative examples'. By combining these it was possible to explore some of the areas of interplay between individual's lived experiences and the structures which were in place as service users and potentially as proactive agents for change.

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[506] Charmaz, K. (2006). *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*. Thousand Oaks, CA: Sage.

7.5.2   Single mothers as a participant group

Single mothers presented some challenges as a 'target group' to work with, given the complex and negative stereotypes which prevailed. As identified in this study, and in others before it, the women often 'othered' what they perceived to be different 'types' of single mothers in complex ways, which included other mothers whom they perceived as 'bad enough' mothers (eg, with drug addictions) to, unlike themselves, obtain significant state support.

Furthermore, there was the possibility that using single mother status to identify these women as a group could reinforce a stereotype. In reality, even amongst the small group I worked with, there was diversity of experience and background, and not all had suffered negative experiences. Nevertheless, there were common themes which permeated throughout their accounts which pointed to a particular single mother viewpoint. However, rather than problematising these I aimed to centralise them as drivers for service provision in a way which focused on the women's positive rights under the Duty. Within this, exploration of the women's narratives revealed ways in which they were knowledgeable, reflexive agents with the ability to shape their lives and, through civic participation and activism also shape their environments.

7.6   Summary and implications of the research findings

7.6.1   Bristol City Council – implementing the Duty

The review of BCC organisational procedures, as these operated 'on the ground', demonstrated that the Council had introduced a comprehensive set of internal governance documents and procedures to comply with the Duty. As discussed, there have been a number of key criticisms of the Duty, including that it is a 'tick-box' exercise, though this was not evident from the implementation at BCC.

Amongst the key elements which contributed to this were training and development materials and workforce equalities groups which were formed to lead on diversity issues. As these represented processes to promote internal scrutiny and building capacity, they were identifiable as key mechanisms which Hepple argued were essential for reflexive law to be effective. These were supported by an Equality Plan which arguably played a role as a consistent set of organisational values against a possibility of shifting public priorities which, at times, may have been subjective. I have argued that elements at risk of being 'tick-box' as feared are those which contain no targets for improvement or enforceable actions, showing the importance of data monitoring and also Hepple's

enforcement mechanisms. Extensive arrangements existed for consultation exercises with feedback structures external to BCC which included 'voice and influence' organisations across the protected characteristics. These were ways in which, arguably, BCC addressed a requirement of the Duty to increase participation of underrepresented groups, in addition to providing the means for service users to take part in activities or access the services and support they needed. These also showed another of Hepple's mechanisms – that of a need to involve interest groups - in action.

Several arguments support the BCC approach of positioning socio-economic concerns as a central priority, which is understandable from the perspective of this local authority given the high levels of children in poverty, as discussed in chapter 1. A focus on the poorest can arguably overcome any tensions or complexity between the needs of those with different protected characteristics and ensure that those assigned a particular characteristic are not protected at the expense of those affected by poverty more generally. However, this may have shifted the focus from protected characteristics as required by the Duty with a result that the needs of those who are excluded for reasons other than poverty may be ignored.

7.6.2   Measuring equality

A further area of BCC implementation that raises interesting discussion points was the focus on using statistical data as an evidence base, which, without the support of qualitative data can lead to less understanding of the impact of decision-making, and support generalisations which lead to labelling and stigmatisation. It was noted that failure of public authorities to obtain evidence on the needs of service users was a criticism within the 2013 Review of the Duty, and one which this study had focused on addressing.

In common with existing research findings and submissions to the 2013 review and research, this study identified a lack of substantive quantitative or qualitative data on service users to inform decision-making. Without more descriptive data, it was not possible to identify their needs or understand how they engaged with service provision structures. As this study had found, factors influencing these can be complex, and without such understanding decision-makers are not in a strong position to mitigate any changes to or reductions in service provision.

Setting measurable targets requires quantifiable outputs (participation rates, service users or cases) and financial measures which are needed to design

performance indicators. By its nature, the categorisation required to produce these reduces individuals to an essentialised list of characteristics and does not allow identification of the complexities underlying multiple and intersectional discrimination or that subtle, cumulative differences can be represented. Gender discrimination is experienced differently by women in different situations, with factors such as age or class termed "differences that make a difference", whereby discrimination experienced is "qualitatively different"[507]. However, it is also clear that such measurement is essential on a societal and organisational level to demonstrate that the policies and practices put in place are having the desired effect, and for wider accountability. By drawing on additional qualitative data there may be greater opportunities to better understand what is underlying.

A strength of the Duty was in the way that it adapted at a local level to allow a focus on changing needs. This was demonstrated within my study by the ability for service providers to both work with the prescribed targets set for them whilst also acting reflexively to feed back a changing picture 'on the ground'. In this respect, quantitative information was shown as useful to identify patterns of disadvantage. However, it also demonstrated a potential failing in the reflexive model for delivering support to the disadvantaged, in that those who have not engaged with existing services cannot be accounted for or their needs understood, thus making a focus on participation more important.

7.6.3   Enabling single mother participation and civil engagement

One role of a strategic Equality Plan, I would argue, was to address the aspects of the Duty which supported aims of dignity and inclusion through participation. This might be achieved through including single mothers in goals to increase civic engagement or involvement in consultation processes. As identified in my findings paid work was not the sole route to civic engagement and there were other meaningful ways in which single mothers could be engaged in meaningful and fruitful social interaction. Some of my participants had achieved this, with varying degrees of support, but there is room for BCC to include single mothers in their activities in a more positive way. One way to achieve this was to have mechanisms to bring more single mothers into representative roles which may contribute to an increased understanding of their needs. However, as this group identifiably lacked confidence and were sometimes fearful of attracting stigma it

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[507] Fredman, S (2005b), Double trouble: Multiple Discrimination and EU Law, European Antidiscrimination, in, *Law Review*, No. 2, 2005, page 13-18, p. 13

may be problematic finding someone who would be willing to act as a representative in any way, or who might be considered representative, given that there is a propensity for some single mothers to disassociate themselves from different 'types' of single mother. I would argue, though, that as a group who have barriers to participation and for whom representation may be disproportionately low, some action is required on their behalf to bring them further into public life. This need is greater, I suggest, because the inclusion of single mothers within the Duty's mechanisms such as the Equality Plan have been justified through Child Poverty Strategy which continues to problematise them, and feed into stereotypes and prevailing notions of single mothers as passive recipients and poor mothers.

7.6.4   Single mothers – services and support

As discussed throughout this thesis, women have been hit disproportionately by government austerity measures. Some of the single mother participants involved in this study, for example were in a situation of 'triple jeopardy' facing cuts to jobs, benefits and services at the same time as being called upon to 'fill in the gaps' such as trying to cover reductions in home-to-school transport. Findings from discussions with single mother service users showed key factors which could be experienced as 'enablers' and/or 'constraints' to service use. The constraints included financial and travel difficulties, lack of information about what is available and time to either seek things out for support or to participate, all of which could be exacerbated by personal factors such as a lack of confidence. Aspects of services which were particularly valued and seen as ways to enable participant's activities were those which included non-judgemental, emotional support and developmental learning experiences.

Attaining a sense of independence and self-esteem, as well as being – and being seen as - a 'good' parent appeared to be strong motivations for action. Some of the women described ways in which they had engaged in practices which arguably showed heightened agency, and the creation of new social structures that addressed practical needs such as childcare and emotional support or social networks, a number of which had been enabled by local authority structures (through training, childcare support, etc). It is important to recognise I would argue, the potential for duality of these activities, and that local authority mechanisms might enable these women to create structures in a mutual way which do not presuppose their dependency.

Common factors were identifiable which created opportunities for these women to demonstrate such activism. These included access to some form of community

space and access to information about events and opportunities (relating to both resources and social needs) which some were able to find this via the internet and social media. A gap was identified here, however, and those women without existing networks or constraints, such as having a child with a disability, sometimes struggled to get 'into the loop'. In terms of employment, childcare was a key enabler though there was a lack of interesting or challenging work with hours which fit around childcare. Furthermore, opportunities for learning had decreased because of the removal of financial support for study. In terms of supporting civic engagement, social media played a significant role, and enabled some single mothers to participate and engage despite the fact that further, face-to-face activities were constrained by a lack of time and childcare support as well as, for some, the confidence to speak out.

As a piece of qualitative research, this study has shown the complexity of these women's lives, and how tangible and intangible factors could inter-react and impact on how, why and where they are able to engage with public services. It has demonstrated how there are, therefore, no straightforward ways to meet the needs of a particular group, and that at times there may be a mismatch between policy and the target groups for service provision. This type of deeper understanding is necessary if cuts to services are to be mitigated. There are, however, several ways in which these perspectives could be utilised to learn some lessons about meeting the needs of single mothers as a service user group.

A recognition that some single mothers were restricted to localised lives because of travel constraints or lack of confidence could result in utilising local facilities in areas where no community space (including children's centres), such as parks or cafes for 'pop-up' activities which limit the need to travel and do not require permanent space. Children's Centres continuing to provide support which is free-of-charge to the local authority, such as financial or legal advice drop-ins can be opened up to *all* local parents, or building on existing voluntary and charity-run models, for example, single parent open days might serve to de-stigmatise children's centres without impacting on resources for the poorest. It is recognised that some of these types of activities were already happening, but access to these depended very much on geographical location, and some participants were still unaware of their availability showing a need for more widespread engagement and provision.

It is recognised that the local authority cannot provide universal services, and as service-providers indicated, austerity measures are leading to cuts in the quantity

and quality of what can be provided. However, by paying 'due regard' to understanding services users' needs, which includes an understanding of their perceptions and experiences of constraints and enablers to participation, it can better understand the role which local actors can play in filling in any 'gaps'. One example might be building in measures which the data from this study showed as empowering factors for single mothers, such as educational opportunities or spaces for adult company which they perceive as safe or non-judgemental. It demonstrated the importance of recognising that, rather than being passive recipients of help, single mothers have potential to actively engage with structures, sometimes in a heightened way because of their changing circumstances. This could lead, for example, to: encouraging and providing greater support for activities which demonstrate 'duality', both providing some structure but also leaving room for these to be shaped at a local level, in ways which encourage creative engagement. These might include parent-led activities such as supporting local playing out sessions, or drawing from and building on existing, trusted word-of mouth single mother networks to share localised information, utilising popular media such as Facebook to act as a virtual hub for initiating action, or, as a way of shaping services, using these to map need within and *across* geographical locations.

7.6.5   Consultation and participation

The reliance on a deliberative process as a key feature of reflexive law for decision-making and knowledge-sharing is perceived as a strength. However, this has also been criticised as providing insufficient structure to account for power imbalances. The findings from this study identified the rising competition for resources between protected characteristics; concerns about representativeness within equalities groups; and the possibility of power inequalities between groups during deliberation processes which could lead to the exclusion of disadvantaged groups, particularly those who faced greater constraints to participation such as single mothers. One of Hepple's key criticisms of the way the Duty was implemented was the lack of a requirement for *engagement* with interest groups, and I would argue that the participatory role afforded interest groups was likely to be eroded to even lower levels than anticipated as they became more focused on saving services than proactively monitoring the implementation of the Duty.

At the time of this study, however, the consultation process operated by BCC appeared to be a positive medium which contributed to a more transparent decision-making process. This arguably introduced fairness into the process by

allowing the greater participation of a diverse range of groups and individuals. Furthermore, it was felt by some campaigners to have opened up social spaces in a way which allowed greater participation and offered opportunities to underrepresented groups, whilst providing a means of mutual learning. Such learning between groups and the local authority worked both ways, I would argue, as, by making the proposed cuts to services transparent, it was apparent to all which groups were competing for resources.

If groups such as single mothers are to be recognised as deserving of equal access to these structures, it is important then their representation in public life be valued, and steps taken to involve them in the deliberative processes where they would make a greater contribution to shaping decisions. One approach discussed in this thesis would be for single mothers to be included in the local authority's performance indicators. The aims of this would be to prompt some intervention with this group and provide a structure for monitoring progress. However, this alone would not be an adequate way to ensure greater inclusion if the constraints which limit this group's participation, such as childcare needs are not addressed.

7.6.6 The role of local actors

As discussed throughout this thesis, one strength of the Duty and its reflexive nature is its enabling of local actors to both implement and challenge policy. Examples of these included leaders and managers, and equalities practitioners within BCC; community groups; and service providers. Interest groups were able to have input to discussions and ensure that, through the perspective of these and other, self-organised groups, the goal of equality of opportunity remained in focus. In this respect, a reflexive legislative approach successfully supported activity and adaptation at a localised level.

