

TPG23-27

Policy and Guidelines: Gender Impact Assessment Policy

December 2023

Acknowledgement of Country

We acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia, and the oldest continuing culture in human history.

We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we walk with. We celebrate the deep and enduring connection of Aboriginal and Torres Strait Islander peoples to Country and acknowledge their continuing custodianship of the land, seas and sky.

We acknowledge the ongoing stewardship of Aboriginal and Torres Strait Islander peoples, and the important contribution they make to our communities and economies.

We reflect on the continuing impact of government policies and practices, and recognise our responsibility to work together with and for Aboriginal and Torres Strait Islander peoples, families and communities, towards improved economic, social and cultural outcomes

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Gender Impact Assessment Policy

Purpose

The Gender Impact Assessment Policy provides guidance to general government sector (GGS) agencies on when and how to produce gender impact assessments for new policy proposals (NPPs). The Gender Impact Assessment Policy comes into effect on 1 October 2024.

Background

All government agencies are required to prepare gender impact assessments for NPPs. This recognises the important role the NSW Government plays in ensuring the needs of all genders are understood and addressed in the development of public policy.

Gender impact assessments support the NSW Government to make better-informed and equitable decisions when designing policy and allocating resources to meet the needs of the people it serves. Gender impact assessments can also improve the design of new policies to ensure the needs of different cohorts are not inadvertently overlooked.

Summary of Requirements

Mandatory
<ol style="list-style-type: none">1. GGS agencies are required to complete gender impact assessments for all NPPs (recurrent and capital) over \$10 million, unless the proposal satisfies the exemption criteria detailed in this document.

What is a gender impact assessment?

Gender impact assessments consider how a proposed policy, program or project may have different impacts on people based on their gender – this includes women, men and gender diverse people. The assessments aim to provide decision makers with analysis on the gendered impacts of NPPs to inform resource allocation decisions. The assessments can also improve government interventions by embedding gender equality considerations into policy design and implementation.

Objectives of gender impact assessments

Gender impact assessments are designed to:

- support better informed decisions in public policy resource allocation
- highlight how women, men or gender diverse people may have different needs from policies, programs and projects due to their gender
- challenge the perpetuation of gender norms within policy decisions
- avoid negative impacts arising from gender-neutral/gender-blind policy decisions.

Why gender impact assessments are needed

While public policy may be gender-neutral in design, its real-life application can have different consequences for people due to their gender. Women, men and gender diverse people may have different needs, life experiences and access to resources which can result in an initiative impacting them positively or negatively. Structural gender inequalities, such as the gender pay gap and uneven division of caring responsibilities, also shape how people (in particular women) experience public policy. Policymakers may inadvertently reinforce gender inequalities if the different needs of women, men and gender diverse people are not recognised and addressed when designing policy solutions.

While gender impact assessments traditionally compare the experiences of women to men, it is important that people of all genders are considered as part of the assessment. Where available, data and other studies should be used to understand the experiences of gender diverse people and their use of services, and opportunities to collect additional information on the experiences of this cohort should be explored. It is acknowledged that until adequate data on gender diverse people is collected, most gender impact assessments will likely focus on the experiences of women and men.

Where possible, gender impact assessments should also highlight how intersecting aspects of a person's identity including First Nations identity, cultural background, gender identity and expression, sexual orientation, disability and age, affect the way they experience a proposed initiative. For example, it is assumed that women as a group benefit from initiatives focused on reducing domestic and family violence, as women are more likely to be victim-survivors compared to men.¹ However, data shows that First Nations women are 34 times more likely than non-Indigenous women to be hospitalised as a result of family violence.² As such, the development of new policies, programs and projects in this area should take into consideration the different needs of First Nations women, compared to non-Indigenous women, to design effective and culturally safe solutions.

The process of undertaking a gender impact assessment recognises that policy decisions are not inherently gender-neutral and unconscious policy choices may inadvertently create negative

¹ Australia Institute of Health and Welfare 2019, Family, domestic and sexual violence in Australia: continuing the national story 2019, Australia Institute of Health and Welfare: Canberra.