However, given the essential roles of monitoring, contributing to deliberative processes, identifying and addressing local need, etc, the success of the Duty could be over-reliant on local actors. This might mean that implementation is overly reliant on the actions of a small number of individuals with a particular interest in equalities issues. Furthermore, as I have argued, this was another aspect of the Duty's mechanisms which was potentially vulnerable to the negative impact of austerity measures that reduced the time and resources local actors have available to pursue equalities concerns.

7.6.7   The limitations of the 'due regard' standard

A criticism that the 'due regard' standard was too weak was based on arguments that the Duty encouraged a focus on process rather than substantive equality outcomes. BCC had used the *Brown* ruling to interpret the standard and put a set of structures in place which was process-driven, but nevertheless there was evidence that these processes had impact 'on the ground'. Through their interpretation of 'due regard', organisational priorities retained a focus on equalities concerns, as evidenced on an ongoing basis through the priorities set for service delivery, and during the time of significant organisational change due to the budgetary constraints which were imposed by central government. So, despite following the 'due regard' processes cuts were imposed which impacted on vulnerable groups, BCC had arguably demonstrated levels of accountability and fairness and lessening potential for discrimination in ways which might not have been achieved without having to meet the requirements of the Duty.

7.6.8   Enhancing the Duty's effectiveness

The findings of this study do, however, suggest that a number of changes would make the Duty more effective. The first, which reiterates proposals in submissions to the 2013 review of the Duty, would be to introduce a level of mandatory reporting, to include collecting and monitoring data on service provision and service users. This would reinforce Hepple's requirements for robust internal scrutiny; provide additional information to support interest groups in their role of monitoring and understanding the landscape within which they operate. Furthermore, the frequency of requirements for setting objectives should be increased from 4-yearly, which is inadequate for setting and enforcing any targets or priorities in a way which works meaningfully in a changing organisational environment. There are strong 'business case' arguments for increased data collection and monitoring, in particular for service users who are the council's 'customers'. These include the potential improvements to communication channels with service users; and higher quality of data to help match services with the needs of its users more effectively. Furthermore, increased quality and availability of important data may enhance the communication and understanding needed for reflexive processes to work effectively, for example, informing interest groups of progress so that they may fulfil their monitoring role. However, the issue still remains that monitoring mechanisms may still lose effectiveness due to the erosion of local knowledge and key enforcement mechanisms.

7.6.9 The Duty and austerity

Austerity measures had impacted on service delivery, evidenced by the experiences of my single mother service users' description of government austerity measures 'starting to bite', and the necessity for a budgetary consultation on the cuts. These measures, however, could also be seen to be encroaching on the ability of the local authority to operate its internal 'mechanisms' fully, for example, with the downsizing of elements of the organisation such as the Equalities and Community Cohesion team. As argued previously, though structures such as the EIA process may remain in place, without the specialist skills to collect and interpret appropriate data and communicate how decisions could impact, the quality of this and other mechanisms is likely to suffer. As also discussed, reductions in other staff and associated cutbacks may also result in the loss of valuable organisational memory having a negative impact on the way in which equalities norms are disseminated, eroding the content of the processes which supported meeting the 'due regard' standard. This could lead to a lessening of the 'softer' enforcement mechanisms which rely on standards supported by training and leadership, further eroding Hepple's enforcement mechanism.

I would argue that this exposed a fundamental operational weakness in reflexive law, ie, that this relies on organisational structures to translate stimuli and deliver equality, which is vulnerable to organisations being under-resourced. I further suggest that, as the structures which supported the reflexive mechanisms, such as organisations which contributed to the deliberative process, become less active, a negative process would be replicated throughout, closing down the sources of 'translation' purposes, or 'structural coupling' mechanisms which allowed them to communicate. It would therefore be more difficult to translate the 'stimuli' of the Equality Duty and operationalise its requirements at a local level.

The local authority is, however, a 'subsystem' of the wider, political suprasystem meaning there are limitations to their power and the resources which can be controlled. Even within these constraints, though, the local authority is still able to exercise not only allocative (ie, money and resources) but authoritative power, by specifying *how* services are delivered, to what standards and whom should be prioritised. This might include service providers through service level agreements and maintaining synergies with other bodies for whom equality standards are embedded. I would argue that there is still, therefore, potential to maintain enabling structures through the resources which the local authority *does* have,

contributing to an environment which strives to achieve equality and increased participation through numerous structures and local actors discussed throughout this thesis.

7.7   Future research

There are several potential routes for further research which could be taken from this thesis. One example is based on the importance of support networks for single mothers was apparent from this and previous studies[508] which looked at the strategies for improving their circumstances. The discussions for my study revealed an evolving scene where social media was an increasingly important and valuable tool for networking and information-gathering, particularly in creating and supporting the activities of self-led groups. There would therefore be value in conducting a study, building on existing work, to explore on how such media is increasingly used, and might be better utilised to help isolated groups build contacts[509]. This could be useful for single mothers and other hard-to-reach groups not only to consider ways to address disconnectedness and lack of access to information; but also, in facilitating their greater civic participation and engagement. This is particularly relevant given the increased isolation which has resulted from austerity measures, due to cuts to transport, etc.

Another potential area for future research would be to continue with an analysis of lone mothers as service users against the backdrop of austerity measures, which are ongoing as Bristol City Council face continued funding cuts. As discussed above, an impact of the austerity measures in relation to this research was that service provision was constantly shifting. The impact of reductions to funding was beginning to be felt during my fieldwork period in 2015, and though my participants described managing to maintain some stability in the short term, some were facing precarity – particularly with housing and employment. This type of study would be of interest in two ways: firstly, to understand the continuing strategies of this group, and those providing services for them in dealing with the reduction of formal support structures; and secondly, to better evaluate the role of the Equality Duty in the policy-making processes and the way it is used to mitigate changing circumstances. A possible approach would be to carry out a longitudinal

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[508] For example, see Dearlove, ibid; and Wallbank, ibid.
[509] Though it is recognised that there is existing work in this respect, for example, Lijadi, A. A., Van Schalkwyk, G. J. (2015). Online Facebook Focus Group Research of Hard-to-Reach Participants. International Journal of Qualitative Methods, 14(5), pp. 1-9, none was identifiable which related to single mothers in the UK.

analysis, to analyse the impact on the women's lives over a period of time and explore the corresponding BCC activities relating to maintaining a focus on equality of opportunity.

Finally, the public consultation structures and processes which BCC have in place form a significant part of their efforts to comply with the Duty and pay due regard. These structures included a complex range of local actors, operating across a range of power bases and agendas and, as argued by McCrudden[510], constitute an important part of the reflexive process for challenging existing assumptions. As I have argued, the role of these local actors has been impacted and constrained by austerity measures, in terms of the resources they can call upon and the issues they are being asked to address. Furthermore, confidence in the decision-making processes and levels of engagement with consultations are low, particularly given the severity of reductions to services and what is at stake for service users. Consequently, I feel that a qualitative study of different groups of local actors, to explore motivations for, and the constraints and enablers to, participation in the consultation process would be very timely.

7.8   Concluding remarks

As described, the purpose of this study has been to examine the impact of the Public Sector Equality Duty on the lives of single mother service users in Bristol. In this final chapter, I have highlighted how this research met these aims.

In reflecting on findings relating to the Duty's effectiveness, it was appropriate to revisit Hepple's evaluation of ways in which the government had failed to implement the Duty as needed, when he asserted that "*we can now see that the politicians had not grasped the essentials of this form of regulation or, if they had, chose to ignore them*"[511]. As discussed in Chapter 1, there was clearly an element of hostility from the Government at the time the Duty was introduced. McCrudden[512] had previously identified reliance on government as an agent of change as a weakness of reflexive legislation, and I would argue this has been borne out by political and economic events, ie the change in government and resulting austerity measures. Conley[513] has further argued that the state plays a

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[510] 2007, ibid.

[511] Hepple (2011), ibid, p. 334.

[512] McCrudden ibid.

[513] Conley (2012), ibid, p. 349.

"contradictory" role and has acted to thwart enforcement of the Duty when its economic interests are under threat.

However, I would also argue that through the need to undertake a deliberative and transparent process the Duty "has begun to require that decision-makers establish and confront, rather than turn a blind eye, to those impacts [on the disadvantaged]"[514].

As I have demonstrated, despite governmental hostility towards the Duty at its inception, dismantling of key equalities structures and the negative findings of the 2013 review, activities to encourage decision-makers to promote equality persist. An example includes calls to introduce the socio-economic duty to tackle perceived excessive inequality[515]. Elsewhere in the UK, where fuller specific duties are already in place, the Scotland Government plan to proceed with the introduction of the socio-economic duty[516], and under the Wales Act 2017[517] Welsh ministers are now able to impose this duty on Welsh public bodies. In terms of the UK Government, however, despite raising some issues relating to equality through the introduction mandatory gender pay gap reporting in 2017[518], and the Race Disparity Audit, also in 2017[519], concrete action has yet to materialise. At this stage, it is worth recalling Hepple's argument that there are limits to what the law can achieve, and that legislation such as the Equality Act should be viewed as one element in the processes of social change. Rather than remove the power that privileged elites can exercise over disadvantaged groups, he argued, the law can help direct power towards legitimate procedures that recognise the interests of the less powerful.[520]

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[514] McColgan, ibid, p. 478.

[515] The Equality Trust (2017). Urgent Call on the Department for Work and Pensions to Reduce Inequality, https://www.equalitytrust.org.uk/urgent-call-department-work-and-pensions-reduce-inequality [Retrieved 20/2/2018].

[516] Scottish Government (2017). Socio-economic duty: consultation, https://beta.gov.scot/publications/consultation-socio-economic-duty/ [Retrieved 20/2/2018].

[517] Wales Act 2017, Section 45: Public sector duty regarding socio-economic inequalities, www.legislation.gov.uk, http://www.legislation.gov.uk/ukpga/2017/4/notes/division/6/index.htm [Retrieved 20/2/2018].

[518] GOV.UK (2017). Gender pay gap reporting: overview, https://www.gov.uk/guidance/gender-pay-gap-reporting-overview [Retrieved 20/2/2018].

[519] Cabinet Office (2017). Race Disparity Audit. Summary Findings from the Ethnicity Facts and Figures website, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/686071/Revised_RDA_report_March_2018.pdf [Retrieved 20/2/2018].

[520] Hepple (2014), ibid.

As presented above, this study makes a contribution to knowledge in several ways. Firstly, it addresses a gap identified by the 2013 review of the Duty, by showing how the Duty has led to more transparent decision-making processes and, through localised, reflexive mechanisms has informed service delivery to better meet the needs of service users. Secondly, a systematic and detailed sociological study of the Duty's legal, reflexive mechanisms explored its operation 'on the ground' from a new perspective. Moreover, this study added to the small, existing body of research which positions single mothers as service users with positive rights, offering an alternative paradigm to existing work that focused on single mothers as dependents.

In terms of furthering the discussion, I aim for this study to make a contribution to understanding the Duty's impact and ways in which it can realistically support social change. Hepple's contention was that, to achieve transformative equality, institutions must have a positive role in removing barriers and ensuring access to greater resources for those that need. This is unlikely to be achievable where resources are increasingly scarce. As this study has showed, however, the Duty has been resilient in a number of ways, and it is hoped that the contribution to knowledge made by this study can further aid stakeholders, service providers and single mothers in benefiting from its supportive mechanisms.

Afterword: Reflexive thoughts on the research process

The research process was generally a positive learning experience, though there were several challenges along the way. A key impact of the austerity measures on this research was that the services which I investigated were in a state of flux, with their remit and resources shifting before and during the period of fieldwork. This created a very 'charged' atmosphere on occasion. My involvement with individuals in stakeholder organisations, in particular, involved an ethical dilemma – that of 'doing rapport' by being outwardly friendly to gain research data. The feeling of being inauthentic which this can engender was explored by Duncombe and Jessop[521] and like them I found it hard to draw boundaries and to limit the emotional depth of some encounters. This was particularly noticeable within the stakeholder organisations where one or two individuals were very open with me and generous with their time despite the difficulties their organisation was facing and exceptionally busy workloads due to staff reductions

When I originally applied for ethics approval, the concerns raised by the University were for single mother participants who may be vulnerable, and a great deal of effort went into mitigating any harm. At that stage, I was not especially concerned about the ethical issues relating to stakeholder participants (beyond standard consent and information requirements) as they were dealing with me in their capacity as professionals. Over time, though, it became more obvious that there was impact on those individuals, particularly as many of them were under immense pressure due to savage cuts to funding. This was evidenced in some of my stakeholder interviews, where they revealed the extent of the changes they were facing. As the study progressed, I felt more and more that I was 'wearing out my welcome'. On one occasion, I called on an organisation to drop off yet another set of recruitment flyers and met with some impatience. I understood this better the next day when I received an email saying that their helpline – a key part of their support service to lone parents – was closing at the end of that month with significant job loss to the small organisation. I felt that asking for any further help would be completely inappropriate, only calling in once more to drop off a thank-you card and chocolates. Though, of course, this may have closed down an

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[521] Duncombe, J. and Jessop, J. (2012). 'Doing rapport and the ethics of 'faking friendship', in: Miller et al, ibid.

opportunity to revisit for data collection at a later stage, I felt it was the 'right' and ethical thing to do in the circumstances.