² Australia Institute of Health and Welfare 2019, Family, domestic and sexual violence in Australia: continuing the national story 2019, Australia Institute of Health and Welfare: Canberra.

outcomes and further entrench disadvantage. An example of this emerges from the application of a gender impact assessment on snow-clearing practices in Sweden.

EXAMPLE

In 2011, the snow-clearing schedule in the Swedish town of Karlskoga came under scrutiny as officials were tasked with re-evaluating their policies through a gendered lens. The practice at the time was to clear snow from major traffic arteries first before clearing pedestrian walkways and bike paths. On the surface, the snow-clearing schedule was gender-neutral but closer analysis revealed that it was affecting women and men differently.

The gender impact assessment found women were more likely than men to walk, cycle or take public transport, while men were more likely to drive. Data from Northern Sweden hospital admissions also indicated that pedestrians were injured three times as often as motorists in slippery or icy conditions. In light of this analysis, the town councillors of Karlskoga adjusted the schedule to clear walkways and bike paths before roads – a simple change that did not require additional resources. As a result of this switch, pedestrian injuries fell.

By undertaking a gender impact assessment and identifying differences in how men and women experienced a ‘gender-neutral’ policy, Swedish officials were able to save healthcare and productivity costs arising from pedestrian injuries. Gender impact assessments can support policymakers to uncover the costs and benefits associated with ‘gender-blind’ or ‘gender neutral’ policies.³

³ Caroline Criado Perez 2019, *Invisible Women: Data Bias in a World Designed for Men*, Abrams Press.

When is a gender impact assessment required?

The NSW Government requires GGS agencies to produce gender impact assessments for all NPPs over \$10 million, unless the NPP meets one of the exemption criteria outlined below.

EXEMPTION CRITERIA FOR GENDER IMPACT ASSESSMENTS

Agencies are not required to produce gender impact assessments for NPPs that meet any of the following criteria:

- **The NPP funds the upgrade, maintenance, or replacement of equipment, including information and communications technology (ICT).**
Example: An agency seeks \$11 million for the upgrade of prisoner transport vehicles.
- **The NPP adjusts an agency's capital planning limit.**
Example: An agency seeks to offset its capital planning limit to support its capital strategy.
- **The NPP funds the acquisition of land.**
Example: An agency seeks \$190 million to acquire surplus government owned land for the construction of business hubs.
- **The NPP funds the urgent upgrade, maintenance or replacement of existing infrastructure. This does not include NPPs funding new capital infrastructure.**
Example: An agency seeks \$74 million to urgently repair bushfire-damaged roads.
- **The NPP funds the initial response to a natural disaster. This does not include subsequent funding decisions in relation to natural disaster responses.**
Example: An agency seeks \$205 million for targeted assistance in immediate response to a flooding event.

Gender impact assessments are not required for parameter and technical adjustments (PTAs).

There may be NPPs that partially meet the exemption criteria and should be exempt from a gender impact assessment. Please contact your Treasury Relationship Lead in the first instance.

Process for completing a gender impact assessment

The following steps apply to all NPPs submitted as part of the NSW Budget, unless the NPP meets one of the above exemption criteria:

1. **Complete the preliminary gender impact assessment (see Appendix A) to determine whether a comprehensive gender impact assessment is required for the NPP.** The completed preliminary assessment should be emailed to womenseconomicoutcomes@treasury.nsw.gov.au for Treasury's review.
2. **Complete the comprehensive gender impact assessment (see Appendix B), if required.**
3. **Attach any relevant supporting documentation (for example, data sources, literature reviews, evidence of consultation) to the comprehensive gender impact assessment.**
4. **Submit the completed comprehensive gender impact assessment via Prime as an attachment to the final NPP.** Alternatively, an offline copy can be provided to Treasury via your Relationship Lead. It is recommended that draft gender impact assessments are made available to Treasury prior to final submission via Prime.

How to conduct a gender impact assessment

There is no one-size-fits-all approach to undertaking gender impact assessments. This policy establishes principles to guide gender impact assessments, recognising that agencies have different core functions, processes and internal requirements which shape how new policies, programs and projects are developed. Agencies should apply these principles to the development of gender impact assessments as appropriate.

Guiding principles

The following principles should guide the development of gender impact assessments by NSW government agencies:

1. Understand how economic, social, health, wellbeing and transport needs and experiences can differ for women, men and gender diverse people.
2. Recognise how intersecting aspects of a person's identity including First Nations identity, cultural background, gender identity and expression, sexual orientation, disability and age, influence how women, men and gender diverse people experience the effects of public policy.
3. Identify the potential impacts of a proposed policy, program or project, and how people of all genders may experience these differently, particularly women or gender diverse people.
4. Determine if the policy, program or project will disrupt or reinforce gender norms.
5. Consider how a planned course of action can be adjusted or discontinued, if potential negative gendered impacts are identified.

Applying a gender lens to policy development

For the 2025-26 Budget onwards, agencies will be required to conduct gender impact assessments on all NPPs over \$10 million, unless exempt. Agencies should begin applying a gender lens to the development of new policies, programs and projects as soon as practical. This will support more gender-equal interventions and support agencies to prepare high-quality gender impact assessments. Insights from gender impact assessments will support better-informed Government decision-making and more equitable resource allocation.

To apply a gender lens when developing an NPP, agencies should consider the following steps. While these steps are not mandatory and may not apply for all NPPs, they will assist agencies when preparing their gender impact assessments.

- **Identify how women, men or gender diverse people are affected by the issue you are trying to solve.** Clarify assumptions about the causes of the issue you are trying to solve, and which cohorts are most affected.
- **Source gender-disaggregated data relating to the issue, where available.** Outside of your agency, good sources for gender-specific information include the Australian Bureau of Statistics, Australian Institute of Health and Welfare, and Workplace Gender Equality Agency. If domestic datasets are not available, international research could be considered, where applicable to the Australian context. This process should identify any gaps in existing datasets and evidence, and how the proposal could help fill these gaps (particularly for women and gender diverse people).
- **Use insights from gender-disaggregated data to inform the development of the new policy, program or project.** Based on your research, identify how access to resources, use of services, representation in decision-making and leadership positions, caring responsibilities and life experiences may differ based on gender and intersecting identities. How can this policy, program or project be designed to address their different needs?
- **Consult with stakeholders to ensure a diverse range of voices are heard and explore whether the proposal may have unintended negative consequences, particularly for women or gender**

diverse people. Peak bodies, non-government organisations, councils and universities may provide additional insight on the expected gendered impacts of the proposal.

- **Identify whether there are opportunities to ensure diverse gender representation in governance and other decision-making bodies related to the proposal.** For example, consider the gender diversity of any expert panels, working groups, steering committees or other decision-making bodies that may be established through the proposal.
- **Consider alternative options if potential negative gendered impacts are identified.** What changes can be made to minimise negative impacts on social and economic outcomes, particularly for women and gender diverse people? Are there opportunities for this policy, program or project to strengthen gender equality? If women or gender diverse people do not benefit from this initiative, identify the reasons behind this.
- **Develop a monitoring and evaluation plan, if not already in place.** Many policies, programs and projects will have established processes for measuring impacts on the target cohort(s). What monitoring and evaluation will be undertaken for this proposal? How will you know if the proposal has had the anticipated gendered impacts (if any)? Any gender-disaggregated data collected as part of this proposal should be used for monitoring and evaluation. For more information, see [TPG-22 Policy and Guidelines: Evaluation](#).

Frequently Asked Questions

My NPP is gender neutral. Why should I conduct a gender impact assessment?

While public policy might seem gender neutral on the surface, it can inadvertently reinforce gender inequalities or overlook the specific needs of people due to their gender. For instance, investment in a new bike path may appear gender neutral as it benefits all users in the community, regardless of gender. However, women may have additional safety concerns such as the need for better lighting and exit points along the path. Gender impact assessments can help challenge assumptions that all people will benefit from new proposals in the same way and highlight instances where the needs of different genders should be considered in policy design.

How will information from gender impact assessments inform ERC decision-making?

Where possible, insights from gender impact assessments will be incorporated in information provided to ERC, such as Treasury advice or agency submissions.

Are gender impact assessments required for parameter and technical adjustments?

No. Gender impact assessments are required for NPPs only.