One approach I took in dealing with my concern was through a series of 'research bargains' with participants in return for cooperation[522]. Some were straightforward, for example, one organisation was keen to reach more single mothers and be more inclusive and I offered to give some informal feedback on the issues facing this client group to help with this. Others were more complex, with one organisation asking me for introductions within my university which were outside of my network and area of expertise. At times, I felt a need to 'give something back', sometimes making small bargains with myself, to try to balance things out in return for these organisations' help: joining Facebook groups to share their work; following them on Twitter to re-tweet their activities; joining in events – such as AGMs - to give support; hiring the rooms within their premises for research meetings to help them financially, sharing their promotional materials within other organisations, and so on.

Finally, there are a number of key learning points I would take away as a developing researcher. Firstly, the importance of being flexible in terms of interacting with participants, including being ready to operate in ways which suit the participant and be respectful of their time and priorities (eg, in terms of location, time taken for interviews, etc). This was particularly prescient at a time when both the organisations and the individual participants were facing increasing stress, in part because of the cuts to services inflicted on the public and charitable sector because of austerity measures. Secondly, it is essential to remain mindful of the way in which individuals might feel about being approached to take part in - or being involved in - research. Difficulties with recruitment of single mother participants may reflect that some were suspicious of being targeted for being a single mother. In this case, material factors such as where the interviews were held or paying expenses was unlikely to make a difference. As an alternative approach, I might concentrate more on building rapport and developing relationships with one organisation and a bounded, specific group of women as a case study.

However, at this stage (Spring 2018), it is difficult to ascertain where such a study might best be replicated. The landscape is likely to have changed significantly

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[522] Jupp, V. (2006). *The Sage Dictionary of Social Research Methods*. London: Sage.

since my fieldwork was carried out between 2013 and 2015. On revisiting some of the websites from the organisations that supported my fact-finding at the beginning my study, it is clear that some have not survived austerity measures. It is hoped, however, that the enthusiasm and commitment which I encountered and valued so greatly, particularly in support of support for single mothers, has survived and found a new home.

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Appendix I - Ethics approval documentation

UREC Form E2U

Committee Ref: UREC 13

UNIVERSITY RESEARCH ETHICS COMMITTEE

APPLICATION FOR APPROVAL OF A PROJECT INVOLVING HUMAN PARTICIPANTS, DATA OR MATERIAL

Registration No. *(office use only)* ☐☐☐☐☐☐

Period of Approval *(office use only)*   ....../....../………… to …..../....../...........
The UREC approval period is for two years from the date the full approval letter was issued or six months after the study is due to be completed, whichever is greater. Programme applications are approved for a total of five years.

This application form should be completed by Staff, MPhil/PhD and other professional doctoral researchers at Oxford Brookes University; and external researchers wishing to seek approval to recruit participants from the university.
Taught postgraduate and undergraduate students should seek approval via Faculty procedures:
www.brookes.ac.uk/research/research-ethics/ethics-review-forms

Further details about the research ethics process, including deadline dates, templates for participant information sheets and consent forms are available at www.brookes.ac.uk/research/research-ethics

To ensure a high standard of research ethics review, **a maximum limit of 12 applications** will be reviewed at each UREC meeting. Once this limit has been reached, applications will be held over to the next meeting date. For a list of UREC dates and application deadlines see: www.brookes.ac.uk/research/research-ethics/university-research-ethics-committee/#dates

Applications must be completed on the form; answers in the form of attachments will not be accepted, except where indicated. **No handwritten applications will be accepted**. Applicants should contact the appropriate Research Ethics Officer (REO) to establish procedures for ethics review in the Faculty *(*www.brookes.ac.uk/Research/Research-ethics/Research-ethics-officers).

Applicants must go through Faculty procedures and be signed off by the Faculty or Departmental Research Ethics Officer before being submitted to the University Research Ethics Committee.

Once the application is complete and has been signed off by all parties (see page 2 of this form), it may then be submitted to the UREC administrator based in the Research and Business Development Office, Buckley Building, Headington Campus, Gipsy Lane. Only the first 12 applications received by the submission deadline date shown on the University's Research Ethics web site (www.brookes.ac.uk/Research/Research-ethics/University-research-ethics-committee) will be considered at the next meeting.

Potential participants must not be contacted until written approval has been received from the Committee.

PROJECT TITLE:	Paying 'due Regard'? The impact of the Public Sector Equality Duty on service provision for single mothers

THIS PROJECT IS:	☐	**Staff Research Project**
(tick as many as apply)	☒	**Research Student Project** Has your research degree programme already been approved by the relevant Research Degree sub-committee: ☒ Yes ☐ No

	☐	**Project by External Researcher** *(please give details)*
	☐	Project by member of staff at another institution *(please give details of Post and Institution, including address)*
	☐	MPhil/PhD or professional doctorate student at another institution *(please give details of Department and Institution, including address)*
	☐	Masters student at another institution *(please give details of Department and Institution, including address)*

PRINCIPAL INVESTIGATOR(S): *PhD and doctoral students can be listed as Principal Investigator after their supervisors. The Director of Studies should also be identified.*

TITLE & NAME	POST	DEPT & FACULTY	PHONE	EMAIL
Professor Tina Miller	Professor of Sociology - Director of Studies	School of Law, Faculty of Humanities and Social Sciences	3764	tamiller@brookes.ac.uk
Professor Lucy Vickers	Professor of Law	School of Law, Faculty of Humanities and Social Sciences	4913	lrvickers@brookes.ac.uk
Professor Simonetta Manfredi	Professor of Business and Management	Centre for Diversity Policy Research and Practice, HR Directorate	3843	smanfredi@brookes.ac.uk
Kate Clayton-Hathway	PhD Researcher - Principle Investigator	School of Law, Faculty of Humanities and Social Sciences	07717 336780 / 01865 485796	kclayton-hathway@brookes.ac.uk

OTHER INVESTIGATORS:

TITLE & NAME	POST	DEPT & FACULTY	PHONE	EMAIL

ADDRESS FOR CORRESPONDENCE (PRINCIPAL INVESTIGATOR):   Centre for Diversity Policy Research and Practice
G205A, Gibbs Building
Oxford Brookes University
Gipsy Lane
Oxford OX3 0BP

DECLARATION BY INVESTIGATORS
The information contained herein is, to the best of my knowledge and belief, accurate. I have read the University's Code of Practice for Ethical Standards for Research Involving Human Participants, and accept responsibility for the conduct of the procedures set out in the attached application in accordance with the guidelines, the University's Code of Practice, where appropriate, the guidelines for observation and handling of animals in field research, and any other condition laid down by Oxford Brookes University's Research Ethics Committee. I have attempted to identify all risks related to the research that may arise in conducting this research and acknowledge my obligations and the rights of the participants.

I and my co-investigators or supporting staff have the appropriate qualifications, experience and facilities to conduct the research set out in the attached application and to deal with any emergencies and contingencies related to the research that may arise.

Signature(s):   *Date* ....../....../…………

Principal investigator(s)

Print name(s) of Principal Investigator(s) in block letters

DECLARATION BY DEPT/FACULTY RESEARCH ETHICS OFFICER (BROOKES STAFF AND STUDENTS ONLY)

DATE APPLICATION RECEIVED: ....../....../…………

DATE ETHICS REVIEW COMPLETED ....../....../…………

The Faculty Research Ethics Committee has reviewed this project and considers the methodological/technical and ethical aspects of the proposal to be appropriate to the tasks proposed and recommends approval of the project. The Faculty Research Ethics Committee considers that the investigator(s) has/have the necessary qualifications, experience and facilities to conduct the research set out in the attached application, and to deal with any emergencies and contingencies that may arise.

Comments/Provisos:

Signature(s):   *Date* ....../....../…………

Research Ethics Officer

Print name in block letters

UNIVERSITY RESEARCH ETHICS COMMITTEE USE ONLY

Date application received: ....../....../…………

Date of meeting: ....../....../…………

Decision:

Date:	....../....../........	Approved	☐	Approved, subject to specific conditions	☐	Not approved	☐	Returned for further clarification	☐
Date:	....../....../.......	Approved	☐	Approved, subject to specific conditions	☐	Not approved	☐	Returned for further clarification	☐
Date:	....../....../.......	Approved	☐	Approved, subject to specific conditions	☐	Not approved	☐	Returned for further clarification	☐

....../....../…………

Date of final approval

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1. PROJECT DETAILS

1.1 PROPOSED DURATION OF DATA COLLECTION COMPONENT OF PROJECT   From: February 2014   To: February 2016

1.2 LAY DESCRIPTION: *Provide a brief outline of the project, including what participants will be required to do. This description must be in everyday language which is free from jargon. Please explain any technical terms or discipline-specific phrases. (No more than 350 words)*

This part-time PhD project proposes to conduct a qualitative study of a group of single mothers in Bristol, to ascertain the services they use (both for themselves and their children), and their experiences of using those services against a backdrop of cuts in funding.

In parallel with this, the study will identify the impact on those services of the Public Sector Equality Duty (PSED), and a local authority's provision of services to meet that duty. Under the Equality Act 2010, public authorities must give 'due regard' to the need to eliminate discrimination and advance equality for those with 'protected characteristics'. These characteristics include sex, pregnancy and maternity so lone mothers, though not an homogenous group, are afforded protection in a number of areas of their lives.

The study will comprise initial face-to-face interviews and a focus group with 'experts' and 'stakeholders', including a local authority equalities practitioner and professionals involved with service provision for single mothers, for example, Children's Centre staff. This will help me understand policy relating to the Equality Duty at the local level and ways in which it is implemented, providing background and context upon which to build robust research instruments. This will be followed by a focus group with single mothers to obtain understand the deeper issues around using services, and clarify language and terminology. After this, in-depth face-to-face interviews with single mothers are planned to obtain their narratives around services and the impact these have on the day-to-day lives of them and their children. The aim will be to involve mothers with differently-aged children to gather an understanding of how different services might be used, and their strategies/arrangements where there are gaps.

1.3 AIMS OF AND JUSTIFICATION FOR THE RESEARCH: *State the aims and significance of the project. Where relevant, state the specific hypothesis to be tested. Also please provide a brief description of the proposed research, a justification as to why this research should proceed and an explanation of any expected benefits to the community. **Please provide full references for any work referred to**. (No more than 700 words)*

The key aim of this research is to address the limited studies available around single/lone mothers as service users. Though work has been done on the financial disadvantages suffered by this group identifying them as the worst-hit, little is evident about their experiences, or strategies for dealing with such disadvantages. Single mothers are of interest in their capacity as service users for several reasons. Women are more intensive users of public services than men, requiring higher levels of state support for reasons which include pregnancy and maternity needs, and greater caring responsibilities. They account for the majority (92%) of lone parent households with dependent children. Women are also more likely than men to work part-time and to be low-paid (Cooke and Lawton, 2008; ONS, 2012; 2013; The Fawcett Society 2011, 2012).

The Discourse surrounding lone parents has long been an area entrenched in a paradigm of dependency and notions of an underclass and "a special problem for society" (Murray 1990, p8). Successive governments have focused on lone mothers, particularly those receiving state benefits as reflecting a culture of reliance and contributing to their own perceived causes of poverty. Such perceptions – of worklessness and the transmission of disadvantage from generation to generation – have been met with 'solutions' to move them back into the workplace, (Millar and Ridge, 2002; Walker and Wiseman, 2003). Current government policy requires single parents to find work or face benefit cuts once their

children reach a certain age. Many argue that this is increasingly problematic for women in the face of cuts to the public sector, where women make up the majority of the workforce (Department for Work and Pensions, 2013; The Fawcett Society, 2013). Similarly, teenage pregnancy and parenting are consistently problematised, held up as a symbol of moral decline and societal breakdown, conflating this with a discourse of economic cost and a 'benefits culture' (Duncan et al, 2010).