Can gender impact assessments be incorporated into business cases?

Yes. Gender impact assessments can be included as an attachment to strategic and detailed business cases.

What's the difference between gender impact assessments and distributional analysis?

Distributional analysis considers how costs and benefits of an initiative (and its various options) are distributed across different stakeholder groups e.g. income quintiles. Impacts on different genders are generally not considered in distributional analysis unless the initiative is specifically targeted to a particular gender cohort.

While distributional analysis focuses on the *outcome* of an initiative, gender impact assessments consider the different needs of women, men and gender diverse people, barriers to access, and other factors that may affect their interaction with the proposed initiative. It is a qualitative assessment that complements, but does not duplicate, distributional analysis.

How will gender impact assessments be funded?

Agencies are expected to absorb any costs associated with undertaking gender impact assessments.

How will gender impact assessments be monitored and evaluated?




The Women's Economic Outcomes team in NSW Treasury is responsible for monitoring and evaluating the implementation of gender impact assessments across the sector. Monitoring and evaluation will align to NSW's women's outcomes framework, which encompasses indicators and measures for gender equality and women's economic wellbeing.

Appendix A: Preliminary gender impact assessment

Details

Portfolio / Agency	
Proposal ID	<i>If applicable</i>
Proposal Name	
Contact	<i>Name, email, and phone</i>
Short description of the proposal	<i>What issue are you trying to address and what will the proposal achieve? (max. 150 words)</i>
Estimated Total Cost	<i>How much is being sought for the proposal?</i>

Complete all the following questions

Q1. Does the proposal target people of a specific gender?  <i>Tip: If women, men or gender diverse people are the main or a key target cohort of the proposal, select Yes.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, who are you targeting: <input type="checkbox"/> Women/girls <input type="checkbox"/> Men/boys <input type="checkbox"/> Gender diverse people
Q2. Does the issue the proposal is seeking to address affect women, men or gender diverse people differently?  <i>Tip: If some people are disproportionately affected by the issue, or have different needs due to their gender, select Yes.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Q3. Will the proposal lead to different outcomes for women, men or gender diverse people?  <i>Tip: Consider both the direct and indirect impacts of the proposal.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Do I need to complete a comprehensive gender impact assessment?

If you answered yes to **any** of the three questions above, then please proceed to the comprehensive gender impact assessment below. If you need assistance or believe that the proposal does not require a comprehensive gender impact assessment, contact your Treasury Relationship Lead in the first instance.


Appendix B: Comprehensive gender impact assessment

INSTRUCTIONS


- Complete questions 1 to 6. The dot-points under each question are prompts and do not need to be individually addressed in your response.
- See [Glossary of Terms](#) for a list of definitions.
- Outline your assumptions and provide links to any sources referenced (including intersectional data, where available).
- Upload the completed comprehensive gender impact assessment as an attachment to the NPP in Prime. You may also provide an advance offline copy to Treasury via your Relationship Lead.

Part 1: Analysing the gendered impact of the proposal

1. How does the issue you are seeking to address affect women, men or gender diverse people differently?

 *Tip: Consider whether people are disproportionately affected by the issue your proposal is seeking to address, or have different needs, due to their gender (including intersectional characteristics as appropriate). Have their views on how to solve the issue been considered?*

2. What are the barriers to access for women, men or gender diverse people?

 *Tip: Think about whether different social roles, cultural norms and access to resources (work, money, power, security, education, mobility, time, health, and wellbeing) will affect the way people access the policy, program or project. Do they have different requirements? Discuss any steps you have taken to ensure equitable access.*

3. What are the expected direct or indirect impacts on women, men or gender diverse people?

Describe any positive and negative impacts of the proposal on people due to their gender. How will you mitigate any negative impacts?

Direct impacts are the immediate effects of a proposal, whereas indirect impacts are impacts on third parties not directly involved in the proposal.

 *Tip: Think about the impacts on the following:*

Participation and representation: Will it promote the political, economic, or social participation of women or gender diverse people?

Access to or control of resources: Will it increase or decrease women or gender diverse people's access to essential resources such as education, employment and careers, health, time, money, decision-making power, information, new technologies, etc.