As a contrast to the prevailing discourse, the emphasis of this study would be on single mothers' negotiation of the state 'structure' provided by local authority services and the agency they exercise in their use of these and other strategies.

This study also addresses the limited amount of research available around 'on the ground' impact of equalities legislation in terms of the outcomes this achieves for service users. There is a range of assessments of how the PSED works in practice. For example, Schneider-Ross (2009, for GEO) surveyed local authorities, health bodies and schools on their view of the 'effectiveness' of the PSED. The material available, however, tends to concentrate on 'top-down' implementation rather than 'impact' or 'outcomes', and though most include some areas of success or good practice in their reporting the emphasis is mainly on practitioner or policy-maker's viewpoints. There is also an emphasis on obtaining feedback from the equalities practitioners responsible for implementation, with a limited number of studies covering service users (Sclater, 2009). Conley and Page, (2010), for example, conducted their research on equality 'actors', eg, trade union reps, and HR managers, though 'service user groups' were also consulted, with a key research question focused on the implementation of the Equalities Act, not the impact.
Furthermore, it is argued that this legislation requires local authorities to justify their decision-making leading to greater transparency with an adaptive approach for addressing inequality (Fredman, 2011). This study will examine the extent to which this adaptive approach is exercised by the local authority, and whether it is experienced 'on the ground'.

Finally, the intent of this work is to generate ideas and theory rather than to produce findings which can be generalised. The key questions I aim to explore in the process include:

•   How has Bristol City Council implemented the PSED to meet its duty in relation to single mothers?
•   What strategies and support are available to them, both provided by the LA and elsewhere?
•   In what ways has the introduction of the PSED affected the lives of single mothers living in Bristol?

References - see 3.4 for full list

1.4   **PROPOSED METHOD:** *Provide an outline of the proposed method, including details of data collection techniques, tasks participants will be asked to do, the estimated time commitment involved, and how data will be analysed. If the project includes any procedure which is beyond already established and accepted techniques please include a description of it. (No more than 500 words.)*

The focus of this qualitative study is on single mothers as an identifiable client group and users of public services, concentrating on a small (yet to be confirmed) area of Bristol. The first phase will commence with a literature review including background on service provision for single mothers in Bristol, identifying related voluntary and community groups. An initial 'scoping' interview is planned with a member of Bristol City Council's equalities team building on desk-top work, to ascertain how Bristol have implemented the PSED when formulating local initiatives for single parents.

Contact will also be made with specialist organisations such as the Single Parent Action Network to identify 'stakeholders' involved in service provision. A small number of interviews (1-2) is planned with stakeholders to develop understanding of local structures. A focus group of stakeholders is then planned to build on the understanding of local policies and develop research instruments for service users (including the correct terminology).

The next phase will involve identifying the impact on service users. Stakeholders will not be asked to recruit single mothers as this might position them as 'gatekeepers' and lead to possible coercion of participants (Miller et al, 2012). They will, though, be asked advice

on where to recruit service-user single mothers, who will be encouraged to 'opt-in' via recruitment posters.

Service user focus groups (at least one, with a further group if enough lone mothers are identified) is planned to develop a deeper, 'bottom-up' understanding of the issues affecting them and refine the interview schedules. 10-12 in-depth interviews will then be conducted with service users, through those recruited by posters and also by creating a 'snowball' sample (also providing focus group attendees with the opportunity to be interviewed). This type of purposive sample is well-suited to working with a network of individuals engaged with a particular service or provider who may be involved in shared mutual support networks (Bryman, p2012).

To ensure interviewees maintain a feeling of control, they will choose the time and location for the discussion, and be sent the interview schedule in advance. All interviews will be semi-structured to allow a discussion to develop according to the interviewee's preferred pace, with their experiences and interests providing 'rich' and 'thick' data. Travel expenses incurred by the participants will be refunded and, where appropriate, refreshments provided with all costs covered.

Up to 15 interviews are planned in total, as a realistic and manageable number to cover in the timescales available. This does, however, depend on saturation being achieved, ie, that no relevant or new data appear to be emerging and categories are well-developed (Bryman, 2012).

Focus groups and interviews will be recorded, with the participants' permission, and recordings will be transcribed for coding. Analysis will be informed by grounded theory allowing interaction with and questioning of data to shape emergent theory. Iterative reviews of the data will allow developing themes to compare and contrast with existing theoretical models and identify central tendencies, gaps and exceptions (Charmaz in Smith et al, 1995; Denzin and Lincoln, 2000).

References - see 3.4 for full list

1.5 INVESTIGATORS' QUALIFICATIONS, EXPERIENCE AND SKILLS
List the academic qualifications and outline the experience and skills relevant to this project that the researchers and any supporting staff have in carrying out the research and in dealing with any emergencies, unexpected outcomes, or contingencies that may arise.

I have a BA in social change, which included a dissertation involving face-to-face interviews with a number of FE students. I also have an MA in equality and diversity which required extensive desktop work and data collection on sensitive political issues for a discourse analysis on right-wing political groups.

I also spent a period as a Research Executive for an organisation specialising in educational and workplace research (2007-09), and time as a freelance researcher involved in small-scale evaluation projects (2010-2012). During this time, I:

- conducted face-to-face interviews with refugees and asylum seekers during an evaluation of a refugee counselling service;
- carried out telephone interviews with survivors of sexual abuse for an evaluation of group counselling run by a rape crisis centre;
- facilitated focus groups with young LGBT people to discuss their experiences of discrimination in education;
- interviewed people with learning disabilities and their families/carers about their experiences in education.

Full details of the other Principal Investigators are available via the following weblinks:

Professor Tina Miller http://www.social-sciences.brookes.ac.uk/staff/prof.asp?ID=31

Professor Lucy Vickers http://law.brookes.ac.uk/staff/prof.asp?ID=48

Professor Simonetta Manfredi
http://www.brookes.ac.uk/services/hr/cdprp/our_people/simonetta_manfredi.html

1.6   PLEASE EXPLAIN WHEN, HOW, WHERE, AND TO WHOM RESULTS WILL BE DISSEMINATED, INCLUDING WHETHER PARTICIPANTS WILL BE PROVIDED WITH ANY INFORMATION ON THE FINDINGS OR OUTCOMES OF THE PROJECT:

The participants will be offered a summary of the findings of this research as well any related activities, eg, articles. The findings will be disseminated through seminar presentations, interest groups and publication of a PhD thesis. It is hoped that the findings will inform debate around service provision for single mothers and contribute to the existing discussions around the role and efficacy of the Public Sector Equality Duty.

1.7   WILL THE RESEARCH BE UNDERTAKEN *ONLY* ON-SITE AT OXFORD BROOKES UNIVERSITY (including all campuses)?

☐ YES, only on-site	☒ NO, not only on-site	*(If NO, give details of off-campus location, including other sites where research is being undertaken and other countries providing data):*

The interviews will be conducted at a place of the participant's choosing. For service users this may be at a community centre, family centre or other premises made available by local service providers or community groups. For stakeholders and experts this will be in their offices or place of work. Focus groups will be conducted at locations convenient to the participants where a space is available, and may include service-providers' premises, community or family centres. All will be off site from Oxford Brookes, and conducted in a location (yet to be decided) in Bristol. In all cases whenever an interview is to be conducted the applicant will provide details of her whereabouts, timings and mobile phone details with a colleague and her partner. The guidelines recommended by the Suzy Lamplugh Trust (http://www.suzylamplugh.org/) will be followed at all times

1.8   OTHER APPROVALS REQUIRED *Has permission to conduct the research in, at or through another institution or organisation (e.g. a school) been obtained? Individuals proposing to conduct research involving contact with children or vulnerable adults must first get agreement from the individual with appropriate authority in the institution or organization through which the research is being conducted. (Copies of letters of approval to be provided).*

☐   YES   ☐   NO   ☒   NOT APPLICABLE

(If YES, please specify from whom and attach a copy. If NO, please explain when this will be obtained.)

1.9   IS THIS PROTOCOL BEING SUBMITTED TO ANOTHER ETHICS COMMITTEE, OR HAS IT BEEN PREVIOUSLY SUBMITTED TO AN ETHICS COMMITTEE? *This includes an NHS Local Research Ethics Committee or any other institutional committee of collaborating partners or research sites.*

☐   YES   ☒   NO   *(If YES, please provide details including correspondence setting c conditions of approval.)*

2.   PARTICIPANT DETAILS

2.1   DO YOU INTEND TO RECRUIT:

		YES	NO
a)	students or staff of this University (i.e. recruitment on-site at Brookes)	☐	☒
b)	adults (over the age of 16 years and competent to give consent)	☒	☐
c)	children/legal minors (anyone under the age of 16 years)	☐	☒
d)	patients or clients of professionals	☐	☒
e)	anyone who is in custody, custodial care, or for whom a court have assumed responsibility	☐	☒
f)	any other person whose capacity to consent may be compromised	☐	☒
g)	a member of an organisation where another individual may also need to give consent	☐	☒

2.2   NUMBER, AGE RANGE AND SOURCE OF PARTICIPANTS
Provide number, age range and source of participants. Please provide an explanation for your proposed sample size (including details of statistical power of the sample, where appropriate) and state any exclusion or inclusion criteria.

15 interviews are planned plus at least two focus groups of 6-8 individuals each - a minimum of one for service users and one for stakeholders. All participants will be 18+. This is a manageble number within the timescales and the resources of the project. Recruitment of stakeholders and 'experts' will be carried out by following up with individuals recommended by existing contacts, eg, Bristol Fawcett (with whom the researcher has current links through campaigning interests).   Service users will be recruited via posters in a range of locations (yet to be decided, but to include, for instance, family and children's centres, libraries or community centres which attract a range of the community and are known sources of local information) and by snowballing. Service users sought or single mothers with children of any age, with the aim of investigating a range of services that single mothers might access. Travel expenses will be covered for service users so that they are not financially disadvantaged by taking part and they are not put off by the cost of participating.

2.3   MEANS BY WHICH PARTICIPANTS ARE TO BE RECRUITED
Please provide specific details of how you will be recruiting participants. How will people be told you are doing this research? How will they be approached and asked if they are willing to participate? If you are mailing to or phoning people, please explain how you have obtained or will obtain their names and contact details. This information will need to be included in the participant information sheet. If a recruitment advertisement is to be used, please ensure you attach a copy to this application.

A representative of Bristol City Council equalities team and stakeholder interviewees will be identifed through online research and suggestions from groups I am already in personal contact with (through my own gender equality campaigning interests, such as Bristol Fawcett). Where possible, I will approach possible stakeholder/expert interviewees via email on referral from an existing contact.

Single mother service-use participants will be required to opt in to the study. A recruitment poster will be disseminated at a range of sites (to be chosen following discussion with stakeholders in the first phase of the project), aimed at attracting single mothers with differently aged children. There wil be a small flyer for them to take containing my details, and they will need to contact me. If a potential interviewee is suggested to me, I will provide a flyer to be passed on rather than approach the potential interviewee directly.

Once a potential interviewee has contacted me, an information sheet will be provided via email or post. A consent form will be provided and discussed with each participant together with researcher details at the time of the interview/focus group. Participants will be clearly informed that they may opt out of the research at any point during the interview phase. If subsequent interviews are necessary, then consent will be renegotiated.

2.4   WILL PARTS OF THIS PROJECT BE CARRIED OUT BY INDEPENDENT CONTRACTORS?

☐ YES   ☒ NO   *If YES, please explain who the independent contractors are, what their role will be and how their work will be monitored. Responsibility for proper conduct of the project remains with the Principal Investigator.]*

2.5   ARE ANY OF THE PARTICIPANTS IN A DEPENDENT RELATIONSHIP WITH ANY OF THE INVESTIGATORS, PARTICULARLY THOSE INVOLVED IN RECRUITING FOR OR CONDUCTING THE PROJECT?

Research involving persons in dependent or unequal relationships (for instance, teacher/student) may compromise a participant's ability to give consent which is free from any form of pressure (real or implied) arising from this unequal power relationship. Therefore, UREC recommends that, where possible, researchers choose participant cohorts where no dependent relationship exists. If, after due consideration, the investigator believes that research involving people in dependent relationships is purposeful and defensible, then UREC will require additional information setting out the case and detailing how risks inherent in the dependent relationship will be managed. UREC will also need to be reassured that refusal to participate will not result in any discrimination or penalty.

NB. Reasons of convenience alone will not normally be considered adequate justification for conducting research in situations where dependent relationships exist.

☐ YES   ☒ NO   *(If YES, please explain the relationship (e.g. teacher/student, student/lecturer, employer/employee) and the steps to be taken by the investigators to ensure that the participant's participation is purely voluntary and not influenced by the relationship in any way.)*

2.6   PAYMENT OR INCENTIVES: DO YOU PROPOSE TO PAY OR REWARD PARTICIPANTS?

☐ YES   ☒ NO   *(If YES, how, how much and for what purpose?)*

3.	RISK AND RISK MANAGEMENT

3.1   DOES THE RESEARCH INVOLVE:

	YES	NO
• use of a questionnaire or similar research instrument or measure? (attach copy)	☐	☒
• use of written or computerised tests	☐	☒
• interviews? (attach interview questions)	☒	☐
• diaries? (attach diary record form)	☐	☒
• participant observation?	☐	☒
• observation of participants (in a non-public place) without their knowledge?	☐	☒
• audio-recording interviewees or events?	☒	☐
• video-recording interviewees or events?	☐	☒
• access to personal and/or confidential data? (including student, patient or client data) without the participant's specific consent	☐	☒
• administration of any questions, tasks, investigations, procedures or stimuli which may be experienced by participants as physically or mentally painful, stressful or unpleasant during or after the research process?	☐	☒
• performance of any acts which might diminish the self-esteem of participants or cause them to experience embarrassment, regret or depression?	☐	☒
• investigation of participants involved in illegal activities?	☐	☒
• procedures that involve deception of participants?	☐	☒
• administration of any substance or agent?	☐	☒

- use of non-treatment of placebo control conditions? ☐ ☒
- collection of body tissues or fluid samples? ☐ ☒
- collection and/or testing of DNA samples? ☐ ☒
- collection and/or testing of gametes or embryo tissue? ☐ ☒
- participation in a clinical trial? ☐ ☒
- administration of ionising radiation to participants? ☐ ☒
- research overseas? ☐ ☒

3.2 POTENTIAL RISK TO PARTICIPANTS AND RISK MANAGEMENT PROCEDURES
Identify, as far as possible, all potential risks to participants (e.g. physical, psychological, social, legal or economic), associated with the proposed research. Please explain what risk management procedures will be put in place.

Although use of local services may not appear to be a particularly sensitive topic area on the surface, such qualitative research may provide a forum for unanticipated disclosures related to the subject matter including financial difficulties or private details of relationships. Birch and Miller, (2000) identify that inviting participants to narrate their experiences can lead to a reassessment of the past making the interview a" therapeutic encounter" (p190), which some participants perceived as beneficial but which also might lead to the 'unleashing' of experiences.

I will attempt to prepare for some of these issues by exploring possible areas of sensitivity for lone mothers during the 'scoping' interview and focus group with voluntary and third sector workers. I will be sensitive to the potential issues, and deal with anything further which arises sympathetically. Ways of doing this include allowing participants to refuse to answer any questions which they feel uncomfortable with in order to respect their autonomy, or moving on to neutral themes (Mitchell and Irvine, 2008). The semi-structured nature of the conversations will allow participants some direction over the 'direction' of the discussion. I will also compile a list of telephone numbers of helplines/support groups which could be given to participants if they say that they would like such a list. I will also ensure that there is sufficient time to debrief the participant on the information sheet and participants will be encouraged to contact me before and following the interviews if they wish to discuss any matters relating to the research.

As the questions may include private sensitive issues covered such as family finances or relationships, extra reassurance will be given around anonymity and confidentiality. To further ensure interviewees maintain a
 feeling of control, they will choose the time and location for the discussion, and be sent the interview schedule in advance.

References - see 3.4 for full list

3.3 ARE THERE ANY SPECIFIC RISKS TO RESEARCHERS THAT ARE GREATER THAN THOSE ENCOUNTERED IN NORMAL DAY TO DAY LIFE? *(Where research is undertaken at an off-campus location, whether in the UK or abroad, researchers should consult the University guidelines regarding risk assessment. Further details are available at: www.brookes.ac.uk/services/hr/health_safety/docs/index.html* **sections OBUHSN 36 & 38.** *The Dean of Faculty or the Director has the overall responsibility for risk assessment regarding the health and safety of researchers. Useful advice for the safety of researchers is available on the Social Research Association website at:* www.the-sra.org.uk *and where appropriate, researchers should read the guidelines on observation, care and handling of animals in field research http://www.brookes.ac.uk/Research/Research-ethics/Guidelines-on-the-observation,-handling-and-care-of-animals-in-field-research/.*

☐ YES ☒ NO *(If YES, please describe)*:

3.4 PLEASE EXPLAIN HOW THE POTENTIAL BENEFITS OF THE RESEARCH OUTWEIGH ANY RISKS TO PARTICIPANTS. *Briefly describe the main benefits and contribution of the study. Include any immediate benefits to participants as well as the overall contribution to knowledge or practice.*

It is hoped that participating in the interviews will be a positive experience for those involved, as there is some evidence that qualitative research discussions have helped

"validate women's experiences and hence promote empowerment" (Davis, 2002, in Tischler, 2008, p246), allowing them to talk things through (Mitchell and Irvine, 2008)

The study will make an original contribution to knowledge by adding to the limited qualitative work currently around the impact of the PSED. An extensive review of existing literature on the impact of the duty shows evidence of change to organisational practices such as the creation of networks through consultation with diverse groups or compliance with requirements to publish equality data (Equal Opportunities Review, 2012; 2012a; GEO, 2012; 2012a; Equality and Human Rights Commission, 2012). There is also scope to contribute to existing critiques of equalities legislation against a backdrop of cuts to services which have disproportionately disadvantaged women (Women's Budget Group, 2008, 2012; McCarvill, 2010; Stephenson and Harrison, 2011; The Fawcett Society, 2011). Other work has studied interventions which have improved the experiences of equality groups such as people with disabilities (TUC, 2013), or the efficacy of the duty in holding authorities to account for their performance in delivering for specific groups (Stonewall, 2013). Though some impact of this procedural change has been reported, there is little or no evidence relating to the life experiences of those affected by the duty and its real day-to-day impact. This gap has further been identified both in a meta-analysis of literature conducted by the Equality and Diversity Forum (2011) and most recently in a government-sponsored report on the Public Sector Equality Duty Review (GEO Independent Review Steering Committee, 2013).

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3.5   **ADVERSE / UNEXPECTED OUTCOMES**
Please describe what measures you have in place in the event of any unexpected outcomes or adverse effects to participants arising from involvement in the project.

Both before and during an interview the participant will be assured that they can withdraw or stop the interview at any time. If the participant reveals particular needs for support during the interview then the applicant will ensure she is provided with a list of appropriate support groups/helplines and if necessary assisted in contacting them.

3.6   **DEBRIEFING, SUPPORT AND/OR FEEDBACK TO PARTICIPANTS (as appropriate)**
What, if any, debriefing, support or feedback will participants receive following the study and when? Participants may need to talk about the experience of being involved in the study or about issues it has raised for them. Depending on risks to participants you may need to consider having additional support for participants during/after the study (e.g., external counseling). Further information on the aims of the research, their own performance and/or the results of the study may also be appropriate.

See 3.5, above.

3.7   MONITORING
Please explain how the conduct of the study will be monitored, for example via your Associate Dean for Research and Knowledge Transfer or supervisory team, (especially where several people are involved in recruiting or interviewing, administering procedures) to ensure that it conforms with the procedures set out in this application, the University's Code of Practice and any guidelines published by their professional association.

Conduct will be monitored via regular face-to-face meetings with my supervisory team supported by emailed progress reports as agreed with them.

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4.   INFORMED CONSENT

4.1   HAVE YOU ATTACHED TO YOUR APPLICATION A COPY OF THE PARTICIPANT INFORMATION SHEET? *(Guidelines for drafting this are provided on the UREC web page at:* www.brookes.ac.uk/Research/Research-ethics/Guidelines-for-informed-consent/
Whenever possible, Oxford Brookes University letterhead should be used for information sheets.)

☒   YES   ☐   NO   *(If NO, please explain.)*

THE FOLLOWING IS A LIST OF ITEMS NORMALLY EXPECTED TO BE INCLUDED IN AN INFORMATION SHEET. PLEASE USE IT IN CHECKING THAT YOUR DOCUMENTS INCLUDE:

	YES	NOT APPLICABLE
• clear identification of the University, the Department(s) involved, the project title, the Principal and other investigators (including contact details)	☒	
• details of what involvement in the project will require (e.g., involvement in interviews, completion of questionnaire, audio/ video-recording of events), estimated time commitment, any risks involved	☒	
• advice that the project has received clearance by the UREC	☒	☐
• if the sample size is small, advice to participants that this may have implications for privacy/anonymity	☐	☒
• a clear statement that if participants are in a dependent relationship with any of the researchers that involvement in the project will not affect ongoing assessment/grades/management or treatment of health *(as relevant)*	☐	☒
• assurance that involvement in the project is voluntary and that participants are free to withdraw consent at any time, and to withdraw any unprocessed data previously supplied	☒	
• advice as to arrangements to be made to protect confidentiality of data, including that confidentiality of information provided is subject to legal limitations	☒	☐
• a statement that the data generated in the course of the research be retained in accordance with the University's policy of Academic Integrity and must be kept securely in	☒	☐

paper or electronic form for a period of ten years after the completion of a research project. www.brookes.ac.uk/Documents/Research/Policies-and-codes-of-practice/academic_integrity
- advice that if participants have any concerns about the conduct of this research project that they can contact the Chair of the University Research Ethics Committee at Oxford Brookes University, including the e-mail address: ethics@brookes.ac.uk. ☒
- any other relevant information ☒ ☐

4.2 HAVE YOU ATTACHED TO YOUR APPLICATION A COPY OF THE CONSENT FORM? - *if you are not obtaining consent in writing please explain how the informed consent process is to be documented. (Guidelines for drafting a consent form are provided on the UREC web page. Whenever possible, Oxford Brookes University letterhead should be used for consent forms.)*

☒ YES ☐ NO *(If NO, please explain how you consent will be documented.)*

DOES THE CONSENT FORM INCLUDE THE FOLLOWING:

	YES	NO	NOT APPLICABLE
appropriate letterhead	☒	☐	☐
title of the project and names of investigators	☒		
confirmation that the project is research	☒		
confirmation that involvement in the project is voluntary and that participants are free to withdraw at any time, or to withdraw any unprocessed data previously supplied	☒		
confirmation of particular requirements of participants, including for example whether interviews are to be audio/visually-recorded, whether anonymised quotes will be used in publications etc.	☒		☐
advice of legal limitations to data confidentiality (in studies where the participants are named or de-identified)	☐		☒
if the sample size is small, confirmation that this may have implications for anonymity	☐		☒
any other relevant information	☒		☐

5. CONFIDENTIALITY/ANONYMITY

5.1 WILL THE RESEARCH INVOLVE:

	YES	NO
complete anonymity of participants (i.e., researchers will not know the identity of participants as participants are part of a random sample and are required to return responses with no form of personal identification)?	☐	☒
anonymised samples or data (i.e., an irreversible process whereby identifiers are removed from data and replaced by a code, with no record retained of how the code relates to the identifiers. It is then impossible to identify the individual to whom the sample of information relates)?	☐	☒
de-identified samples or data (i.e., a reversible process in which the identifiers are removed and replaced by a code. Those handling the	☐	☒

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data subsequently do so using the code. If necessary, it is possible to link the code to the original identifiers and identify the individual to whom the sample or information relates)?

- participants having the option of being identified in any publication arising from the research? ☐ ☒
- participants being referred to by pseudonym in any publication arising from the research? ☒ ☐
- the use of personal data? *(If YES, you may need to register with the University)* ☐ ☒

Please bear in mind that where the sample size is very small, it may be impossible to guarantee anonymity/confidentiality of participant identity. Participants involved in such projects need to be advised of this limitation.