Gender based social norms and values: Will it contribute to transforming gender norms in a positive way or reinforce gender stereotypes?

4. Does your proposal support any gender equality indicators? (Select all that apply)

*The pillars and indicators below align with the NSW Women's Strategy and NSW's women's outcomes framework, and reflect the disparities in economic outcomes that continue to be experienced by women. Please select **at least one** indicator that your proposal could support. Treasury may use this information when describing how the NSW Government is progressing on each gender equality indicator.*

Economic opportunity and advancement

- ☐ Increases women's labour force participation in NSW
- ☐ Decreases the underemployment rate for women in NSW
- ☐ Increases the number of female business owners and entrepreneurs
- ☐ Supports women's lifetime financial security
- ☐ Increases the skills and education levels of women and girls

Participation and empowerment

- ☐ Promotes the sharing of unpaid care and responsibilities
- ☐ Improves access to quality early childhood education and care
- ☐ Promotes gender diversity in under-represented industries and sectors
- ☐ Increases gender diversity in decision making and leadership
- ☐ Increases safety in workplaces and / or public spaces
- ☐ Eliminates gender stereotypes and roles

Health and wellbeing

- ☐ Improves access to health care
- ☐ Increases safe and stable housing in NSW
- ☐ Supports reduction of gender-based violence, including domestic and family violence

Other

- ☐ Not applicable
- ☐ Other: [Provide proposed gender equality indicator]

Part 2: Building the evidence base

5. What are the knowledge gaps about the gendered impacts of this issue?

Describe any relevant evidence, research, data used as part of this gender impact assessment and whether there are knowledge gaps in how this issue affects women, men or gender diverse people. If possible, how could your proposal help address this knowledge gap?

6. How will you actively monitor and/or evaluate the gendered impacts of the proposal?

Select the activities you will use to monitor and/or evaluate the gendered impacts of the policy, program or project:

- ☐ Gender disaggregated data and data analysis
- ☐ Case studies from participants of different genders
- ☐ Gender-specific indicators (qualitative and / or quantitative)
- ☐ Equal gender representation in consultations and analysis
- ☐ Terms of reference for evaluations requiring gender expertise in the evaluation team
- ☐ Interim evaluation reports to identify and respond to unintended gendered outcomes
- ☐ Presentation of findings, conclusions and recommendations incorporating a gender analysis
- ☐ Other: [Provide short description below]

Glossary of terms

Gender / gender identity: One's sense of whether one is a man, woman, non-binary, agender, genderqueer, genderfluid, or a combination of one or more of these definitions.⁴

Gendered impact: Consequences that are different, positively or negatively, for affected groups of women, men or gender diverse people.

Gender norms: A subset of social norms that relate specifically to gender differences. They are informal, deeply entrenched and widely held beliefs about gender roles, power relations, standards or expectations that govern human behaviours and practices in a particular social context and at a particular time.

Intersectionality: An approach that recognises that people's lives are shaped by their identities, relationships and social factors to create intersecting forms of privilege and marginalisation.⁵

New Policy Proposal (NPP): A decision by Government that involves a new initiative or discretionary change to existing policy. All proposals that do not constitute PTAs are considered NPPs. Refer to TPG21-11 Parameter and Technical Adjustments and New Policy Proposals (Measures).

Transgender and gender diverse: these are inclusive umbrella terms that describe people whose gender is different to what was presumed for them at birth. Transgender people may position 'being trans' as a history or experience, rather than an identity, and consider their gender identity as simply being female, male or a non-binary identity.⁶

⁴ NSW Health 2022, NSW LGBTIQ+ Health Strategy 2022-2027, www.health.nsw.gov.au/lgbtiq-health/Publications/lgbtiq-health-strategy.pdf

⁵ UN Women 2022, Intersectionality Resource Guide and Toolkit: An Intersectional Approach to Leave No One Behind, <https://unwomen.org.au/our-work/focus-area/intersectionality-explained/>

⁶ NSW Health 2022, NSW LGBTIQ+ Health Strategy 2022-2027, www.health.nsw.gov.au/lgbtiq-health/Publications/lgbtiq-health-strategy.pdf

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