5.2   WHICH OF THE FOLLOWING METHODS OF ASSURING CONFIDENTIALITY OF DATA WILL BE IMPLEMENTED? *Please select all relevant options.*

- data and codes and all identifying information to be kept in separate locked filing cabinets ☒
- access to computer files to be available by password only ☒
- other *(please describe)* ☐

5.3   LEGAL LIMITATIONS TO DATA CONFIDENTIALITY: *Participants need to be aware that the confidentiality of the information they provide can only be protected within the limitations of the law - i.e. it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.* **This only applies to named or de-identified data. If your participants are named or de-identified, you may need to specifically state these limitations.**

☒ YES   ☐ NO *(please explain)*   ☐ Not applicable

6	DATA ACCESS, STORAGE AND SECURITY

6.1   WILL THE PRINCIPAL INVESTIGATOR BE RESPONSIBLE FOR SECURITY OF DATA COLLECTED?

☒ YES   ☐ NO   *(If NO, please provide further details including any differences between arrangements in the field, and on return to campus.)*

6.2   ACCESS TO DATA

☒ **Access by named researchers only**
☐ **Access by people other than named researcher(s)** *(Please explain:)*

6.3   STORAGE OF DATA

☒ **Stored at Oxford Brookes University**
☒ **In a secure shared repository** *(This should be explained to participants in the information sheet)*
☐ **Stored at another site** *(Please explain where and for what purpose:)*

6.4   DOES DATA STORAGE COMPLY WITH THE UNIVERSITY'S GUIDELINES FOR THE MANAGEMENT OF RESEARCH DATA AND RECORDS? *(See Oxford Brookes University Code of Practice for Academic Integrity, at:*

☒   YES   ☐   NO   *(If NO, please explain.)*

7.	**FUNDING**

7.1   IS THIS PROJECT BEING EXTERNALLY FUNDED?

☐   YES   ☒   NO   *(If NO, please skip the remaining questions.)*

7.2   SOURCE OF FUNDING?

7.3   PROJECT GRANT TITLE AND PROPOSED DURATION OF GRANT *(Where applicable)*

7.4   DOES THE PROJECT REQUIRE APPROVAL BEFORE CONSIDERATION BY A FUNDING AGENCY?

☐   YES   ☒   NO

    IF YES: DEADLINE FOR THE FUNDING AGENCY?

7.5   HOW WILL PARTICIPANTS BE INFORMED OF THE SOURCE OF THE FUNDING?
The source of funding should normally be explained in the participant information sheet.

8.	**CHECKLIST**

Please check that the following documents are attached to your application. Please note that where questionnaire or interview questions are submitted in draft form, a copy of the final documentation must be submitted for final approval when available.

	ATTACHED		NOT APPLICABLE
Recruitment advertisement (question 2.3)	☒		☐
Participant information sheet (question 4.1)	☒		☐
Consent form (question 4.2)	☒		☐
Evidence of external approvals related to the research (question 1.9)	☐		☒
Questionnaire (question 3.1)	☐ draft	☐ final	☒
Interview Schedule (question 3.1)	☒ draft	☐ final	☐
Other (please specify: Focus group topic guides)	☒		☐

For further details about completion of this form, please contact your Faculty Research Ethics Officer in the first instance.

Professor Tina Miller
Director of Studies
Department of Social Sciences
Faculty of Humanities and Social Sciences
Oxford Brookes University
Gipsy Lane

27 January 2014

Dear Professor Miller

UREC Registration No: 130789
Paying 'due Regard'? The impact of the public sector equality duty on service provision for single mothers

Thank you for your letter of 15 January 2014 outlining your response to the points raised in my previous letter about the PhD study of your research student Kate Clayton-Hathway and attaching the revised documents. I am pleased to inform you that, on this basis, I have given Chair's Approval for the study to begin.

The UREC approval period for this study is two years from the date of this letter, so 27 January 2016. If you need the approval to be extended please do contact me nearer the time of expiry.

In order to monitor studies approved by the University Research Ethics Committee, we will ask you to provide a (very brief) report on the conduct and conclusions of the study in a year's time. If the study is completed in less than a year, could you please contact me and I will send you the appropriate guidelines for the report.

Yours sincerely

Hazel Abbott
Chair of the University Research Ethics Committee

cc   Lucy Vickers and Simonetta Manfredi, supervisory team
     Kate Clayton-Hathway, Research Student
     Maggie Wilson, Research Ethics Officer
     Jill Organ, Research Degrees Team
     Louise Wood, UREC Administrator

Appendix II – Search terms

Search source	Reasons for search	Themes and search terms developed
Search Bristol City Council website	Identify material related to equality and diversity, the Equality Duty and materials related to single mothers/lone parents: create Data set 1	Single mother, duty, equality, diversity, lone parent,
Data set 1	Identify relevant sections of documents from search #1; search terms developed following Nvivo analysis of qualitative interviews	Consult, equality, engage, lone, single, parent, mother, school, nursery, child, childcare, mental, women, gender, duty, pregnancy, maternity, OFSTED, EHRC, sanction, judicial, quality,
Data set 2 and 3	Identify materials relating to the Duty, its processes and any criticisms	Equality, council, consult, engage, equalities, regulate, regulation, scrutiny, account, data, monitoring, tick, decision, flexible, duty, impact, burden, mainstream, fund/funding/funded, network, VOSCUR, financing, support, parents, single, lone, mum and mother
Data set 2 and 3	Iterative, thematic analysis of qualitative data to streamline and develop discussion on features of service use	Employment, social, social media, services and support, parenting issues, networks, mental health, logistics, isolation, healthcare, financial, isolation, holidays, austerity, activities, activism, access to information, travel, job, housing, stigma, rent, social housing, fairness, equalities, education, emotional support, arts

Appendix III – Fact-finding and recruitment activity

Invitation email:

Fact-finding, networking and recruitment activity

Date	Location	Event/purpose
20/11/2013	Single Parent's Action Network (SPAN) representative	Meet for informal discussion about networking and fact-finding on single parents
10/2/2014	SPAN representative	Meet for informal discussion recruitment methods
13/2/14	SPAN	AGM for fact-finding and networking
14/10/2014	Neighbourhood Forum, Trinity Centre, Lawrence Hill, Bristol	Presentation for recruitment and networking purposes
19/3/2015	BS5 children's centre and nursery	Handing out flyers and available to 'meet and greet' for recruitment purposes
23/7/2014	Hamilton House, Stokes Croft, Bristol - VOSCUR event on child safeguarding	Fact-finding and networking
26/1/2014	Bristol Fawcett strategy day, Café Bica, Bristol	Networking and fact-finding
7/3/2015	International Women's Day event, M-Shed, Bristol	Networking and distribute recruitment flyers
Various dates (October 2014 – May 2015)	Easton Community boards; Bristol central library; St Nicholas Market; J3 library; 'Up Our Street' community group; Barton Hill Settlement; SPAN; BS5 children's centres; M-Shed	Drop flyers and posters for recruitment purposes
Various (Jan 2015-May 2015)	'Up Our Street' community group newsletter, BS5	E-bulletins with recruitment advertisement
Various (March 2015 – May 2015)	Twitter and Facebook	Distribute flyers via social media (for recruitment purposes

Appendix IV - Local authority correspondence and research instruments

OXFORD BROOKES UNIVERSITY

Equalities Manager, Bristol City Council
Brunel House
St George's Road
Bristol, BS1 5UY

24th February 2014

Dear

PhD research project – single mothers and the Public Sector Equality Duty

I am writing to ask your advice (and permission) about involving Bristol City Council Equalities and Community Cohesion Team (ECCT) to help with my research project.

I am a Research Student at Oxford Brookes University, conducting a study for my PhD. I am looking at the Public Sector equality duty (PSED), and the effect this has on services provided to single mothers. As part of this study, I would like to talk to a member of ECCT who has worked in this area.

This would be a one-off interview lasting approximately 45 minutes, at a time and venue to suit the interviewee. It may be face-to-face or over the telephone if this is easier for the participant. Signed consent will be obtained and the interview audio-taped for accuracy. A copy of the transcript will be provided to ensure the interviewee is happy with the content.

The data obtained would help develop and clarify my understanding of the role of the PSED in the work done by the ECCT, and shape my study for going on to speak with service users.

I would be very grateful if you could confirm if there is anyone that I may contact: my contact details are below. I have also enclosed a copy of the Participant Information Sheet which includes fuller details about the study its supervision. Please let me know if you have any questions or queries.

Yours sincerely

Kate Clayton-Hathway

Research Assistant

The Centre for Diversity Policy Research and Practice
Oxford Brookes University
Gipsy Lane, OX3 0BP

kclayton-hathway@brookes.ac.uk

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law@brookes.ac.uk

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Interview Schedule – Local Authority Equalities Team

Firstly, many thanks for agreeing to speak with me. Before we start, do you have any questions about the research?

1   Could you please describe your role and the role of your team (and where this fits with the LA overall)?

2   Can you describe the mechanism for making decisions about resourcing and initiatives for your team?

3   Can you describe any ways the public sector Equality Duty is used in making those decisions?

4   Which aspects of the Duty work best from your viewpoint? Which work less well?

5   How do the requirements of the Duty overlap with other areas of council work, eg environmental issues?

6   As you know, my area of interest is single/lone mothers. Can you describe any ways they might fit in with your team's/the Council's equality planning?

7   Are there any particular services you're aware of which might be used more by single/lone mothers in the Bristol area?

8   Does the Duty have a role in the initiation of any of the services used by single/lone mothers?

9   Does the council have any targets, measures or requirements to show impact relating to this group?

10   Can you suggest any documentation or website information which might help with this study?

11   Is there anything else that you expected me to ask, or you might ask someone about this area?

Study of the effect of equality legislation on service provision for single mothers

Participant Information Sheet – Stakeholder and 'expert' Interviews

Introduction

You are invited to participate in an interview as part of the above research study. I am a Research Student at Oxford Brookes University, and this study is for my PhD. I am looking at the different services single mothers in Bristol can use which are provided by Bristol City Council (either directly by the Council or on their behalf). As equality laws say that the local authority must consider all the different groups who use their services, services for women with children may need special consideration. This research is looking at how those services have worked or might have changed in recent times. In addition to speaking with the City Council I am aiming to interview up to three individuals involved in some way with service delivery for single mothers for background, and up to 12 single mother service-users.

Do I have to take part?

It is up to you to decide whether or not to take part. If you do decide to take part you will be asked to sign a consent form. You would be free to withdraw without giving a reason.

What will happen to me if I decide to take part?

I will contact you to arrange a convenient time and place to meet for a face-to-face interview. The research is designed so that each participant who gives their permission will participate in one interview which will last approximately 45-60 minutes. I would audio-tape record the interview (with your consent), and am interested to hear about your role and any involvement you have had with equalities legislation such as the public sector Equality Duty and/or provision of services for lone mothers. Interviews would then be typed up and I can provide you with a copy for you to check accuracy.

At the start of the interview I will give you a consent form so that you can confirm that you are happy to take part in this project.

What are the possible disadvantages of taking part?

One possible disadvantage in taking part in the study is the time it will take to be interviewed (up to one hour) plus any travel time. I will do all I can to carry out the interview in the most convenient place for you and at a time to fit in with your timetable.

What are the possible benefits of taking part?

As a result of the study I would hope to provide a careful and sensitive account of what it is like for women who use local services, the benefits they obtain and what things they might want to see changed. The study will help to show how single mothers use services, where these services meet their needs, where there are gaps and the roles of equalities legislation.

Will what I say in this study be kept confidential?

All information given by the participants in the study will be kept confidential (within the limitations of the law).

www.brookes.ac.uk

All the information that you give me will be kept strictly confidential and your name will be substituted with an anonymous code in any records that I keep. I will be the only person with access to the interview records. Please note that once I have recorded and anonymised data from the interview, it will not be possible to withdraw it.

Because this study includes a small number of participants, it may be possible to for you to be identified in the final write-up. Every effort will be made to avoid this: your name will be changed on notes of recordings and in any reports or publications. Papers and tapes will be kept in a locked filing cabinet. Data collected during the study will be kept in accordance with the University's policy on Academic Integrity. The data will also be kept securely in both paper and electronic form for a period of ten years after completion of the study.

I have a duty to point out that there are some legal limitations to data confidentiality and that in some exceptional situations it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.

What will happen to the results of the research study?

The results of this study will be written up for my PhD thesis, as academic papers and other publications. Presentations of the findings will be made at relevant seminars and conferences.

I would also provide participants with a brief written summary of the findings once the research is complete (via email or post, as agreed with you).

What should I do if I want to take part?

If you are interested in participating, contact me via email or phone using the details below. We can then discuss a time and location which is convenient for you, and I will organise the appropriate consent forms.

Who is organising and funding the research?

The research is being carried out by me, Kate Clayton-Hathway. I am a Research Assistant for the Centre for Diversity Policy Research and Practice at Oxford Brookes University. I am being supervised by Professor Tina Miller, Professor Lucy Vickers, and Professor Simonetta Manfredi (their contact details are below). My PhD is being funded by the School of Law, which is part of the Faculty of Humanities and Social Sciences at the University.

Who has reviewed the study?

The University Research Ethics Committee at Oxford Brookes University has reviewed the study. If at any time you had any concerns about the way in which the research is being conducted, please contact the Chair of the University Research Ethics committee on: *ethics@brookes.ac.uk* (for more information you can check www.brookes.ac.uk/research/ethics).

Further Information

If you have questions about any aspect of the project, please do not hesitate to contact me:

Kate Clayton-Hathway, Research Student: kclayton-hathway@brookes.ac.uk, tel. 07717 336780 / 01865 485796

Supervisors: Professor Tina Miller, Social Sciences, Faculty of Humanities and Social Sciences, 01865 483764; Professor Lucy Vickers, School of Law, Faculty of Humanities and Social Sciences, 01865 484913; Professor Simonetta Manfredi, Centre for Diversity Policy Research and Practice, HR Directorate, 01865 483843

Thank You

Many thanks for taking the time to read this information sheet.

CONSENT FORM

Title of Project: The public sector Equality Duty and its effects 'on the ground' for single mothers

Kate Clayton-Hathway, Research Student, Centre for Diversity Policy Research and Practice, Gipsy Lane Campus, Oxford Oxon OX3 0BP

Email: kclayton-hathway@brookes.ac.uk

Phone: 07717 3367080 / 01865 485796

		Please initial box	
1.	I confirm that I have read and understand the information sheet for the above study, including the statement about the legal limitations to data confidentiality, and I have had the opportunity to ask questions.	☐	
2.	I understand that my participation is voluntary and that I am free to withdraw (or withdraw any data) without giving a reason.	☐	
3.	I agree to take part in the above study.	☐	
4.	I agree/do not agree to the interview being audio recorded (delete as appropriate).	☐	
5.	I agree to the use of anonymised quotes in publications arising from the study.	Yes ☐	No ☐

_____   _____   _____

Name of Participant   Date   Signature

_____   _____   _____

Name of Researcher   Date   Signature

Appendix V - Stakeholder research instruments

Interview Schedule – Stakeholder Organisations

Firstly, many thanks for agreeing to speak with me. Before we start, do you have any questions about the research?

1   Please describe your organisation and your role:

2   What services are provided for parents and/or their children by your organisation? Any which might be of particular use to single mothers?

3   How have these services developed over recent years?

4   Are you aware of the Public Sector Equality Duty? Do you know if the Duty plays / has played a role in developing or maintaining these services?

5   If yes, what influence do you think the Duty has had on:

i) the services you're involved with providing?
ii) any other services you're aware of which single mums might use?

6   Do you think any other minimum legal requirements or other standards have affected:

i) the services you're involved with providing?
ii) any other services you're aware of which single mums might use?

7   What other organisations would you say provide services for single mothers and their children in Bristol (either in your area or elsewhere in Bristol)?

8   Do you know of anyone / any organisation that has used a) the Duty b) other legal or statutory 'standards' to try and improve services, eg, campaigning organisations?

9   Are there any issues around service delivery which you feel might be particularly sensitive for single mothers?

10   Do you know of any other literature, websites, etc which might help with this study?

11   Is there anything else that you expected me to ask, or you might ask someone about this area if you were me?

Study of the effect of equality legislation on service provision for single mothers

Participant Information Sheet – Stakeholder and 'expert' Interviews

Introduction

You are invited to participate in an interview as part of the above research study. I am a Research Student at Oxford Brookes University, and this study is for my PhD. I am looking at the different services single mothers in Bristol can use which are provided by Bristol City Council (either directly by the Council or on their behalf). Equality laws say that the local authority must consider all the different groups who use their services. Services for women with children may need special consideration, and this research is looking at how those services have worked or might have changed in recent times. I am aiming to interview up to eight individuals involved with (or with knowledge of) services for single mothers.

Do I have to take part?

It is up to you to decide whether or not to take part. If you do decide to take part you will be asked to sign a consent form. You would be free to withdraw without giving a reason.

What will happen to me if I decide to take part?

I will contact you to arrange a convenient time and place to meet for a face-to-face interview. The research is designed so that each participant who gives their permission will participate in one interview which will last approximately 45-60 minutes. I would audio-tape record the interview (with your consent), and am interested to hear about your role and any involvement you have had with equalities legislation such as the public sector Equality Duty and/or provision of services for lone mothers. Interviews would then be typed up and I can provide you with a copy for you to check accuracy.

At the start of the interview I will give you a consent form so that you can confirm that you are happy to take part in this project.

What are the possible disadvantages of taking part?

One possible disadvantage in taking part in the study is the time it will take to be interviewed (approximately one hour) plus any travel time. I will do all I can to carry out the interview in the most convenient place for you and at a time to fit in with your timetable.

What are the possible benefits of taking part?

As a result of the study I would hope to provide a careful and sensitive account of what it is like for women who use local services, the benefits they obtain and what things they might want to see changed. The study will help to show how single mothers use services, where these services meet their needs, where there are gaps and the roles of equalities legislation.

Will what I say in this study be kept confidential?

All information given by the participants in the study will be kept confidential (within the limitations of the law).

All the information that you give me will be kept strictly confidential and your name will be substituted with an anonymous code in any records that I keep. I will be the only

person with access to the interview records. Please note that once I have recorded and anonymised data from the interview, it will not be possible to withdraw it.

Because this study includes a small number of participants, it may be possible to for you to be identified in the final write-up. Every effort will be made to avoid this: your name will be changed on notes of recordings and in any reports or publications. Papers and tapes will be kept in a locked filing cabinet. Data collected during the study will be kept in accordance with the University's policy on Academic Integrity. The data will also be kept securely in both paper and electronic form for a period of ten years after completion of the study.

I have a duty to point out that there are some legal limitations to data confidentiality and that in some exceptional situations it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.

What will happen to the results of the research study?

The results of this study will be written up for my PhD thesis, as academic papers and other publications. Presentations of the findings will be made at relevant seminars and conferences. I would also provide participants with a brief written summary of the findings once the research is complete (via email or post, as agreed with you).

What should I do if I want to take part?

If you are interested in participating, contact me via email or phone using the details below. We can then discuss a time and location which is convenient for you, and I will organise the appropriate consent forms.

Who is organising and funding the research?

The research is being carried out by me, Kate Clayton-Hathway. I am a Research Assistant for the Centre for Diversity Policy Research and Practice at Oxford Brookes University. I am being supervised by Professor Tina Miller, Professor Lucy Vickers, and Professor Simonetta Manfredi (their contact details are below). My PhD is being funded by the School of Law, which is part of the Faculty of Humanities and Social Sciences at the University.

Who has reviewed the study?

The University Research Ethics Committee at Oxford Brookes University has reviewed the study. If at any time you had any concerns about the way in which the research is being conducted, please contact the Chair of the University Research Ethics committee on: *ethics@brookes.ac.uk* (for more information you can check www.brookes.ac.uk/research/ethics).

Further Information

If you have questions about any aspect of the project, please do not hesitate to contact me:

Kate Clayton-Hathway, Research Student: kclayton-hathway@brookes.ac.uk, tel. 07717 336780 / 01865 485796

Supervisors: Professor Tina Miller, Social Sciences, Faculty of Humanities and Social Sciences, 01865 483764; Professor Lucy Vickers, School of Law, Faculty of Humanities and Social Sciences, 01865 484913; Professor Simonetta Manfredi, Centre for Diversity Policy Research and Practice, HR Directorate, 01865 483843

CONSENT FORM – Stakeholder Interviews

Title of Project: Lone mothers' experiences of local service provision, and the effect of the public sector equality duty

Kate Clayton-Hathway, Research Student, Centre for Diversity Policy Research and Practice, Gipsy Lane Campus, Oxford Oxon OX3 0BP

Email: kclayton-hathway@brookes.ac.uk

Phone: 07717 3367080 / 01865 485796

Please initial box

1. I confirm that I have read and understand the information sheet for the above study, including the statement about the legal limitations to data confidentiality, and I have had the opportunity to ask questions.

☐

2. I understand that my participation is voluntary and that I am free to withdraw (or withdraw any data) without a reason.

☐

3. I agree to take part in the above study.

☐

4. I agree/do not agree to the interview being audio recorded (delete as appropriate).

☐

                                          Yes   No

5. I agree to the use of anonymised quotes in publications arising from the study.

                                          ☐   ☐

_____	_____	_____
Name of Participant	Date	Signature
_____	_____	_____
Name of Researcher	Date	Signature

Appendix VI - Service provider and stakeholder details

Service provider/stakeholder Interviewee number	Gender	Organisation type	Role
1	F	Training and support for childcare and play organisations	Education and training professional
2	M	Training and support for childcare and play organisations	Senior manager/strategic role
3	F	Service provision - Early Years Provider	Family Support Worker
4	F	Job and employment support	Senior manager/strategic role
5	M	Service provision - Early Years Provider	Senior manager/strategic role
6	F	Service provision - Early Years Provider	Family Support Worker
7	F	Service provision - Early Years Provider	Senior manager/strategic role
8	F	Service provision - Third sector – housing	Operational role/education and training
9	F	Third sector	Campaigning and advocacy group
10	F	Service provider - third sector	Campaigning and advocacy group; Education and training

Appendix VII – Recruitment posters and flyers

Are you a single mum using local services?

I want to hear your views!

I'm looking at the services you and your children use like play groups, parks, training courses or help finding work.

Do they meet your needs?

Join a friendly, informal discussion group at
The Silai Centre
Wednesday 5th November, 10.30-11.30 am

Sign up at reception!

Refreshments provided. Children welcome (or childcare available with advance booking). All discussions are confidential

If you would like more info (no obligation) contact Kate on cdprp@brookes.ac.uk / or call/text 07717 336780

Are you a single mum?

Do you use local services for you and your children?

I want to hear your views!

I'm looking at the services used by single mums and their children (for childcare, healthcare, parks or help finding work) and asking what it's like to use them

We can chat face-to-face (bring a friend if you like) at a venue to suit you, or by phone – you choose the time

Travel, refreshments and phone costs will be paid and children are very welcome

All discussions will be **confidential**. If you are 18+ with children of any age, contact Kate for more info (no obligation) on cdprp@brookes.ac.uk or call/text 07717 336780

This research is for my PhD and supervised by Oxford Brookes University

Appendix VIII - Service user research instruments

OXFORD
BROOKES
UNIVERSITY

Many thanks for agreeing to speak with me. Before we start, do you have any questions about the research? Consent + Participant Information?

I'd like to start with a little about you. could you tell me…
Age group / number of children and children's ages, etc

Tell me about some of the services that you use (either for yourself or your children)? [*provide a show card*]
(Prompts: childcare (Children's Centres, crèches) school-related (breakfast clubs, after-school clubs); health-related (GP, other); leisure (parks and recreation eg swimming); education (library, college, other training opportunities); advisory services (on housing, finance, legal advice, etc); housing-related; work-related (job clubs, volunteering, etc); computing (access to the internet, help with online forms).

[Another way to approach this would be: "Describe a typical day/week for you and your child/children" if the interviewee needs prompting]

Could you describe how you would use each of these?
[times, regularity, under what circumstances, which is most/least useful?]

Do you remember / How did you hear about these services?
[word of mouth? online? posters? leaflets? obtained from where?]

How long have you been using these? Have you seen any changes to services provided?
[Prompts: as your children have grown up; have there been improvements? Have any of the services got better? Worse?]

Is there any other service which would be helpful for you?

Where services or support has been lost (or is not available), what have you used to replace it? Friends / family / other types of service provider? Can you tell me a little about how this works?
[prompt: locally, or otherwise; formal or informal; partner, boyfriend, children's father / friends / grandparents, etc]

interview schedule service users_december 2014

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(Where services or support has been lost)

Do you know of any organisations or anyone who have/has tried to keep the services by campaigning or any other way (eg looking for an alternative)?

[prompt: local voluntary groups or organisations may have spoken to their MP, asked campaigning organisations to take up their case, eg, to save a local nursery or Sure Start provision]

Are you / have you ever been involved in any organisations trying to change things?

[prompt: local voluntary groups such as SPAN or Up Our Street; organisations that may have lobbied their MP, asked campaigning organisations to take up their case, eg, to save a local park or childcare provision. *This includes being involved in Facebook campaigns, or other types of consultation*]

Is there anything else that you'd like to say about the services you use?

Optional (depending on how the interview has gone).

Would it be ok for me to contact you again if I hear about any changes in the services you use? Best contact method?

[ensure interviewee has my correct contact details, in case they want to follow up]

Do you know anyone who might be interested to speak to me about these issues?

[ensure interviewee has my correct contact details, to allow opt-in]

If you have any concerns about anything we've discussed, I have an information sheet which can point you in the direction of some expert advice

Many thanks for taking the time to speak with me

Field notes and observations

interview schedule service users_december 2014

Study of the effect of equality legislation on service provision for single mothers – interview Participant Information Sheet

Introduction

You are invited to take part in an interview as part of the above research study. I am a Student at Oxford Brookes University, and this study is for my PhD. I am looking at the different services single mothers in Bristol can use. Equality laws say that some services for women with children may need special consideration, and this research is looking at how much services meet those needs (and how much they do not!). I am aiming to interview up to 12 mums with a range of different experiences.

Do I have to take part?

It is up to you to decide whether or not to take part. If you do decide to take part you will be asked to sign a consent form. You would be free to withdraw without giving a reason.

What will happen to me if I decide to take part?

I will contact you to arrange a convenient time – we can speak by phone or organise a place to meet face-to-face (wherever suits you, a café or other public place we can talk is fine). I will take notes (or can audio-tape with your permission). We should take 30-40 minutes.

At the start of the interview I will give you a consent form so that you can confirm that you are happy to take part in this project. You are very welcome to see a copy of my notes and to change them to ensure they reflect what you said.

What are the possible disadvantages of taking part?

One possible disadvantage in taking part in the study is the time it will take to be interviewed plus any travel time (if we meet face-to-face). I will do all I can to to fit in with your timetable. You will be reimbursed for any travel or phone costs, etc. I will pay for any refreshments and also give a small thank-you gift.

Please be reassured that no service providers will be able to identify you in the final write-up, and your access to services will not be affected in any way.

What are the possible benefits of taking part?

In other projects participants have found the opportunity to talk about their experiences enjoyable. As a result of the study I aim to provide a careful and sensitive account of what it is like for women who use local services, any benefits they obtain, what gaps there are and what things they might want to see changed.

Will what I say in this study be kept confidential?

All information given by the participants will be kept strictly confidential (within the limitations of the law). Your name will be substituted with an anonymous code in any records that I keep. I will be the **only** person with access to the interview records.

Your name will be replaced with a code on notes of recordings and in any reports or publications. Papers and tapes will be kept in a locked filing cabinet. Data collected during the study will be kept in accordance with the University's policy on Academic Integrity. The data will also be kept securely in both paper and electronic form for a period of ten years after completion of the study.

I have a duty to point out that there are some legal limitations to data confidentiality and that in some exceptional situations it is possible for data to be subject to subpoena, freedom of information claim or mandated reporting by some professions.

What will happen to the results of the research study?

The results of this study will be written up for my PhD thesis, as academic papers and other publications. Presentations of the findings will be made at relevant seminars and conferences. I would also provide you with a brief written summary of the findings once the research is complete (via email or post, as agreed with you).

Who is organising and funding the research?

The research is being carried out by me, Kate Clayton-Hathway. I am a Research Assistant at Oxford Brookes University and being supervised by Professor Tina Miller, Professor Lucy Vickers, and Professor Simonetta Manfredi (their contact details are below). It is funded by Oxford Brookes University.

Who has reviewed the study?

The University Research Ethics Committee at Oxford Brookes University has reviewed the study. If at any time you had any concerns about the way in which the research is being conducted, please contact them on: *ethics@brookes.ac.uk* (for more information you can check www.brookes.ac.uk/research/ethics).

Further Information

If you have questions about any aspect of the project, please do not hesitate to contact me:

Kate Clayton-Hathway, Research Student: kclayton-hathway@brookes.ac.uk, tel. 07717 336780 / 01865 485796

CONSENT FORM – Service User Interviews

Title of Project: Lone mothers' experiences of local service provision, and the effect of the public sector equality duty

Kate Clayton-Hathway, Research Student, Centre for Diversity Policy Research and Practice, Gipsy Lane Campus, Oxford Oxon OX3 0BP

Email: kclayton-hathway@brookes.ac.uk

Phone: 07717 3367080 / 01865 485796

Please initial box

1. I confirm that I have read and understand the information sheet for the above study, including the statement about the legal limitations to data confidentiality, and I have had the opportunity to ask questions. ☐

2. I understand that my participation is voluntary and that I am free to withdraw (or withdraw any data) without a reason. ☐

3. I agree to take part in the above study. ☐

4. I agree/do not agree to the interview being audio recorded (delete as appropriate). ☐

   Yes   No

5. I agree to the use of anonymised quotes in publications arising from the study. ☐   ☐

_____   _____   _____
Name of Participant   Date   Signature

K Clayton-Hathway

                                 15/4/2015   *via email*

_____   _____   _____
Name of Researcher   Date   Signature

consent form service user interviews_final

Interview – demographic 'show card'

Participant Number

What is your age group?
18-20 ☐
21-29 ☐
30-39 ☐
40-49 ☐
50-59 ☐
60+   ☐

How many children do you have?

How old are they?

Interview 'prompt card'

Children's Centres / Crèches or other childcare / Schools	
Play?	- parks / play areas - swimming pools - youth centres - other (Playbus? Youth groups)
Other Education or training (for you or your children)?	- college - other training - language skills - libraries
Health	- GPs - health visitor, midwife
Advice?	- housing - finance - legal advice
Jobs and/or volunteering?	- job centre - training (job search, CV, skills) - other support
Housing?	- maintenance - advice
Computing?	- access to the internet - help with online forms
Social care?	- support for children or family with disabilities
Neighbourhood?	- safety issues - environment (eg, rubbish collection)
Travel?	- for work, training, other appointments - school, play, other activities

Information leaflet

Many thanks for taking part in the discussion today. I really appreciate your help and could not have done this research without you. If you have any questions or concerns after our talk today and have any questions about this research, please do not hesitate to contact me on the details below. If there are any other issues you would like to talk over, there are lots of places to get help. I have provided some information on some of these below which I hope will be useful

Kind regards, Kate

Kclayton-hathway@brookes.ac.uk
07717 336780

1 Big Database, www.1bigdatabase.org.uk	A comprehensive directory of services, community and voluntary organisations, clubs and groups in Bristol and surrounding areas
Bristol Parent Carers, www.bristolparentcarers.org.uk, info@bristolparentcarers.org.uk, 0845 642 0124	A group of parents who care for children and young people with disabilities, special needs and life-limiting conditions. The Participant Forum for parent carers in Bristol
Bristol Women's Voice www.bristolwomensvoice.org.uk, info@bristolwomensvoice.org.uk, 07972673782	a campaigning organisation giving women in Bristol a voice for better healthcare, child care, family care and jobs
Bristol Young Parents Alliance, www.elimhousing.co.uk/bypa, supportservices@elimhousing.co.uk, 0117 955 9792	Community support and housing for young parents
Bristol Youth Links www.bristol.gov.uk, info@creativeyouthnetwork.org.uk, info@bristolplaybus.org	Services for children and young people aged 8-19 (and up to 24 for those with learning difficulties)
CHAS Bristol Housing Advice, www.chasbristol.co.uk, chasbristol@supanet.com, 0117 935 1260	Advice, information and advocacy for people in housing need
CSE Home Energy Team, home.energy@cse.org.uk	Free, impartial local advice about saving energy in the home
Family Information Service www.bristol.gov.uk, askcyps@bristol.gov.uk, 0845 129 7217	Guidance on childcare and finding a child-minder

Onespace - www.onespace.org (also on Facebook onespaceuk)	Online support for single parents on Health & Wellbeing, Money & Debt, Children and Parenting, Divorce and Separation and much more
Safer Bristol Partnership www.saferbristol.org.uk, safer@bristol.gov.uk, 0117 914 2222	Coordinating Bristol's response to issues of drugs, crime and community safety
Talking Money, www.talkingmoney.org.uk, mail@talkingmoney.org.uk, 0117 954 3990	Advice, support and information on debt from trained advisors
The Conservation Volunteers, www.tcv.org.uk, s.lawrence@tcv.org.uk, 0776 4655650	Guidance and training for clients in receipt of JSA, ESA or other benefits
The Parent Support Service, www.parentsupportservice.co.uk, enquiries@parentsupportservice.co.uk, 0117 327 0201	Practical, professional advice for parents and child therapy

Appendix IX – 'Discussion group' topic guide

Many thanks for agreeing to take part. Before we start [explain project and process for today].

1 Do you have any questions about the research?

[Ensure all demographic and consent forms are returned]

2 Tell me about some of the services that you use – with or without your children

[Provide crib sheet]

3 Which are the most important to you? The least?

4 To what extent do they work well? If you could change anything, what would it be?

5 Since you have been using the services, any changes?

 [Probes: as children have grown up; have there been improvements? Have any of the services got better? Worse? What's the timeframe for this?]

6 How easy is it for you to use the services? Are there barriers?

[Prompts: childcare, travel, language, cost, anything else?]

7 If they are not available, what would you do instead?

[Prompts: rely on friends, family, cover the cost yourself?]

Optional (depending on how the discussion has gone).

8 Would any of you be interested in a more in-depth discussion with me about these issues?

9 Do you know anyone who might be interested in speaking to me about this? Where would be a good place to put up my posters or give out flyers?

[Provide my contact details for follow-up to allow opt-in]

10 If you have any concerns about [issues discussed], I have an information sheet which can point you in the direction of some expert advice

Many thanks for taking the time to speak with me

Field notes and observations

Appendix X - BCC Equality Plan

Excerpts and related strategies which address issues for single mothers[523]

Bristol City Council Equality Plan 2012-15[524]	Objectives and measures
Effective services that are accessible reduce inequalities and meet the needs of our most vulnerable communities (Theme 2)	Objective 1: Increase access to and usage of services where equalities communities are currently under-represented and not accessing services that would deliver community benefit or where some groups are not enjoying equal outcomes. Measures included: • Sustain the numbers of disabled children and young people accessing out-of-school activities. • Increase the accessibility of short breaks for parents of disabled children. Objective 3: Improve wellbeing, inclusion and educational achievement levels for children and young people from equalities groups who experience poorer outcomes. Measures include proportion of children in poverty (CY416)
Engagement and participation of equalities communities (Theme 3)	Objective 1: Improve access to and representation of equalities communities in decision-making structures. Measures included: • Effective involvement of equalities communities in Neighbourhood Partnerships (measuring the % of women who participate in meetings, for example) • Representation on decision-making bodies and panels and in public life – councillors, school governors, service-related panels • Percentage of people who feel they can influence local decisions • Improving equalities stakeholder involvement in Equalities Impact Assessments

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[523] I selected these according to the issues identified as particularly relevant to single mothers as an excluded group during the literature review and provisional discussions with stakeholders.
[524] Bristol City Council (2012c), ibid.

Improve the satisfaction levels of people from equalities communities where satisfaction is below the average (Theme 4)	• Satisfaction with bus services, public transport information – by equalities group especially disabled people and women (CD353)

Bristol Children and Young People's Plan 2011-2014[525]

- Ensure that services for families in need of benefits and debt advice (including more specialist advice for families with disabled children) can be effectively signposted by the children's workforce.
- Ensure non-stigmatised access to high quality services (eg maternal and child health services, early years education and childcare) to meet needs for children and families as early as possible.
- Ensure that the broad range of services which can support learning (eg libraries, volunteer networks, museums), as well as developing pathways into services for children and families with additional needs, are clear and accessible.

Bristol Child Poverty Strategy, 2011-2020[526]

- Recognise social isolation as particular to those for whom worklessness, lone caring responsibilities and access to affordable activities contribute to a lack of engagement within their communities and aim to develop innovative low or no-cost approaches to tackling social isolation and barriers to services through Neighbourhood Partnerships, faith and other community networks.
- Address worklessness amongst lone mothers, with the affordability and availability of local childcare recognised as a major barrier to finding work, along with the lack of family-friendly employers.
- Address low pay and in-work poverty.
- Develop a streamlined system for improved targeting and more joined-up access to benefits (including housing benefit, free school meals, council tax benefits) so that vulnerable families are only assessed once.

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[525] Bristol City Council (2011), ibid.
[526] Bristol City Council (2012b), Ibid.